



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

Human security implications of the securitisation of migration: A case  
study on South Africa's BMA Act 2 of 2020

by

Keitumetse Sepeng

16023197

0810463734

[u16023197@tuks.co.za](mailto:u16023197@tuks.co.za)

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Supervisor: Dr C.C. Nshimbi

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## **Abstract**

As the Copenhagen School has shown, something becomes a security problem when political elites declare it to be so. Securitisation, therefore, legitimises extraordinary measures beyond the established political norms. Migration has been perceived as a potential threat to the security of states; consequently, it has been securitised. The literature, through various amendments and critiques, has questioned how well the Copenhagen School's core concept of "societal security" has been understood and applied outside of Europe. South Africa, which is a democracy, has liberalised its immigration policies despite its racist traditions, but there have been various amendments to these policies over the years. The political discourses of these policies target foreigners as extraordinary threats to the collective identity of society. But this also happens because the government views their various national security issues because of poor border control and the inability to maintain overall political order, which is a clear example of securitisation. The argument for this study is that securitisation has human security implications for migration to and in South Africa; these implications will be exacerbated by the Border Management Authority Act 2 of 2020. This study aims to analyse the securitisation of migration in South Africa, from open "liberal" policies to more restrictive policies to justify maintaining political order, and therefore align these changes to South Africa's new border management efforts and indicate their possible human security consequences. The human security perspective comprises both the conditions of treatment of immigrants and the impact of securitisation of migration on the resident population of the host country. The study was primarily qualitative and made use of discourse analysis to make sense of the analysed secondary data; this was exemplified through a case study. The study found that the new act is a realignment of restrictive immigration policy measures in South Africa that present insecurities to the livelihoods of migrants. Migrants are faced with discriminatory behaviour through the political discourse by political leaders, the media and the public, which is characterised by xenophobic denialism and minimalism. The dissertation concluded that South Africa needs to make changes to its national security agenda that would improve the approaches taken to deal with migration through border management. This can be done by using a facilitative security approach rather than an interdiction approach. In addition, political leaders must oppose institutionalised discriminatory behaviour in the political discourse on migration – this prevents bias and helps achieve political order, which is crucial to the development of South Africa

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## **1. Chapter 1: Introduction to the study**

The focus of this study is the human security implications of securitising migration. This study, therefore, investigates what consequences or treatments migrants face in countries where security is centred on the perceived danger that migrants may bring to a country. The context of this is South Africa, focused on the new Border Management Authority Act of 2020, which aims to strengthen national security bodies' existing powers and responsibilities, which may lead to the possible ill treatment of migrants or worsened perception of their intentions. South Africa has always prioritised its national security (previously under a more inclusive lens). However, the government “believes” that in recent years it has witnessed a decline in the order of the state that could be ascribed to corruption, seen in the illicit flow of migrants, and also how the people of the country perceive that their well-being and access to opportunities in their country of birth has been “stolen” by foreigners (Duncan, 2020). The argument of the study is that the national security of South Africa has been more and more securitised and therefore attention needs to be paid to why this is the case and how the human rights and security of migrants are compromised in this process. The problem of the study arises due to South Africa's need to ensure its overall sovereignty (meaning maintaining its territorial integrity and the well-being of its citizens). Given the new act, this national security effort is scrutinised for showing signs of securitisation, particularly a discriminatory plan of action towards migrants and subsequently the perceived outcome of migrants living in the country. This new effort has highlighted the shift from a more humanitarian (rainbow nation) perspective on national security to a stricter (securitised) national security, which therefore presents the main question of what exactly the BMA Act 2 of 2020 means for the national security of South Africa. This includes the way it has changed from previous efforts and whether it strengthens or weakens certain areas, and what it will mean for the movement of migrants in and out of the country.

This chapter provides the overall background and introduction to the study. It serves as a general overview of the study by highlighting the underlying theme for the research. The study is focused on the human security implications of securitising migration through a case study on the South African Border Management Authority Act of 2020. Human security and securitised migration will form the thematic areas of focus in this study. These serve as the context to the research problem because they provide clarity and identify the implications of newly securitised border security agendas. Additionally, the chapter also includes the methodology and the overall structure of the research.

## **1.1. Identification of the research theme**

Monitoring secure land, sea, air, and maritime borders is a challenging task for many countries, particularly because of the length of the borders, their porousness and difficulty in efficiently monitoring them. Borders exist for the management or control of the flow of people, goods and services into a country (Grizold, 1994). Over the past years, immigration has increased in almost every country and this increase has been accompanied by concern about and terror of immigrants.

The concept of securitisation was introduced by the School of Security Studies (Copenhagen). In this school of thought, the human is the referent object to the security of a state. This school of thought therefore suggests a constructivist approach to distinguish the process of securitisation from politicisation: who can securitise and what informs that process (Buzan, Waever & De Wilde, 1998).

This school of thought highlights the need to understand the causal relationship or uniformity between securitisation and migration on the national security of countries. This study focuses on the human security implications of the securitisation of migration through a case study on South Africa and its new Border Management Authority (BMA) Act of 2020. The term migration in this study will be an umbrella term that includes refugees, immigrants and asylum seekers. Intra-Africa migration is increasingly securitised, and this can be seen through the various acts and policies of different African countries such as South Africa (Abebe 2019). South Africa's Alien Control Act of 1991, which lasted for 12 years but still holds relevance for quite a few recent immigration policies, permitted the exclusion and restriction of undocumented migrants and this resulted in the migrants being stripped of basic human rights, particularly at detention centres, and poor deportation conditions (Segatti, 2011: 38-39). In 2020, South Africa signed a Act into law that seeks to address the socioeconomic repercussions of mismanaged borders. This law provides for the establishment of a Border Management Authority to provide improved and coordinated border law enforcement. According to Moyo (2020), it may seem that the management of South Africa's borders is moving towards strengthening the securitisation of migration. This is an attempt to curb undocumented migration, but it is an attempt that has proven to be unsuccessful and encroaches on human security (Moyo, 2020). There has been extensive efforts on the African continent to move

towards greater integration, as seen through the aims provided by the African Union (creating the African Economic Community - AEC) in addition to the existing African Free Trade Zone (AFTZ) to ensure progressive border agendas, free trade and the free movement of people between states. Another example is the Southern African Development Community (SADC) Protocol on the Facilitation of Movement of Persons. This would then mean that South Africa's securitised border management may act as a barrier and have security implications not only for the movement of people and their human security but also the progress of the region (Muanganidze & Mbiyozo, 2020).

### 1.1.1. Background to the study

Given the rise in concern surrounding the nation's security, former President Jacob Zuma announced that it was a priority to set up a border management agency (now an act) that would improve the security in managing the threats posed by the "porousness" of the country's borders. Securing borders requires unique capabilities; at the same time, increased securitisation of migration influences decisions on introducing new policies or amending existing ones (Baker, n.d). Weaker border control undoubtedly allows for an increase in activities such as human trafficking, illegal drug smuggling, vehicle smuggling and so forth, but on the other hand, securitising migration poses threats to the safety and rights of migrants. Although the new act and its securitised characteristics have not been fully implemented, certain measures already amount to securitisation, such as violence against migrants, informal riots, and social and political tensions in informal settlements and townships of South Africa. This is evident in the influence of the political elite in securitising migration as a threat to national interests. Society's reaction to migrants is because of the belief that migrants pose a threat to the domestic stability of the country. For securitisation at this level to be "accepted", it is up to the audience itself to respond to it and that is clear in the actions of a portion of the South African society during the 2008 xenophobic attacks and those that followed (Hammerstad, 2012).

Research into South-South migration is somewhat scarce but what does stand out is South Africa's long-standing position as a migration hub and the analysis on the rhetoric (securitisation of migration) since the end of apartheid that demonstrates a persistent securitisation of migration, particularly African migration as the threatening other. South Africa is one of the most preferred destinations for migration to Africa. Since the end of apartheid, South Africa has been a popular migration hub particularly for other African



countries. Factors that contribute to South Africa becoming a migration hub – that pull migrants to choose this country include the economy, social, political and, cultural environment. Most migrants end up in Gauteng given its status as the economic hub of South Africa. Therefore there are more pull than push factors that have continued to see over 1, 02 million people migrating to South Africa between 2016 and 2021, (Stats SA, 2018). This has heightened the negative perception of migrants against the existing social disparities of the majority of South Africans. The heightened perception of migrants as a security threat results in host nations displaying anti-foreigner public discourse and action, as well as changes to government policies because of the perception of the country's national security and job opportunities for the working class being threatened (Weldon, 2020). South Africa has made several amendments to its policies, particularly the Immigration Act (13 of 2002), which have been termed the securitisation of migrants, and this has affected the Refugees Act (130 of 1998). The Refugees Act, amended early in 2020, allows for the immediate detention and removal of an immigrant deemed a national security risk, which has various human security implications for the migrant (Nyoka, 2020). The human security implications are evident in the denial and undermining of the enshrined human right to trial and appeals. The assumption that migrants are a threat creates a logic of exception and exclusion that enables the violation of international human rights laws. This shows South Africa's move away from ordinary societal procedures to the protection of the nation from groups of migrants considered threatening and undesirable (Moyo & Nshimbi, 2017).

During the 23 months between 2009 and 2010, over 100 cases were brought forward by the non-governmental organisation Lawyers for Human Rights because of the effects of how migrants were treated who were detained illegally due to the state's perception that they were a danger to national security (Amit, 2013). Therefore, the securitisation of migration, or rather perceptions about migration, makes room for illegal/unlawful performances by officials, which includes corruption in abusing their powers, denying migrants access to their legal rights to migration, reviews and appeals and this would lead to unlawful deportations that put the lives of migrants at risk in the form of unsafe journeys and the risk of going back to their dangerous home countries (Amit, 2013). The Border Management Authority Act is rooted in securitised migration and the changes made to existing acts. This move can be dangerous not only from a state stability perspective (how they decide to put action into their policies – does it go against policy, against the rule of law?) but also the human security of migrants – inhumane conditions in detention centres that may pose a risk to health, illegal deportations, stripping of livelihoods

(no means to live in or outside the country) and risking the migrant having to migrate on unsafe journeys due to changed laws or border procedures (Hammerstad, 2012). Therefore, the overall security of migrants is threatened and implicated, just as the security of a state is perceived to be threatened by migrants.

This necessitates the need to understand the new Border Management Authority Act that has been put into law and what may happen to the human security of migrants and the overall movement of people into the country and how all of this relates to the notion of securitised migration. The focus of the paper will therefore combine an understanding of securitising migration and unpack the effects of stricter border security measures on the personal (human security) of migrants and in view of this – how South Africa’s new border management authority legislature perpetuates the perception and treatment of migrants and the danger that negative views and limiting/isolating security measures will be exacerbated as a result of this new Act.

## **1.2. Research problem**

The research problem is the axis around which the entire research effort revolves. It is the puzzle that a researcher wants to investigate (Leedy & Ormrod, 2015). The argument is that the restructuring of South Africa’s management of their national security through a single border management authority shows signs of securitising migration to South Africa. This is seen in chapter 6 of its act, according to which there will be a significant increase in the number and the power held by border guards who will be able to deport, detain and possibly arrest. Given the priority of the need to improve the management of South Africa’s borders, there is an argument that the discourse over migration in South Africa has moved from a humanitarian perspective to a securitisation approach and this will be a build-up to an already existing argument (societal security) (Ilgit & Klotz, 2014:138 on the Paris School position). Bigo (2002) explains how everyday practices in a bureaucracy intensify the discourse on an identified threat, the migrant. This will be placed in the context of South Africa’s newer national security efforts (BMA Act of 2020) and how they explain the role of the media, political leaders and the actions of civil society (through xenophobic and Afrophobic attacks) on the human security of migrants. Therefore, the research problem to be addressed in this study is the realisation of the progress in the securitisation of migration in South Africa and how more attention needs to be paid to the human security of migrants in this process.

### **1.3. Research questions**

A research question is what the research paper sets out to answer. It exists to improve or explore knowledge on an important topic in a narrow and specific manner. It directs the entire paper and helps the researcher gather the necessary, but most importantly, the most relevant data, to provide a substantial analysis of the specific topic (Boeije & Hodkinson, 2009:4). The research question is essentially the investigation that takes place to understand the premise of the overall objective of the research. The main research question for this study is: what does South Africa's new Border Management Authority mean for the country's national (border) security?

This question is followed by four sub-questions:

- What does the BMA seek to achieve?
- How has South Africa's border management evolved?
- What role do politicians, the media and society play in the perception of migration?
- What are the potential human security implications for migrants under the objectives of the new BMA?

### **1.4. Research aim and objectives**

The research aim refers to the purpose or goal of the research being conducted. The research aim is quite often a short statement that is straightforward in its intentions. The research aim is often placed in the very beginning of a research project and is broadly about the plan and intentions of the paper and the knowledge needed to be acquired, (Thomas & Hodges, 2010: 37-40). The research objective refers to the statements that expand and further specify the information that is wanted. It provides more detail about the research topic and what the research plans to investigate. The specifics or the issues derived from the research topic are highlighted and focused on to acquire the information that will be necessary to the research project (Thomas & Hodges, 2010: 41-42). This study aims to analyse the securitisation of migration through a case study on South Africa's Border Management Authority Act and how this act exacerbates the securitisation of migrants and eventually leads to human insecurity. The objectives for this study are:

- To establish the changes the new BMA wants to make.
- To explore the history of South Africa's border management.
- To explain the political discourse on migration.
- To understand the potential human security implications on migrants from the newly implemented authority for border security.

## **1.5. Research methodology**

### **1.5.1. Research methodology**

The research methodology is how researchers conduct their research. It shows the path through which a researcher formulated their research problem and objective and the result from the data they obtained during their research period (Sileyew, 2019). This study was predominantly qualitative. Priority was given to qualitative methods due to the critical nature of securitisation theory. Desktop research played a vital role in the study as it was the basis on which information for the study was found. Secondary data, such as government publications on state security, online sources, books, journals and articles, was analysed. The study did not require any fieldwork, and therefore interviews were excluded from the research process of this study. The information obtained from secondary sources for the study is available to the public and does not require any special permission for access. The publications of which are highly academic and approved by research institutions used for this paper ensure for the trustworthiness and credibility of the content that makes up this paper.

### **1.5.2. Research design**

The research design refers to the strategy one chooses to integrate the different components of a study coherently and logically while ensuring that the research problem is addressed and that it constitutes the overall collection and analysis of the data on the topic researched (Kirshenblatt-Gimblett, 2006). This study used a case study design through secondary data analysis. This allowed for a deeper understanding of multiple data from secondary sources. It

leant towards a descriptive-exploratory case study research design. The Copenhagen and Aberystwyth School of Security Studies were used for their indicators, assumptions and perspectives to build the theoretical aspect of the study.

### 1.5.3. Research paradigm

A research paradigm can be described as the way to articulate beliefs about reality, what can be known about it and how we can attain knowledge on it. A paradigm is a belief system and a theoretical framework that is divided into four categories, namely ontology, epistemology, methodology and methods. Under these categories, research can be approached through different lenses, namely *positivism*, *interpretivism* and *constructivism* (also known as critical theory). A constructivist approach was best suited for this study because constructivism assumes that reality exists and can be shaped by cultural, political, ethnic, gender and religious factors that interact with each other to create a particular view within a social system (Rehman & Alharthi, 2016: 51-57). The study used securitisation theory to analyse how migration in South Africa is presented or perceived. Critical discourse analysis was the lens that unpacked the content of written policies, laws, acts and speeches made by bodies of governments, with examples such as the Border Management Authority Act of 2020. The theory of securitisation was supplemented by a human security lens that analysed the effects of politics on the reality of the human. The use of both a human security lens and a critical discourse analysis was beneficial in unpacking the crucial elements of securitisation. It uncovered the hidden ideologies, meanings and discourses in communicative materials such as policies. Machin and Mayr (2012) emphasise how critical discourse analysis can be used concerning securitisation to uncover the hidden agenda and meaning in speeches, acts, policies and press releases. Securitisation can uncover issues such as migration and how it may be positioned as a security risk by examining the constructivist dangers (claimed by securitising actors) and identifying the effects of securitisation through discourse analysis.

### 1.5.4. Reliability and validity

Reliability and validity question and evaluate the quality of research of a particular study. These two concepts indicate how well the method used in the study explains or answers the problem statement of the study (Roberts & Priest, 2006). Given that the research of this study was based

on qualitative data, reliability and validity were exempt (or rather not highly imperative for the chosen method of data collection) from this study's outcomes, because the information is readily available and easily researchable to ensure the legitimacy of the results found. Reliability and validity therefore only play a role in this study where the results of the human security implication of migrants under securitised migration measure up to how the new objectives of the BMA Act 2 of 2020 worsen human conditions and are influenced by the constructivist view on migration.

#### 1.5.5. Ethical considerations

Where ethics is concerned, this study did not make use of elements of research that would result in ethical implications for the university's research ethics policy. The researcher was committed to ensuring that the study adhered to anti-plagiarism policies and that it was well within the correct ethical principles of research as set by the University of Pretoria. The sources of information are publicly available and do not require any permission to access. Ethical clearance for this paper was obtained

#### 1.5.6. Limitations of the study

This study was limited to the issue of migration through border management in South Africa before and after 1994 and for the foreseeable future. The context of the work is quite vast but the content on the securitisation of migration is limited to intra-Africa migration, specifically regarding South Africa, and therefore the Americas, Europe and Asia were excluded from the study as main areas of focus. Given the restriction on word count for the study, it did not touch on other aspects of border security management such as trade and customs. It also did not deal with the human security implications for documented migrants who have work documents or visas. The study was limited to published secondary sources in the English language only.

#### 1.5.7. Scope and delimitation of the study

The study covers a full understanding of the securitisation of migration through a case study on South Africa's recent border management approach and provides examples of similar cases to provide an analysis on the implications of said process for migration, particularly the human security of migrants, through a constructivist lens. The study is focused on migration to and in South Africa and how the personal security of migrants is threatened by the national security

efforts of governments such as South Africa's government. It covers migration in the sense of undocumented groups such as immigrants, refugees and asylum seekers.

## **1.6. Structure of the research**

This study comprises six chapters.

The first chapter serves as the introduction. It outlines the research theme, provides background to the study, the research problem, questions, aim and objectives. This chapter also identifies the methodology that will guide the study. The structure of the study concludes this chapter.

The second chapter serves as the literature review. This chapter highlights the literature related to the study and identifies the gap that needs to be filled, which is the human security implications of migrants under the BMA Act 2 of 2020 that is viewed through the lens of securitisation of migration (a lens that exists in South African immigration policies) that is widely growing within the international arena.

The third chapter is the theoretical framework on human security and securitisation of migration. It lays the theoretical background for this study. The securitisation theory is explained through the Copenhagen School of Thought and the role that constructivism plays in the redefinition of security threats in this theory. The human security aspect serves as a tie to the ideas raised in securitisation theory and how we can think of the human insecurities of securitising migration in South Africa.

The fourth chapter is the analysis, and it examines the securitisation of migration in South Africa in terms of human insecurity, which essentially focus past immigration policies and on chapter one, two, five and six of the BMA Act 2 of 2020 and how its intentions of greater militarised surveillance, detentions, deportations and unwarranted arrests and searches play a major role in the personal insecurity of people migrating and other potential threats to human safety. This chapter also analyses the human rights laws of the United Nations to serve as the foundation to understand the human security implications of border control efforts.

The fifth chapter is the discussion on the way forward for South African migration management and this chapter aims to understand how the literature review and the analysis relate to each other to fill in the gap of the study. It will also discuss why certain actions in the analysis took

place and what that means for the future of migration in South Africa and the envisioned integration of the African continent.

The sixth and final chapter is the conclusion and recommendations, which will conclude on the findings of the study and analyses what they mean and how they fulfil the objectives of the study. It also provides recommendations on alternative approaches to dealing with border control issues (migration) and how the move towards the integration of states would allow for better processing and the movement of people, goods and services.

## **2. Chapter Two: Literature Review**

### **2.1. Introduction**

This study emphasises the critical analysis of security and migration. The focus is derived from the preponderance of literature in the field of security studies, and how this field better explains the relations between human security and securitising migration in debates on this study. Buzan et al. (1998) argue that other spheres of life besides the military have been securitised and this includes migration. In this regard, the African Criminal Justice Reform (ACJR) (2019) argues that migrants are detained and deported from their host countries because it is thought that they pose a security threat. Similarly, Bigo (2002) argues that there is a common perception that migrants compete for jobs with nationals and could spread diseases in their host country. There are examples within the literature that highlight major areas of focus but most importantly, offer existing and differing perspectives on the role that securitisation plays where migration is concerned.

The past two decades have witnessed a significant expansion of the narrative/role of securitisation on migration globally. An example of this is the literature on the rhetoric of securitisation that has expanded in the case of stricter asylum criteria and immigration policies through offshoring and outsourcing to deter migrants from entering the European Union (EU) (Jaskulowski, 2017). Huysmans (2000) argues that the securitisation narrative is that which states that stricter and inhumane measures for the national security of a state are justifiable because of the new policies and operations that have backed up the perception of migrants as



threats. Securitisation of migration has become a political expedient for the gain of politicians' desires. Examples in the existing and newer debates on the securitisation of migration can be found in the development of "militarising" border management through the enforcement of increased powers to those appointed under new policies/legislations (for example the BMA Act) and the treatment of migrants because of the need to inhibit their "irregular" movement (Moyo, 2020).

This chapter investigates various debates, such why securitising occurs to understanding the implications of said securitisation. Browning (2017) highlights how research on Europe and North America show that the rhetoric on immigration is securitised, with migrants constructed as threats to host societies. Because of hostile connotations, migrants are mistreated and are criminalised because they are categorised as a threatening other to the national security of a state as interpreted in the White Paper on International Immigration (Mbiyozo, 2018). The White Paper (2017) links migration to the development of South Africa and in doing so, it over-emphasises the criminality of migrants, which reinforces the growing securitisation of migration. It shows the lack of policy development on existing administrative issues that are not meant to be blamed on the issue of migrants/migration in the country. Weldon (2020) emphasises in their analysis that these changes can be seen through anti-foreigner political discourse (political agendas, media bias and public opinion) and government policies. For example, there is a sense of legitimacy in the explanation of migration posing a threat to society during a pandemic and this has allowed for the use of already existing and extended migration security measures. The existing perceptions or practices of addressing the issue of migration can be seen in the Covid-19 pandemic, and those existing practices have informed restrictions on migrants, such as lack of access to healthcare and refuge to prevent the contraction of the virus and contain the spread of it. Human rights organisations such as Human Rights Watch argue that these actions are not new, but are a further tightening of ongoing efforts to stop migration towards South Africa (HRW, 2020).

That the role of the policies and political security agendas around the securitisation of migration is detrimental to the human security of migrants is seen in the measures South Africa has taken during the pandemic such as the closure of refugee centres, the development of another "temporary" border between South Africa and Zimbabwe and the closure of shops that were not state-registered or owned by foreign nationals (Zanker & Moyo, 2020: 101-103). This is because securitisation has shifted from ordinary politics and into the realm of security through narratives such as threat and danger. This highlights how despite the push for greater economic

and political integration, insecurity continues to present itself in new forms. There is an obvious shift in what states now consider a threat to their sovereignty and overall development, which is backed up by new security agendas that not only justify but activate the fear of migration in the civilians of a state (Castles, De Haan & Miller, 2013). Key authors such as Buzan et al. (1998) form the foundation of the various critical theory literature that argues that national security risks are identified and socially constructed by state actors (politicians, state officials) to legitimise their actions or to push a particular agenda to favour themselves and those behind them. This means that migrants do not pose a substantive threat to a nation, but because an actor seeks to promote a particular agenda, it becomes easy for them to construct migrants as threats to national interests. This chapter will therefore present various debates: a global understanding on the securitisation of migration; the BMA Act 2 of 2020; South Africa's history of border management; the political discourse on migration in the South African context and the human security implication of securitised migration.

## **2.2. Understanding the securitisation of migration**

The perception of the securitisation of migration has been covered and given a considerable amount of attention among academia, specifically in the European context. Tsoukala (2005) provides an example of this through an analysis of the studies of migratory threats in Italy and Greece. D'Appolonia (2012) argues that historical, social and political construction is the rationale that has legitimised the perspective of migration as a matter of security. Additionally, there exists a clear North-South divide where security threat types are concerned, such as those perceived to be a result of refugee movements. It is argued that even though forced migration may cause serious complications with security, the over-securitisation of migration has become a danger in that there is room for threats that were not there to begin with (Hammerstad, 2008). This phenomenon mentioned by Hammerstad is attributed by Fekete (2009) and means that governments use the politics of fear to inform their legislation on immigration and anti-terrorism. The securitisation of migration has been studied quite extensively by Bigo (2000) and Huysmans (2006) in the European context through security post-Schengen. The politics of fear, as argued by Huysmans (2006) through an analysis of European Union (EU) national security laws, is that the discourse on securitisation is often a result of policy actions concerning matters of public order and internal instability that are perceived to be a result of poor border control. An example of this perception is that of FRONTEX, the European Union (EU) border

control agency, and how they have justified their securitisation of asylums and migration through their various security practices such as securitising their border control (Leonard, 2010). Various studies have analysed how securitisation of migration has human security implications for refugees and asylum seekers, but few have been done on the African context.

One study on the increase of securitised migration in Africa is the case of Agadez in Niger as argued by Abebe. Abebe, (2019) argues that the increased securitisation of intra-Africa migration is more evident in upper-middle-income countries such as Algeria, Morocco, Egypt, South Africa and Botswana. These countries follow stricter policies on migration, as seen through their strict visa policies towards African travellers. The fear of low-income migrants, job market competition and security issues are some of the reasons given for stricter policies and the treatment of migrants (BBC, 2019). McDonald (2008) argues that the practicality of security is not an even-handed procedure, and it requires the making of moral choices with possible ethical repercussions. He therefore emphasises that the securitisation theory is beneficial in highlighting the importance of intent when measuring issues as risks to security – a way to understand the shift of an issue from everyday politics to becoming a threat to the security of a state. The securitisation of migration has been widely researched, but mainly in the European context. Several studies have focused on viewing migration as forced, and this is seen particularly in Europe and Sweden. Examples of countries that continue to pursue securitised migration measures include Hungary and the Netherlands. Hungary is one of the many countries in Europe that have undertaken anti-migrant measures that are still in place today. Karamik (2020: 38) argues that they have used the media to effectively send out messages that ‘othered’ or rather separates migrants from the host population. The discourse led by the media campaigns was reactionary and the aim to provoke the people of Hungary was achieved. Thorleiffson (2017: 323) agrees in sharing that these media campaigns linked terrorism with migrants and that this discourse unified the nation and allowed for joint action in being protective and aggressive to defend the identity of Hungarians. In 2015, Hungary took action by closing its borders with Serbia and Croatia through erected steel and barbed wire fences. Uzelac (2019), highlights that the Netherlands has re-hauled its migration system and tightened its asylum procedures. The asylum determining processes have been extended from 28 days to an extension of 6 months. Seeing migrants as a security threat can also influence governments to improve their national security through enhanced border management that may be exclusionary in nature. This highlights the possible clash between the national security of a country and the human security of immigrants. Another debate that has been argued is by

Malloch and Stanley (2015) is on the significant role that is played by securitised discourse. For example, Malloch and Stanley studied how asylum seekers in Britain post 9/11 have been plagued by how political and media representation have associated them with danger and risk.

There have also been efforts to analyse the experiences of those who have been securitised but not much attention has been given to the human security perspective (from policies or acts or speeches) of these experiences, particularly in Africa. Hence the gap that this study will aim to fill in studying the implications of securitising migration in South Africa, particularly through the perusal of the recent Border Management Authority Act of 2020 and how its perceived intentions pose various human security challenges to migration in and out of the country. Migration continues to be a significant challenge because of political, economic and social ills. The reasoning for this is shown in the increased “pull” that South Africa possesses on the continent, particularly Gauteng. Gauteng plays a role in the pull factor that influences migrants because of the economic status, better job opportunities and a perceived promise of a better life (Stats SA, 2018). Over the last 15 years, there have been reports on the emergence of Southern Africa as a migration hub given the shift to stricter migration policies in Europe. Migration to Southern Africa has increased in comparison to migration to Europe. Statistics South Africa’s 2018 report highlighted an estimated 1.1 million-increase in migrant flow into South Africa between 2016 and 2021 (Stats SA, 2018). One would assume that given this estimation, South Africa’s concerns on migration are therefore valid, but a comparison to Uganda provides a differing view on this. As of 2019, Uganda is the largest host of refugees in the African continent. Although Uganda is a much poorer country in comparison to South Africa, it has managed to accommodate migrants not only in numbers but in hospitality too. This can be attributed to the country’s open-door policy, which includes refugee issues in the national plans of the country (Momodu, 2019). This is an approach that is starkly different to South Africa’s complaints of foreign nationals being a burden to accommodate and its implementation of securitised migration policies that are laden with xenophobic perceptions. The South African government rhetoric presents South Africa’s persistent securitisation of African migrants as the threatening other (MacDonald & Alexander, 2002; Hammerstad, 2012). The escalation of securitisation of migration, particularly in the Southern African region, is evident in South Africa’s government’s decision to subsume the DHA under the new National Security Council and the political discourse on how South Africa’s border may be porous, and it could exacerbate issues of irregular migration and or smuggling which would make it difficult to manage. Furthermore, the recently amended (2020) Refugees Act allows for the immediate detention

and removal of a migrant “deemed” a national security risk (Nyoka, 2020). The degree to which budgets are allocated to security institutions can help establish the degree to which a perceived threat is accepted as real. The growth of migration is the defining factor that influences how states perceive migration management as irregular and in need of tighter policies. The continuous movement of people exacerbates the creation of “anti-migration” policies and tighter border access.

This table highlights the refugees and asylum seekers in South Africa and the countries they originate from being majority Mozambique, Zimbabwe, Namibia and Swaziland. It is quite difficult to estimate or obtain accurate statistical data for the number of undocumented migrants in South Africa, (Budlender, 2013:33-36) Therefore most numbers used to describe the significance of illegal or unwanted migrants in the country is often exaggerated and false information that most politicians or media houses do not fact check, (Crush, 2011).

### **2.3. Border Management Authority Act 2 of 2020**

The Helen Suzman Foundation (Van Lennep, 2019) highlights that South Africa’s borders have been under the poor administrative management of the Department of Home Affairs and a few other departments such as the State Security Agency. This has proven taxing to these institutional bodies in charge because of South Africa’s inability to move away from the administrative perspective of immigration management to practising change to allow for the beneficial role of migration in the development of the country because of its rising status as a migration hub in Africa. According to Muanganidze and Mbiyozo (2020), the BMA Act is meant to improve the management of South Africa’s borders by providing a centralised authority led by the DHA that will oversee all aspects of the border environment to address the territorial integrity of the country and to improve border security by ensuring sound customs administration, policing and facilitated management of movement (migrants). Mbiyozo (2018) highlights that this new authority to managing the country’s border(s) requires the commitment, communication and coordination of government entities and border communities including but not limited to the South African Police Service (SAPS) and the South African Defence Force (SANDF), although the authority given to the SAPS with the SANDF could lead to clashes between the two entities and require a revision of ‘shared’ authority/duties in future.

The idea of new management is good in principle but quite strenuous in practice, particularly for the DHA, which is already struggling with the administration required for reforming the immigration system of South Africa. Poplak (2017) voices his position about the BMA bill and

said that it is a “stupid idea and now an even insane reality”. He notes that the implementation of this act in practice is costly (billions of rands required every year), unnecessary and time-consuming (will range up to 15 years for full implementation) and makes room for even bigger issues to emerge, such as the human insecurity of migrants. According to Bornman (2020), the BMA is essentially anti-migrant development, given that it seeks to militarise the borders, which means South Africa views migration as a security issue (a securitised issue). This presents a contradiction in that act does not make mention of a vital principle that informs the recently reformed Refugees Amendment Act, which emphasises the principle of non-refoulement, which essentially refers to countries not refusing a person entry and ensuring no harm to the person when forced to return to their country of origin. Van Lennep (2019) highlights that the BMA Act could then restrict this principle and therefore brings the suggestion that South Africa should have rather focused on facilitating safer, orderly and lawfully regulated access rather than “refusing” the movement of vulnerable persons. This therefore highlights South Africa’s decision to militarise borders and securitise the movement of people (proven ineffective and costly) rather than decreasing corruption and speeding up the process of regulating migration into the country. Weldon (2020) argues that the BMA is a regressive measure that will negatively affect African migrants and the regional goals of pursuing the free movement of persons on the continent. South Africa has a behavioural pattern of blaming the country’s problems in maintaining order and security on foreigners and that has become the rhetoric that has motivated the implementation of the BMA Act of 2020 (Segatti, 2011).

Table 1: Estimated migrant population in Southern Africa, 1990-2015

CATEGORY	1990	1995	2000	2005	2010	2015	2017
Total estimated migrant stock (including refugees and asylum seekers) <sup>a</sup>	3,581,782	2,316,839	2,427,952	2,572,688	3,413,504	5,775,998	6,021,610
Total estimated male migrant stock	1,966,456	1,313,698	1,357,349	1,428,265	1,905,600	3,120,649	3,258,213
Total estimated female migrant stock	1,615,326	1,003,141	1,070,603	1,144,423	1,507,904	2,655,349	2,763,397
Refugees and asylum seekers (both sexes) <sup>b</sup>	1,343,324	248,213	296,044	219,105	146,162	1,377,937	454,646
Total population (in thousands) <sup>c</sup>	95,886	108,429	120,924	134,272	149,710	168,741	176,842
International migrants as a proportion of total population (in per cent.)	3.74	2.14	2.01	1.92	2.28	3.42	3.41
Refugees and asylum seekers as a proportion of International migrants (in per cent.)	37.50	10.71	12.19	8.52	4.28	23.86	7.55
Refugees and asylum seekers as a proportion of total population (in per cent.)	1.40	0.23	0.24	0.16	0.10	0.82	0.26

Source: Ogude, De Berry, Hovhannisyan et al, 2018: 15

Table 1 indicates the estimated migrant population in the Southern African hemisphere. The huge spike between 2010 and 2017 is due to the growing number of asylum applications in South Africa. The slight dip in numbers between 2015 and 2016 is due to the number of asylum applications on appeal which negatively affected the livelihoods of said migrants seeking asylum, (Ogude, De Berry, Hovhannisyanyan et al, 2018: 15).

Table 2: Migrant, refugee and asylum-seeker statistics in South Africa (1990-2017)

CATEGORY	1990	1995	2000	2005	2010	2015	2017
Total estimated migrant stock (including refugees and asylum seekers) <sup>a</sup>	1,163,883	1,003,807	1,001,825	1,210,936	2,096,886	3,816,696	4,036,696
Total estimated male migrant stock	717,227	611,083	600,032	712,219	1,216,129	2,122,100	2,244,421
Total estimated female migrant stock	446,656	392,724	401,793	498,717	880,757	1,694,596	1,792,275
Refugees and asylum seekers (both sexes) <sup>b</sup>	90,000	101,408	15,063	29,714	57,899	1,217,709	309,342
Total population (in thousands) <sup>c</sup>	37,561	42,088	45,728	48,821	51,585	55,291	56,717
International migrants as a proportion of total population (in per cent.)	3.10	2.39	2.19	2.48	4.06	6.90	7.12
Refugees and asylum seekers as a proportion of International migrants (in per cent.)	7.73	10.10	1.50	2.45	2.76	31.90	7.66
Refugees and asylum seekers as a proportion of total population (in per cent.)	0.24	0.24	0.03	0.06	0.11	2.20	0.55

Source: Ogude, De Berry, Hovhannisyanyan et al, 2018: 16

The table shows the scale of migrants in recent years has been motivated by the displacement of people to South Africa. The increase of migrants in and to South Africa has not been uniform over time nor across the region but it has been significant. This significance was influenced by South Africa's legal and policy changes following the Apartheid regime such as the introduction of the Immigration Act that was adopted in 2004 following great debates, (Ogude, De Berry, Hovhannisyanyan et al, 2018: 16-17).

Table 3: Major countries/territories of origin of asylum seekers and refugees in Southern Africa (end-2016)

MAJOR COUNTRIES OF ORIGIN OF ASYLUM SEEKERS	NUMBER IN END-2016	MAJOR COUNTRIES OF ORIGIN OF REFUGEES	NUMBER IN END-2016
Various/Unknown	142,380	DRC	76,273
Zimbabwe	41,357	Somalia	32,163
DRC	25,029	Ethiopia	17,919
Burundi	10,829	Burundi	10,313
Guinea	9,150	Rwanda	7,180
Somalia	6,851	Congo	5,420
Côte d'Ivoire	5,975	Zimbabwe	5,351
Mozambique	5,608	Eritrea	2,063
Mauritania	5,403	Namibia	924
Rwanda	4,736	Uganda	703

Source: Ogude, De Berry, Hovhannisyan et al, 2018: 18

Between 1960 and 1990 anti-colonial independence led to waves of forced displacements across Africa, as seen through Zimbabwe, Democratic Republic of Congo (DRC) and various unknown countries of origin. More recently (2016) displacement has been dominated by the Great Lakes region, Horn of Africa and Zimbabwe. Among the countries of Southern Africa, South Africa has been the primary country of destination, (Ogude, De Berry, Hovhannisyan et al, 2018:18).

## **2.4. The history of border management in South Africa**

The introduction of a democratic regime led by the African National Congress was followed by the pressing matter of the changing dynamics of migration under new management. The government struggled to develop a coherent response to migration for more than a decade. Segatti (2011) argues that the border management of migration in South Africa, as motivated through immigration policies, was not a high priority on the ANC reform agenda until the mid-1990s. It was not considered a primary tool in the strategic development of South Africa following the apartheid regime. Burger (2008) highlights that as a result there came a long process of engagement among stakeholders to introduce regulatory frameworks that would abolish the adverse climate that abused the human rights of foreign nationals. This then presented a new constitutional and legislative dispensation that was put in place in the early 1990s to promote the human rights of migrants, but it was contradicted by the uncooperative migration policy actors/makers and the public (Vigneswaran, 2011: 107). Border management in South Africa is informed by the implementation of policies and acts. Segatti (2011: 46) therefore discusses how the policy framework administrated under the De Klerk administration lasted ten years into democratic South Africa. This framework included the implementation of the 1991 Aliens Control Act, which later required several modifications. Crush (2011) argues that the lasting effects of this system can explain the construction of old administrative practices in the ANC government, as seen in the approaches of the DHA.

The ANC and a stratum of government departments (such as the DHA) utilised a security- and sovereignty-centred agenda that followed a limited understanding and meaning of international immigration interests. This ANC approach bore a considerable resemblance to that pursued by the apartheid government (Vigneswaran, 2011: 105). South Africa's border management is headed by the DHA, but this department is poorly managed, and this results in inaccurate and



incomprehensive data (Burger, 2008). Crush (2011) argues that this department may have evolved over the years, with characteristics of improved control and transparency, but they still fail to present accurate data and do not work to their best capacity. The 2017 White Paper on International Immigration argues that it presents new changes to the future of immigration in South Africa and one of the aspects of this is the implementation of the Border Management Authority Act 2 of 2020, but the paper does not make any reference to intellectually understanding the benefits of migration; this easily flaws its policy approach and conclusions. Mail & Guardian (2018) argues that the White Paper is presenting face value changes, but it is focused on restrictive interdiction approaches that threaten the security of migrants. The White Paper emphasises the criminality of migrants because migration in this policy is linked to security risks, corruption and trafficking (Van Lennep, 2019). The problem is trying to put new policies in place when South Africa should be addressing its “inadequate migration management policies and border management processes” (IOM, year). South Africa’s border management and migration policies have implications for the human security of migrants, and it is an issue that is continuing, as interpreted in the 2017 White Paper and now the BMA Act.

## **2.5. The political discourse of migration**

Cousin and Vitale (2014) explain that political discourse on migration is evident in the political leaders (policies they promote and implement), the media, in shaping interpretations of migrants, and public attitudes towards migrants and the whole notion of migration to “their” country. Hostility towards migrants and specifically the whole movement of people into another state are on the rise, as demonstrated through research conducted by the European Commission against Racism and Intolerance (2012), which states that migration issues are based on perception (migrants bring harm and take opportunities away from indigenous people) rather than reality (migrants are in danger or seek to better their lives by moving into another country they deem safe for their own overall human security). Penninx (2013) defines migration as complex and states that it is a category that relates to many issues (social, economic and political) dealt with by a variety of institutions (both government and non-government, for example the DHA in South Africa). Therefore, a variety of authorities act at local, national and international levels of authority to make changes or influence migration policies and how migration should be managed. Kriesi (2008) builds on this by stating that these different levels of authority can act together, influence each other or inform a biased

perspective towards migrants and the understanding of migration itself. Giorgi and Vitale (2017: 5) argue that the political climate around the topic of migration has changed; this can be seen with the changes that are constantly made through immigration policies, which are a result of political discourse. Mair (1997) agrees by highlighting that political discourse is shaped by the media shaping its interpretations on the issue of migration and that the media often changes the relationship between political leaders and the public (citizens). Zick et al. (2010) note that the public's attitude towards migrants is rooted in how they interpret the consequences of 'newcomers' to their current economic and cultural climate and ultimately how migrants could impact their quality of life.

Since the ANC came into power in 1994, the party has faced challenges on migration, such as the changes to policies from the apartheid era going into the introduction of democratic South Africa. Crush (2011) argues that this necessitated the government establishing a revised immigration policy regime that would suit the transformative and developmental needs of the newly democratic nation because the existing international migration policies and legislation did not accommodate an integrated future intended for the African continent and the movement of Africans on the continent. The challenge here is that migration policy and legislation are contradicting the premise of a transformative and developing democratic South Africa – this is evidence of the political discourse on migration. The Global Commission on International Migration (2005) highlights that South Africa is one of the destinations with increasing immigration from varying parts of the world. It explains the existence of provisions to facilitate the immigration of skilled and non-skilled persons to manage illegal migration, because political discourse has informed irregular migration to relate to negative consequences, not only for migrants with irregular status but also migrants that are established within a host country. Van Lennep (2019) emphasises that the ANC government did not stray too far from the internalisation policy they inherited from the previous government. Recent political discourse on migration has entrenched the enforcement of selective, exclusionary measures to ensure migration influx and its “quality”. Segatti (2011: 31) similarly argues that despite the existing exploitative migration practices in Africa, the ANC still developed a reform agenda in the early 1990s that did not prioritise immigration policy. The government did not have clear intentions of clarifying their position in addressing the ongoing changes, not only in the country's migration system, but the regions' too. This was a *laissez-faire* delayed reaction from the government to immigration issues and led to continued human rights abuses while immigration services urged the government (through social activism) to come up with reformed

immigration policies that would be followed through in practice (Segatti, 2011: 32). Polzer (2008) explains that there has been a decline in foreign labour but also foreign migration because South Africa has focused on empowering domestic labour for those that had been excluded during the apartheid regime. The political discourse on migration revolutionised where irregular migration started to “cause” problems or become more significant. Irregular migration Adepoju (2008) similarly argues that the political discourse on migration has been influenced by an increase in social construction through securitisation and how unfair it becomes to migrants who fall into irregular situations that lead to their migration to other/neighbouring countries. This allows for a distinction between irregular migration and what may be considered as normal migrations. Irregular migration is often defined as migration that oversteps the administrative stay within host countries. This is not because of migrants themselves but due to the host country migration procedures and discrimination. ‘Irregular’ migration differs from ‘regular’ in terms of the former migrate outside of international laws/agreements that govern the entry and exit of people from their country, (IOM, 2011).

The significant change in the movement of migrants was followed by the attitude towards migration and the migrants themselves. Significant irregular migration has been argued to be due to ineffective border control (Adepoju, 2008). Irregular migration is a common and increasing practice in Africa and, in the case of South Africa, has been met with discrimination and xenophobic rhetoric and attacks (informed through political leaders, the media and the public). This can be seen in increased border control measures like the amendments of existing acts (Aliens Control Act, Refugees Act and Immigration Act to name a few) and the introduction of new acts (BMA) that reinforce exclusion through securitisation and the powers of those in charge of maintaining South Africa’s territorial integrity and protecting its national interests. Managing the irregular flow of migrants is difficult but imperative, but it is also important to consider the complexities that come from employing stricter and exclusive national security measures (Steinberg, 2005). Political discourse in South Africa is evident in the changes made to the employability of immigrants but also their treatment (a definite violation of their human rights). For example, the amended Aliens Control Act of 1991 allows for employer sanctions and deportations, the exclusion of government jobs only specify the need for South African citizens to prevent foreigner employability, and lastly, the granting or qualification of permanent residency (citizenship) by the DHA is not only difficult but time-consuming. The discourse has informed or influenced the trajectory of exclusionary measures

to immigration as seen in the measure of the South Africa government re-introducing the necessity for deportation, even though this is a costly practice (Waller, 2006).

## **2.6. Human security implications from securitising migration**

Farny (2016) indicates that the securitisation of migration implies the categorisation of migration: migration may not be the same for all who migrate, and it is necessary to highlight the different groups (based on region/race/ethnicity and so on) and the effects of securitised migration on the migrant. Securitisation breeds the exploitation and discrimination of migrants. Additionally, Ullah et al. (2010) highlight that the use of political fear in implementing stricter border management not only causes distress for the migrant seeking refuge or whatever their reason may be for relocating, but it also affects the communities in host countries (the propaganda that exists around migrants that instils fear to the citizens of a country). Migrants fear for their own safety when they are unsure of a state's position on migration rights that would allow them to either feel secure or insecure in that state regarding their ill treatment based on the bias that may exist. Host communities have a belief that their right to safety and security would be threatened by the migrant. Pecoud and De Guchteneire (2006) argue that contemporary border management policies often have several implications for the human rights of migrants. The first is the concern around asylum in that the measures used to stop irregular migration have direct effects on the principle of asylum, which states all humans are rightfully allowed to seek protection from persecution. Restrictions force migrants to lie about their status as a migrant and reasoning for migrating, which affects the reputation of all migrants regardless of evidence. Second, the tighter the restrictions, the more possible it is for migrants to resort to trafficking or smuggling, and this therefore affects their human right to safety and security. The third implication is the abuse of the migrant's right to life, because restrictions force various routes of relocating, including via boats on sea or dangerous rivers and this option often leads to death before arriving in the receiving country.

## **2.7. Conclusion**

This chapter has helped to explain the existing body of literature on the role of security, migration and human insecurity in the analysis of the implications that security measures have for the movement of people in and between regions. This chapter highlighted the relationship that exists between migration, security, human security and migrants. It reflected the cause-and-effect relationship that exists between these themes and how one theme can affect the trajectory of the whole topic of securitisation in the security of states. It was established that

securitisation theory has long changed the initiation, functioning and processing of migration and the results of managing or preventing it, as well as how migration is and can be perceived. This chapter will be supplemented by an analysis chapter that will utilise the above literature to expand on the topic by placing it in a particular context – the context of the South African BMA Act 2 of 2020 and how this policy move may lead to various violations of human rights to the migrants that choose South Africa as their host country or country of refuge. In addition to this chapter, the following chapters will explain and expand the gap of human insecurities that not only exist but will arise because of securitised measures to border security. Furthermore, the management of migration will be unpacked in the context of South Africa and how that may not only affect the human security of migrants but the movement of people in Africa. This literature review is followed by a theoretical framework that will contextualise the concepts of security, human security, migration and securitised migration and what this means for South Africa’s recent security measures.

### **3. Chapter Three: Theoretical Framework**

#### **3.1. Introduction**

The focus of the study is to explore the role of securitisation on the topic of migration and the BMA Act 2 of 2020 and what human security implications arise from this. There is a particular focus on South Africa’s migration legislation in relation to the new BMA. Furthermore, the study seeks to explore South Africa’s new Border Management Authority Act through the concepts and theories of securitisation, human security and securitised migration. They form the foundation for the progression of political discourse on the topic of migration, especially in African countries such as South Africa, and how migrants’ human rights may be jeopardised in the process.

This chapter aims to provide clarity on the theory of securitisation by providing expanded definitions and meanings for the concepts of security, human security and securitised migration. The chapter will explore the theory of securitisation and how it can better explain how securitised migration can have detrimental human security implications for the lives of migrants. To provide a clearer understanding of the topic, this chapter will also define what a migrant is (refugee, asylum seeker) and how it is a conjoined general term that is affected in the process of a state’s national security agenda for increased safety and how this term explains

the treatment of migrants in the process of migration, particularly to states that have securitised their national security.

### **3.2. Securitisation theory**

This theory is simply the making of an ordinary matter (such as migration) into a security issue that is labelled as a threat to the security of a country. This theory was introduced by Buzan et al. (1998). The identification of elements of securitisation can be looked at through an understanding of securitisation being an intersubjective process (Peoples & Vaughan 2014). The Paris school emphasises how global insecurity and transnational networks of security create a new arena for securitisation to thrive and therefore expand the dimensions of security within the political arena. This framework provides an understanding that securitising actors are subjective, and they use extraordinary procedures to ensure that the referent object is aware that a particular issue is a threat to their existence, and they need protection from it. This means that the issue shifts from the space of normal politics to what is known as emergency politics. That means that a security threat can be anything that a securitising actor says it is (Taureck, 2006). Threat perception is a key concept in securitisation theory and is centred on the concept of survival (Buzan et al., 1993:36). There is a specific feature within securitisation that is theoretically structured to include priorities of action and survival to maintain “survival mode”. The referent object exists in relation to survival and security and requires protection at all costs. Therefore, the audience (referent object) “legitimizes” the actions made by securitising actors (Anderson, 2011). Securitisation as an idea was explored by Bigo (2000) and the Paris School of Thought, which transformed political sociology into a theory that draws from different scholarly opinions such as Bourdieu (Peoples & Vaughn, 2014). This shift views securitisation beyond speech act and recognises that notions of threats can be produced through daily routines and practices within a state and cooperation among security experts (Waever, 2011). Expanding national security policies and merging internal and external aspects of security, such as fusing the roles played by the police and the military, play a big part in the outcomes of the process of securitisation. Lines therefore become blurred, and therefore the internal/external influences and practices are the two factors in the construction of security issues in this theory. This then creates autonomous security field actors that all share “common” enemies (Bigo, 2000).

### **3.3. Security**

Security, like many other political concepts, is contested and this may be because it is quite ambiguous in nature and “value-laden” (Baldwin, 1997: 10). There is therefore no “one” meaning to this definition, particularly in the context in which it is used. Security has always been a concern within the international arena and in modern times it can be defined as the absence of threats and insecurity from entities that threaten or seek to challenge this absence. The idea of a threat plays an important role in the understanding of security, and it is a recurring idea across all definitions of this term (Baldwin, 1997: 15). Within the political arena, security is the capability of states and societies to maintain their territorial integrity and independence in the face of hostile forces or threats (Leffler, 1990: 144). The notion of national security therefore plays an important role in the case of securitised migration because different states have put policies in place that are necessary for them to maintain territorial integrity but at the same time place huge insecurity on humans migrating (the process of migration and treatment within the host country). Security is an expansive concept because it provides an elaboration on insecurities and political risk, while securitisation is the management of security and the creation of uncertainty and insecurity in the sphere of risk management (Benam, 2011).

### **3.4. Human security**

Human security is an imperative facet in understanding the implications for the individual of securitising migration within the context of South Africa’s new Border Management Authority Act. The concept of human security considers the individual within the sphere of state-centric security. This is seen through individuals and their communities being viewed as the referent objects to security, which allows for security threats to be analysed on an individual level (Commission on Human Security, 2003). The concept of human security holds much value within the broad nature of policymaking and overall state security. As said by Paris (2001: 88), “human security is powerful because it lacks precision and thereby encompasses the diverse perspectives and objectives of all members of the coalition”. Human security is centred on how freely individuals can move, live, make choices, breathe and make choices for their access to social and economic possibilities and whether the said individuals live in peaceful or conflictual environments (UNDP, 1994: 23). There are seven categories of threats to human security, and they include economic insecurity, health insecurity, food insecurity, environmental insecurity,

personal insecurity, community insecurity and political insecurity. The United Nations Development Programme Report of 1994 (1994: 25) explains each insecurity as follows: economic insecurity refers to the assurance of basic income, food security refers to individuals having access to food through the necessary means, health security means that people have access to good basic healthcare and treatment, environmental security refers to individuals living in healthy physical environments with little to no fear of environmental catastrophe, personal security refers to ensuring the physical security of individuals from physical violence, community security pertains to drawing security from belonging to a particular group of people such as a community, and lastly political security means that individuals must live in societies that respect and protect their basic human rights. The study will emphasise political security and personal security. The United Nations Development Program (1994) developed and provided two factors to understanding human security, namely “freedom from fear” and “freedom from want”. Freedom from fear is security from threats or violence while freedom from want is security within sectors such as health, the economy and the environment. This study aims to apply the freedom from fear factor with a widened understanding of the threats and fears as they are perceived. Therefore, for this study, human security is defined as drawing the gap between the management of migration and the conditions/treatment of migrants in their host countries/communities.

### **3.5. Securitisation of migration**

A global definition of migration is understood as the displacement of communities of people out of their indigenous homelands to host countries to establish their lives and that of their families through temporary or permanent residence within the host country (IOM, 2005). Since the emergence of the Westphalian state, migration has been controlled by a particular power/state regarding the movement of who exactly is allowed in and out of their national borders (Global Commission on International Migration, 2005: 66). Migration is quite complex and within this complexity is the role that human rights laws play in the processes of migrating. These complexities include not labelling immigrants as “illegal”, the voluntary and traditional distinction of migration and lastly the blurring of this distinction (Fisher, Martin & Straubhaar, 1997: 50). The focus of this framework is on the securitisation of migration, which Bigo (2002) argues is the result of the interaction between convincing speech acts of political leaders and non-discourse practices such as policy practices and discourses on human rights. The definition



of migration for this study is defined as the role of human rights laws on the movement of migrants, refugees, asylum seekers for refuge or better living conditions.

Securitisation and migration become connected in the process known as social construction. During this process, migration is viewed as an existential threat to the values of a society, and this then moves migration from regular politics to the area of security. It is then known as the securitisation of migration. The politics of fear is the biggest factor that contributes to the perception of migrants as a threat. This refers to the use of fear by political actors as a tool that manipulates the narrative on migration in the new age. The use of fear has become a rapidly spread culture to several nations and has formed nation protectionist security agendas. Governments therefore often include a scope of politics of fear presented through the securitisation of migration. Another factor of importance is the role of the media in using propaganda to push the negative narrative of migrants in host countries. The media often pushes brainwashing tactics that build insecurities in host populations such as the perception that migrants are getting jobs that host populations struggle to get. These factors can be categorised as ‘Self’ and ‘other’. The self (host country) is perceived as good and the other (migrant) is perceived as bad and something that should be excluded from the self as a way of protecting its ‘identity’ (Karamik, 2020:30 – 37). Both these factors have contributed to the growth of states in the global arena securitising migration. In this case, exceptional measures are taken to respond to this ‘threat’ and those measures usually go beyond ordinary political processes and are often supported by the law (Atak & Crepeau, 2013: 230-232). Securitising migration is a reality curated by one actor (for example a political leader) or several actors (for example political parties and the media) through convincing speech acts.

Migration consistently engages with health. The relationship between health and migration remains vaguely understood and the action on unpacking this relationship remains limited which affects both those that migrate and those that receive migrants (Wickramage, Vearey, Zwi, Robinson & Knipper, 2018). Covid-19 is the most recent example of social construction that informs securitisation. There is a perception that argues that migrants are agents of virus infection to South Africa. This is an example of how a serious threat to a nation’s national interest, such as the spread of infectious disease, can be blamed on the movement of people rather than a state’s inability and corruption in creating systems of health and safety for its people (Weldon, 2020: 3). The pandemic highlights the tensions around migrants being blamed for the transmission of diseases, particularly communicable diseases. Moral panic or perception

of nations in using restrictive approaches on managing migration under the guise of “containing the virus” is what is considered a response to global health threats perceived to be brought on by migration. The Covid-19 pandemic has highlighted the health-migration discourse becoming a reality (Vearey et al., 2021). In recent years, health has been used as an indicator to identify, detain and deport undocumented migrants, such as in the context of Australia (Wild & Dawson, 2018). The need to protect the lives of people and to somewhat restore the normal functioning of societies has driven the securitised border measures of most first world countries, particularly the United States. There has been a securitisation of social contact and human movement with emergency declarations resulting in the use of military services to ensure adherence. Security measures in the United States took place significantly as a result of utterances and perceived threats – the virus and foreigners. The United Kingdom and Italy also utilised securitised border measures that are now seen in the travel ban of South Africa to these countries due to the public discourse on the new variant. In comparison to this, countries with less restrictions like Mexico and most West African countries did not impose dire border security measures due to means, less impact of Covid cases and the insignificance of excessive and aggressive policy responses to the virus. These first world countries applied security measures without the application of sorting measures for immigrants, (Byaruhanga, 2020: 102-105) This pandemic gave opportunity to these superpowers to make use of securitisation to address social matters. This can be considered as performative measures of particular political and socio-economic realities. Border measures became a result of media coverage and public discourse that fed into spatial and social differentiation. Matters of migration replaced the travel and movement of people into the policy responses to Covid-19, (McAuliffe, 2020:4-8). Moral panics have given states the grounds to associate health insecurities with migration (a guise for prejudice that is often motivated by xenophobic and racist connotations). The pandemic has allowed these discourses to be exemplified by states harbouring medical supplies to help those affected by the virus and denying migrants access to basic healthcare during this time (Zanker & Moyo, 2020). Travel bans have been implemented due to the fear of Covid variants such as the delta variant found in South Africa from spreading overseas into European countries such as the United Kingdom. It is a fair and justifiable reason, but one that can be contested based on historical xenophobic and discriminatory rhetoric’s that exist between first world and third world countries. The pandemic has highlighted the power of securitisation in global political affairs (WTO, 2020). The reasoning for securitising migration is often justified through arguments made by state officials, politicians and others that hold enough power in a state to influence the government and its people that relate to wanting political stability and promoting

strong social cohesion within a society (Russo, 2008). Therefore, the definition of “securitisation of migration” considered for this study is the perception of migration as a national security threat that leads to extraordinary measures of protection that threaten or negatively affect the security of humans (migrants).

### **3.6. Human Security and Securitisation of Migration**

Human security and the securitisation of migration work together in the sense that what happens on one side directly affects the other side. This is so because to protect the human is to protect the state, and therefore human security viewed through differing lenses may be contradicted at some point or lead to various implications. These implications can include the creation of a border management policy that perceives migration/migrants as a threat to national security or a risk to the population of a country. The human security framework deals with the security of persons (in this context – migrants) and communities (host state population), in particular, situations such as increased vulnerabilities because of migrating or increased security threat perceptions because of migration. This framework acts in unison with the framework of securitising migration, because there has been a significant political discourse that has allowed for migration to be an issue that threatens the order within a state. The political discourse on migration means there is a shift in perception that emphasises/exaggerates migration as a threat to state security under a security umbrella, and that it can be understood within the theory of securitisation. These two frameworks are therefore connected in being the lens through which the introduction of the new South African BMA Act 2 of 2020 informs the reality of what may happen to the human security of migrants. Ensuring the human security of citizens while not neglecting or imposing vulnerabilities on the human security of migrants is a challenge.

### **3.7. Conclusion**

This chapter has provided a framework that helps explain the focus of the study and how the concepts discussed play vital roles in the process. The chapter highlighted the background to understanding how human security and the securitisation of migration can explain the implications or possible implications for migrants considering a shift in understanding what migration is under the security umbrella. It was established that the general term “security” in the global arena is insufficient for this study; placing particular focus on human security can

allow for a more personalised explanation of the political discourse on migration that has occurred and there is more to uncover in this regard. The human security lens is central to the analysis of the vulnerabilities that migrants face within the process of securitised migration and how certain laws or acts have an impact in this regard. This chapter has therefore allowed for the following chapter to provide an in-depth analysis on the BMA Act 2 of 2020 and how the securitisation of migration is an important “actor” and that it directly affects the human security of the migrant, which is a possible risk in the global arena.

## **4. Chapter 4: The Securitisation of Migration in South Africa – A case study on the BMA Act 2 of 2020**

### **4.1. Introduction**

Guided by the objectives of the study, this chapter can now produce an in-depth analysis of the BMA Act of 2020. This will allow for an understanding of the border management in South Africa and the human security implications from this. This chapter will therefore unpack what the new act means and will do for the overall national border security of the country. This will be done through an analysis of the new act (and those that came before and influence its implementation) and how South Africa’s border management has evolved over the years (from apartheid and into the current democracy). The chapter will also explore the role that political discourse through political leaders, media and society (public opinion) plays in the perception of migrants that seek hospitality in South Africa and how all of this (stricter policy and control of the border and the movement of people) leads to the human security of migrants being both exacerbated and exploited as a result of the trajectory in “policing” migration to South Africa.

### **4.2. A change for South Africa’s border management – BMA Act 2 of 2020**

The policymaking process of South Africa is informed by green and white papers. The green paper is presented first to allow for input or any other contributions to any ideas presented. The white paper presents a finalised policy framework that will become an act. The 2017 White Paper on International Migration sets out major policy changes such as improvements to the South African asylum system, but these changes are exclusionary and restrictive in nature, particularly for the human rights of migrants. There is an overemphasis on the criminality of migration, and this contradicts South Africa’s policy changes towards migrants from Africa in

its upcoming plans of regional integration. There is much contestation around the changes the BMA seeks to make and how it will do so. The Border Management Authority Act 2 of 2020 has been approved by President Cyril Ramaphosa and it is intended to provide a border authority that is uniform, coordinated and that efficiently protects the country's borders. It is a national public entity that is of and for South Africa's best interests. The act recognises that a border management authority in accordance with the constitution of South Africa is necessary to develop the republic's socioeconomic status, to contribute to the facilitation of trade and secure travel, to prevent the smuggling of goods and human trafficking, to protect South Africa's environment and natural resources and to protect from the spread of infectious diseases, pests and substances (DHA, 2020). The implementation of a new authority is due to the lack of proper communication and coordination between responsible spheres of government (local and provincial) on border and migration issues in the past.

The DHA leading this authority is met with much critique and scepticism. How can the BMA assumedly bring change to border management when it is headed by a department that has yet to rectify its poor reputation in managing its affairs (Van Wyk, 2020: 5)? The BMA approach recognises and seeks to change the lack of coordination and integration between responsible organs of state to pursue its objectives for improved border management. The act includes the authority in border law enforcement functions, even to organs not typically associated with law enforcement responsibilities, which raises the issue of the clashing of organ interests. There is also a complexity in that the Act contains expressions that are not defined but assumed. An example of this is two terms used throughout the act: "in consultation with" and "after consultation with". The former could mean that a decision can only be made once in agreement with or by an official, while the latter may mean that a decision can be approved by an official, but it is not bound to that; it can change or not consider the official (Van Wyk, 2020: 8). This creates curiosity about the success rate in ensuring proper communication and integration when its possible decision may not require approval from above.

On paper, the act proposes a positive change and approach to ensure effective facilitation of South Africa's borders but there are a few notable issues that still need to be addressed in applying the act's objectives. Firstly, there has been critique, scepticism, resistance and disruption in the policymaking process of the BMA. It is therefore necessary for the act to overcome its negative legacy to create surety that there will not be any other attempts to make it fail. Second, the change to want to have cooperative governance in the success of the Act is tricky and will most likely not work out. This is because a single border management agency

through the cooperative governance of organs of the state that are faithful to the constitution of South Africa has been suggested before, and it has failed. Lastly, there is the danger of this new management being perceived as prioritising armed service to ensure the country's security. Given the increased powers to organs of the state such as the SAPS and SANDF, the image in this case leans towards an image of fear and intimidation. This is a representation that will not favour the migrant and would therefore reinforce the beliefs of South Africa securitising migration in its border management efforts. The management and protection of migrants as seen in the objectives of the BMA is severed and does not seem to make positive changes to the rights of migrants.

### **4.3. South Africa's border management history – repeated patterns?**

#### **4.3.1. During the apartheid era and the now democratic South Africa**

Under apartheid, border security management was envisioned for the welfare of the white migrant and ultimately the demise of the African migrant (Tati, 2008). This was a policy developed under the National Party and was executed through what is known as the “Two Gate” policy. The policy was divided into a “front” and “back” gate (Segatti, 2011). The front gate welcomed white migrants that did not pose a threat to European culture, while the back gate was designed for the toleration of undesirable African immigrants who were only allowed temporarily. They (African immigrants) were used to satisfy the labour market demands of agriculture and mining. Back gate migration was managed through detention, policing and deportation (DHA, 2017). The apartheid regime employed a control over rights to border management that encapsulated South Africa's slow response to transforming regional migration into policy that would meet regional developments and national demands. This restrictive immigration policy agenda persisted into the democratic area in South Africa. The policy processes under the ANC party are swaying (in the sense that they are sometimes for the people and other times not to the benefit of the people of South Africa) most changes thereto come from within the party and not from consultative and legislative institutional frameworks (Salter et al., 2014).

This was followed by the National Party government implementing the Aliens Control Act of 1991, which allowed for temporality and deterrence at the expense of migrants. This act deprived migrants of basic human rights and applied a policing vision on the treatment of migrants; migrants were seen as the threatening other and therefore placed in detention centres

indefinitely without any intention of judicial review. Pressure from human rights groups through public and political discourse led to this act being amended (Segatti, 2011: 35-37). The amendment meant that restrictions had to be eased and the rights of migrants were to be considered. This policy was labelled ruthless and unconstitutional by human rights groups, for example, Lawyers for Human Rights, because it contradicted the rights and rules of the constitution of the country, particularly the constitutional right of protecting all those that live in the country (Segatti, 2011: 38). It was supposed to be amended four years later, in 1995, but that amendment did not take place until 2002. This means that the act's original mandate and objectives remained in place a good ten years into the democratic rule under President Nelson Mandela (Van Lennep, 2019).

The enduring themes in pre- and post-democratic South Africa border management are restriction, rights insensitivity (control) and xenophobia. The restrictions refer to the limited access that migrants have to basic services such as proper healthcare and education. The government can be considered inconsiderate of migrant human rights because their rights are often limited and controlled. This is evident in employment opportunities for migrants being limited, which often leads to self-employment (precarious employment), as most jobs exclude foreign nationalities, particularly those without work permits, which means migrants do not have work contracts or access to benefits (MiWORC, 2014). The management of borders in South Africa has not fully affirmed the integration of migration into domestic and regional development plans, which means migration remains a threat to national security until this is rectified. Therefore, South Africa's slow efforts in providing proper protection and welfare to immigrants, despite the significant economic contributions they provide to the country, remains an ongoing issue. According to statistics by the Development Centre of the Organization for Economic Co-operation and Development (OECD) and the International Labour Organisation (ILO) (2018), migrants contribute well over 8% to the national GDP. Following the installation of the democratic rule, an assessment was made in 1996 and provided to South Africa in 1997 by the United States Immigration and Naturalization Service and it showed that border management in the country was leaning more towards militarisation, and this was due to the heavy presence of the SANDF and SAPS at the borders.

In 1997, Cabinet came together to discuss new measures of security that would help address the state of South Africa's border management, (DHA, 2015) Cabinet identified poor national strategic focus, poor coordination between bodies in charge of border security, the absence of a collective approach and the lack of uniformity between border ports as having led to isolation

in decision-making, which has created an environment of irregular border control, corruption and violation of basic human rights (Salter et al., 2014). One of the biggest issues following the factors of poor border management is that border control was never a highly prioritised and specialised field on its own, which resulted in disjointed structures of authority. The Refugees Act of 1998 Act, in comparison with the Aliens Control Act, is more rights-based, given that it allows asylum seekers freedom of speech and movement, which was a highly contested measure (Steinberg, 2005). Democracy in South Africa showed the evolvement of border management in introducing border control that is managed by internal department incentives rather than a centralised border control strategy. Despite these changes, there exist newer approaches to security known as risk-based security agenda (Segatti, 2011). This agenda contributes to the perceptions of migrants as the threatening other and highlights a dangerous xenophobic rhetoric. An in-depth analysis into the different acts that have informed both the apartheid era and the now democratic rule will provide an understanding of the border management structures then and now and explain why there was the need for a new act.

#### **4.3.2. Previous and current migration policies**

South Africa's migration policies have shaped the way the country has managed its borders and they have become increasingly restrictive in intent. There are two themes in these policies under both the apartheid regime and democratic rule: the securitisation of migration and the restriction of migrants' basic human rights (DHA, 2017; Segatti, 2011). Three acts are relevant to and influence the country's border security: the Aliens Control Act, the Refugees Act and the Immigration Act. These acts have been consistently amended over the years and their amendments indicated South Africa's trajectory in perceiving the migrant as a security threat that requires restrictions.

The Aliens Control Act of 1991 enforced control, the prevention of crime through the threat of punishment (bringing in the police) and a limit on the subjective progression of migration – all of this at the expense of migrant rights. It was amended in 1995 but this amendment merely refined the policy to allow for the needed skilled labour at the time (Crush, 2011: 10). The Refugees Act of 1998 utilised a rights-based approach that granted migrants work and education, but this changed due to the act's several amendments over the years (2008 to 2020), which now states that migrant rights are restricted to defer the entrance of new asylum seekers (Crush & Dodson, 2006). The Immigration Act of 2002 created categories of class and



professionalism that only allowed certain groups of migrants into the country. This act possessed similar traits to the Aliens Control Act of 1991, and it established community enforcement measures that would give citizens responsibility to report sightings of foreigners while enhancing border monitoring (Segatti, 2011). The Refugees and Immigration Acts have been consistently amended for decades and they have made the following change: responsibility has been removed from citizens and it has been placed on internal bodies of government such as the DHA. Conditions for migrants in both acts have worsened, making it difficult for migrants to occupy the country, and powers of officials have increased, which has threatened the human rights of migrants (Crush, 2011:19). These amendments indicated the need for the government to establish and organise a regulated single entity (the BMA Act of 2020) that will oversee the overall movement of goods and people through South African borders. This act, as interpreted in the White Paper (DHA, 2017), is an approach to border management through a securitised lens on migration and for it to uproot inclusive systems to deal with irregular migration.

In view of the assessment of the acts and what the 2017 White Paper says the approach of the BMA is, this new act has more similarities than differences with older acts. This is not only in the policymaking process and stakeholders involved; there is still a lack of assurance of and attention to the human rights of migrants. There are growing restrictions that reinforce the ever-growing securitisation of migration to South Africa and even emigration for those wanting to leave South Africa. The South African Revenue Services has released a tax emigration taxation legislation that removes the distinction between residents of South Africa and non-residents. This legislation is a means for the control of exchange from host to foreign country. This therefore restricts the movement of the individual and their assets until due processes have been followed. This process links several parties including the South African Reserve Bank (SARB) and the Department of Home Affairs (DHA). This legislation ties seamlessly with the securitisation of migration because there are powers, processes and restrictions that make migrating and emigrating laborious activities which may breed corrupt actions to overcome them, (Louw, 2021). Furthermore, the new act may not work as planned, given that there still exists systemic hostility towards migrants in the discourse of South Africa's nation-building interests and the existing protocols for African country integration. South Africa along with other African countries has emphasised the need to implement the greater integration of states in the region. This is evident in the African Union – African Economic Community and the 2005 Southern African Development Community (SADC) Protocol for the Facilitation of

Movement of Persons. The former like the latter calls for the free movement of African peoples within the respective member states for better trade, communication and the overall economic growth of the continent. The 2005 SADC Protocol details the commitment of member states in eliminating obstacles to the movement of persons amongst states done through the implementation of entry without visa; harmonisation of immigration policies; mutual assistance in providing travel documents and working permanently in another state. South Africa has signed and agreed to these protocols but its implementation of the BMA Act of 2020 not only goes against what it has agreed upon but also jeopardises the fruition of said agreements, (SADC, 2005).

#### **4.4. South Africa's political discourse on migration – political leaders; the media and public opinion**

Political discourse on migration is a result of previous government policies on migration and the rise of social intolerance (role of the political leaders, media and perception of civil society). Political leaders, media and society play pivotal roles in the perception of migrants but also the behaviour towards them. The media is often negative and biased in this regard because they often feed into and shape the narrative or stereotypes that exist around migrants. Gomo (2010) explains that although the media does not directly control the actions of the public or communities, their power and role emphasise political discourse on migration in South Africa, as seen in the actions of the public – they negate existing fears and perceptions that exist at the local levels of government in which communities exist. Discrimination against migrants often leads to attacks on migrants and this is often labelled as xenophobic attacks. An example of this is the attack on migrants in Durban (March and April 2019), where the eThekweni Municipality reached an agreement with the Malawian High Commission that claimed that the displacement of 100 migrants due to the attacks was purely a case of criminality, seeing that foreign nationals had their possessions stolen (Human Rights Watch, 2019). This is a case of pervasive denial (that was also used by President Thabo Mbeki following the 2008 xenophobic attacks in Khayelitsha) that often allows leaders to get away with doing nothing to stop attacks on foreign nationals, which would therefore justify the citizens' ability to do whatever they want (Bornman, 2019). Xenophobic violence has become significantly problematic and prevalent in post-Apartheid South Africa with hundreds of thousands of migrants being

harassed, attacked or killed because of their status as foreign nationals. The violence against foreign nationals did not end following the infamous 2008 attacks but the trend saw a significant rise in violence in 2018 with over 42 out of over 500 xenophobic attacks occurring that year. The 2018 violent attacks resulted in over 300 deaths of foreign nationals. These results are an under estimation of the true extent of the violence foreign nationals experience on a daily basis in South Africa. The spatial trend to these attacks is that they occur in major provinces, particularly, Gauteng, Kwa-Zulu Natal and the Western Cape. Due to the absence of preventative and concrete protection measures, xenophobic violence is more likely to occur and worsen now due to the new measures imposed through the BMA Act of 2020, (Mlilo and Misago, 2019). All of this has allowed government (political leaders), the media and citizens to perpetuate and live in an environment that is influenced by a securitised perception of migration that boosts xenophobia by instilling the fear of the other to downplay the existing ails of the government in adequately providing for its people the security (basic needs and access to services) that they need to survive. Rather than addressing the true causes, the blame is shifted to migrants (Maina, Mathosi, McConnell & Williams, 2011). Immigration policies are therefore driven by a political discourse on migration that is categorised under three factors, namely apartheid legacy, nation-building and the developed country management of migration (Ngwato, 2005:83).

#### **4.4.1. Discourse during apartheid**

As emphasised in the preceding chapters, apartheid was focused on controlling the movement of people through exclusionary measures. A lens of control rather than management or facilitation of migration. The discourse here was built around the political concern that the state made use of foreign labour to meet the demands of the mining industry at that time. South Africa's use of foreign labour during this time contributed to the success of the mining business in the country (Tati, 2008). The control lens lies in the need to benefit South Africa's businesses by regulating migration and debarring irregular migration. This process criminalises and controls migration, as the focus is on the constant need to deport unwanted migrants, and this leads to a disregard of the required transparency, accountability and due diligence in the process relating to the migration. The continuity of immigration policy practices informed by apartheid into the era of democracy highlights the relationship that exists between South Africa's identity and "the rest of Africa", the relationship between government and traditional business and the relationship between bureaucratic and political actors (Crush & McDonald, 2002: 7). These

relationships both influence and inform how South Africa's government arrives at a particular decision when it comes to migration, such as the decision to implement the BMA Act. The discourse on migration in South Africa has led to negative tones in the migration policies that have expanded the issue of xenophobia that plagues the country and its people. Xenophobia is evident in the "denialism" by political leaders that believe the mistreatment of migrants is purely an issue of criminality, while the actions of violence evoked by citizens add a dimension of xenophobia to the issue.

#### **4.4.2. Discourse in the democratic era of South Africa**

Nation-building is the essence of democracy in South Africa, which focuses on human rights and socioeconomic benefits for citizens. This focus has been constructed in a way that still victimises or excludes certain categories of migrants. Political discourse highlights the public opinion that immigration undermines the creation of jobs and services for the citizens of the country (Crush, 2011). It provides the logic that if the government does not deport migrants or have exclusionary measures in place for immigration, then they are not serving the best interest of their citizens (a way to avoid accountability in their inhumane practice but to also allow legitimacy for their actions) (Reitzes, 1995). There are tensions in this political discourse. The first is that the government tends to blame immigration as the cause of the slow production of socioeconomic services for citizens, while it fails to address its administrative issues in managing migration. The second is the limited and restricted rights available to immigrants and those that undermine them as human beings with needs. This means that the government abuses the human rights of immigrants under the guise of protecting the rights of citizens and all of this undermines the premise of South Africa's government respecting the human rights of all who live in the country. Lastly, popular social movements on crime reduction and service provision are explicitly anti-immigrant and often push for the rights of South Africans rather than for all. This discourse ultimately condenses immigrants as resource competitors (Ngwato, 2005: 89-90).

Weight has been given to the concerns about growing anti-immigrant campaigns that promote violence and abuses to foreigners while South Africa claims to promote global and regional leadership on human rights (Crush & Tshitereke, 2002: 55-60). Therefore, it is important to understand that the plurality (values driven by international and domestic actors and the legitimising discourses) that exists on the political discourse on migration in South Africa is balanced between acknowledging and asserting historical influences (apartheid legacy and democratic nation-building) and normalising the criminalising of migrants because of

discriminatory behaviour. The role of political leaders, the media and the perceptions of civil society drive the political discourse and they have participated in the propaganda bias of migrants and the treatment of migrants (ill treatment by ordinary citizens, policing services and responsible government bodies). Migrants in the case can be seen having differential access to the government of South Africa. There is exists little discourse on migrants originating or coming from European or Western countries whilst African migrants or those coming from neighbouring states are believed to negatively affect South Africa. These different migrants groups do not receive differential access to the country but they are different in how they are treated in the country as evident in the groups that face xenophobic attacks. The negative narrative that still exists and continues to be perpetuated for African migrants is the reasoned by the Afrophobia that the South Africans (black communities) have due to the disparities that still haven't been overcome for them in democratic SA. This necessitates the need to expand on the human implications that exist and can arise from the implementation of BMA objectives and so forth, and the power of the media and the public in these instances.

#### **4.5. Unpacking the human security implications from a securitised policy Act**

The governance of migration in South Africa has followed an increasingly securitised trajectory that has often, if not all the time, blurred the lines between migrants that have good intentions (seek refuge or asylum) and those with ill intent (traffickers, smugglers). This has exacerbated the negative perception and ill treatment of migrants, whether through xenophobic attacks or unlawful arrests, detention and deportations. The implementation of the BMA Act 2 of 2020 has raised concerns that the new powers and security measures stipulated could result in inhumane conditions of migration for migrants and the abuse of their human rights in the guise of ensuring secure border management for the country. Human rights laws caution the treatment of migrants and yet several countries (in this case South Africa) continue to pursue securitised border security measures that threaten the personal security of migrant

A majority of these deportations were a result of unlawful arrests and detentions that lead to the eventual deportation of migrants. These statistics are of persons from neighbouring African countries with most coming in particularly from Mozambique and Zimbabwe.

Migrants have usually been perceived in terms of their numbers and their potential to threaten the country's security. The strengthening of tighter border control has only made it harder for already vulnerable migrant groups to migrate. Many migrants have suffered assault, robbery, and abduction due to the inability to move and this has therefore restricted migrants' right to migrate (Ullah et al., 2020). The army and the police have played major power roles in this case with little to no oversight from the DHA. Tactics used by the police in recent years are not far off from those used during apartheid (unwarranted arrests/seizures). While there have been attempts at amending migration policies to ensure the human rights of migrants are not hindered, the structures in power have failed to make an impact in this regard. Migration policing has in most cases become a disjointed effort that has caused human rights violations and ethical abuses to migrants arrested and thrown in detention centres (Klaaren & Ramji, 2001: 36). In March 2000, the SAPS presented over 7000 "illegal" migrants whom they had denied the opportunity to collect and prove their visa statuses. Some migrants had their documents destroyed during arrests and this seemed to have been an instruction from above that was ultimately a response to a systematic practice. Most of the arrested migrants were sent to the Lindela Detention centre, which soon became overcrowded because the facility is designed for 4,500 persons at most (Klaaren & Ramji, 2001: 37). Unlawful deportations followed as result and given the police's quick expulsion of migrants, their actions denied migrants the opportunity to develop their lawful status and violated their rights to the due process of the law (Klaaren & Ramji, 2001: 37-38).

Increased levels of xenophobia since the dawn of democracy culminated in the 2008 xenophobic attacks, which resulted in the loss of lives, livelihoods and the displacement of migrants. The Immigration Act allowed for the police to demand documentation upon request, which restricted the mobility of migrants – a clear violation of article 26 of the United Nations Convention Relating to the Status of Refugees (UNCRSR) of 1951 (the right to free movement and free choice of residence within the country). The police are not objective when performing their duties, mainly due to the laws they must abide by, but also the bias through discrimination that migrants face when confronted by the police. Similarly, the DHA centres for refugees lack proper infrastructure such as information desks, which makes migrants vulnerable to corrupt individuals that could claim to work for the department and take advantage of them. Migrants do not have access to justice and due diligence in the country, because even the court system such as the Constitutional Court is not easy to gain access to and it may be expensive for some.

The courts are proving to be invaluable tools for reform and legal representation for migrants (Masizwa, 2019).

The push for stricter control has led to the misuse of power as seen through the SAPS and the mismanagement of migration policy processes as seen through the DHA oversight on the procedure of “moving” migrants. The South African Human Rights Commission (SAHRC) has reported human rights violations at the Lindela Detention facility that included physical and verbal abuse, insufficient food supplies, poor access to medical care and lack of recreational activities for detainees (Amit, 2015). The 2016 report from the SAHRC also found that migrants were detained for more than the 30 days prescribed in the Immigration Act. The DHA has often complied with the extension of the 120-day statutory limit to detain migrants, but it has failed to obtain warrants that would allow detention facilities to hold migrants for longer periods than stipulated. Lawyers for Human Rights have emphasised that there is too much power play going on, not only in the formulation of migration policy but in practice because it has critiqued the exaggeration of security measures that simply require fines and warnings but are rather escalated to arrests and deportations (LHR, 2016).

Migration governance procedures, as indicated, have violated the human rights of migrants for years and this would seem to be the case going into the future of the implemented BMA Act 2 of 2020 (an implementation that is considered to take over 15 years). This act provides legality to what is being practised by the powers in charge (DHA, SANDF, SAPS, and so forth.). An example of the legitimisation of current practices is seen with the Covid-19 pandemic. The heightened securitisation of migration in South Africa is seen during this pandemic, which highlights how migrants are criminalised or rather viewed as the threatening other and in this case, the threat of the migrant spreading the coronavirus and needing to be contained or removed. It legitimises restrictive border security processes, undermines the human security of migrants and that of host communities, and it affects surrounding regional populations such as Zimbabwe and Mozambique. One of the first decisions taken during the outbreak was the building of a border fence between South Africa and Zimbabwe that not only restricts the movement of migrants but also undermines their value for and to public health services. This was a political move that justified a securitisation agenda. The justification of the need to prevent the spread of infectious diseases into the country during such vulnerable times was an explanation after the fact that covered up the country’s migration policy agenda to restrict the overall irregular movement of migrants (Zanker & Moyo, 2020: 104-105). The BMA implementation therefore accelerates the agenda of securitised migration that will see past and

current human security implications playing out in the future. The unwarranted seizures, searches, arrests, detentions and deportations will eventually blur the lines between acting according to stipulated laws and regulations, and the corruption in acting according to individual beliefs and perceptions, a dangerous trajectory that we can only see unfold.

It is possible to foresee even more human security implications for migrants because of securitised migration agendas, but the past and current practices are unlikely to change overnight, so their repetition or trajectory is inevitable. The most data that exists on the ill-treatment of migrants is the xenophobic attacks that are significant between 2008 and 2018. The ill-treatment of migrants thereafter (2019-2021) is seen through the treatment of migrants through the Covid-29 pandemic with most reports reporting on the exclusion to healthcare services and the deportation of migrants due to overcrowded quarantine facilities and to limit the spread of the virus, (van Lennep, 2019). It is important to know that all the human security implications discussed are targeted towards African migrants, and migration policies affect more African migrants than any other (because of regional history and the perceptions of them advancing themselves in a country that continues to fail or rather not meet the basic services needed for their *own* people). It is essentially the securitisation of migration through migration policies like the BMA that will be the demise of the movement of people coming from other African countries to South Africa.

#### **4.6. Conclusion**

This chapter provided an analysis that unpacked what the BMA Act 2 of 2020 is and the changes it seeks to make for the overall management of migration in South Africa. It has been made clear that given the implementation of the BMA, migration in South Africa continues to be securitised. The objectives of the study have led to the realisation that issues pertaining to the topic of migration have been longstanding in both the apartheid and democratic rules of South Africa. The management of migration during the apartheid era crossed over into democratic South Africa with similar approaches that were merely amended and now have further restrictive implications for migrants. The political discourse on migration has shown that political leaders, the media and citizens play an important role in the perception of migration, the reaction to it and its management. The discourse highlighted the reality of a securitised lens that immigration policies still implement. The potential human security



implications for migrants that are brought on by the new authority on border management is seen in the observation that the migrant conditions in South Africa may worsen given the changes in the role and powers of those that inform the new authority. Therefore, it is necessary to state that following this analysis, the case study on the BMA Act 2 of 2020 does not present new ideas to what already exists (preceding policies) even though the new act establishes new institutional structures. It rather represents a realignment of authority that is informed by the exclusion, restriction and securitisation of migrants. This chapter exposes the need to discuss the analysis to unpack whether the case study in addition to the objectives fills the gap or adds to existing knowledge

## **5. Chapter five: The way forward for SA migration management**

### **5.1. Introduction**

This chapter synthesises the analysis of the study and its objectives in relation to the debates found in the literature review. Based on the evidence in the analysis, it supports the study's notion that the securitisation of migration has human security implications, and this is shown in the case study on the role of securitisation in South African migration through what already exists in government policies and the intentions of and changes that the BMA Act 2 of 2020 wants to achieve. These implications may not be new, but they have the potential to worsen and arrive through intensified avenues of authority and through the discrimination that already exists towards migrants. This observation allows for this chapter to conclude that the present state of migration in South Africa is a continuation of its past approaches to the country's security and due to the influx of migrants, it will take years to undo or rectify the security approach implemented. The power of securitisation lies in the hands of those that securitise (policymakers) and in the case of the new act showing characteristics of securitisation, migrants are more likely to continue being seen as a threat to the security of South Africa.

The main research problem of the study investigated the growing securitisation of migration in South Africa and the need for there to be a focus on the human security of migrants in the process. The study found that the government of South Africa wants to ensure the nation's development by positioning a cooperative governed authority that will perform border law enforcement functions to protect the country's borders and promote its national interests by addressing the importance of reducing "irregular" migration, prevent smuggling of goods and

people and stop the spread of infectious disease through facilitation of safe travel and trade. This study however found that this decision is restrictive and imposes on the human rights of migrants. The next section will provide summaries on the key findings of the study that will also indicate whether the findings met the study's research questions and how these results contribute or relate to the research debates discussed in the literature review and why these results are valid for the aim of the study.

## **5.2. Engaging with the main findings on the future of securitised migration in South Africa**

### **5.2.1. BMA Act 2 of 2020**

The study found that the BMA Act wants to achieve a central authority on border law enforcement through the integration, coordination and cooperation of the state organs that have been identified. This approach is met with administrative problems due to the possible clashes of organs of state and due to its reinforcement of securitising migration – migrants being seen as criminals. The literature supports this finding because it found that South Africa's policies have failed in the past and will most likely not succeed due to the patterns of restriction, exclusion and control in its border management history. Major implementation issues lie ahead for this Act. This is due to the DHA's history of systematic issues and this could result in further management and legal (the validity and credibility of work performed) problems. Corruption and abuse of power can be seen in the future for this Act and could affect intended restriction outcomes. These restrictions imposed in the Act are more likely to be amended or rather adjusted in future because of the violations to the human rights of migrants through international and domestic human rights laws. Additionally, the future of Africa is that of integrated states and these BMA restrictions that want to militarise South Africa's borders goes against agreed protocols and could lead to the delay of effective and beneficial movement of African people in Africa.

### **5.2.2. South Africa's border management**

The study finds that South Africa's border management has not evolved sufficiently, and its present state is the continuation of restrictive immigration policy approaches. This is supported by the literature on the theory of security being an expansive concept, as it found that migration management in South Africa repeats patterns of old policies that exclude the growth of migration to South Africa and does not make enough changes to dealing with border issues

without posing a threat to migrants. This finding is supported by the literary debate that South Africa tends to shift its administrative and developmental issues onto the growth of migration in the country because there is existing hostility towards migrants.

### 5.2.3. Political discourse

The study finds that the political leaders, the media and the public play instigator and victim roles not only in the perception of migrants but in growing discriminatory attitudes and behaviours towards migrants. The research in the debates found on the literature of the discourse on migration supports this finding in that it found that through xenophobia, these actors can instigate the perception of the threat that migrants are perceived to be to the development of the country but they also play the victim in denying that xenophobia from their unchanging discriminatory behaviour influences and informs what happens to migrants, nor do they know that it is the reality of migrants in the country. They deny and minimize that the political discourse on migration in South Africa is characterised by the systemic reality of xenophobia and possibly afrophobia (the fear of other African people).

### 5.2.4. Human insecurity

The study found that the potential human security implication for migrants because of securitised migration in South Africa is their “criminal” status, which will be exacerbated by the border laws that allow for unwarranted deportations, arrests, detentions and seizures. This was supported by relating these findings to the literary debate that states that policies catered to implementing the effective management of borders such as the BMA minimise the human rights of migrants. The policies motivated by securitisation do not consider migrants as humans with the same rights they try to protect for their citizens. Despite these challenges to the security of migrants (refugees; asylum seekers and immigrants) there are structures in South Africa that provide support and protection to migrant such as CoRMSA-Consortium for Refugees and Migrants in South Africa. This is a non-profit, non-governmental organisation that is committed to promoting migrant rights and the protection of said migrants. This organisation is comprised of member organisations such the South Africa chapter of Amnesty International; Lawyers for Human Rights and the South African to name a few. These organisations advocate for human rights based refugee and immigration policies that are encouraged to comply with international laws and constitutional standards. They take into and address the major issues of xenophobic attacks of migrants; illegal arrests, detentions and deportations; and the limiting access that immigrants have to asylum determination processes that are headed by the Department of Home Affairs, (CoRMSA, 2018). This is a perspective that can change and

needs to be supported so that the conditions of migrating to and from South Africa are more humane than political.

### **5.3. Conclusion**

The study extends and adds to the existing literature on the relationship between states' border management measures following a securitised trajectory and the implications migrants face because of these exclusionary measures. It has done so through a discourse analysis of the BMA case study that is and will still be critiqued by various stakeholders, academics and students. These findings support the existing theories of securitisation and human security in that there is a cause-and-effect relationship, particularly in the case of the former. Based on these findings, the BMA research question was not fully unpacked given that it is a new act, and it has not been implemented long enough to weigh its success and efficiency for border management and its full impact on the new realities for migration to South Africa. All the findings of this study are imperative to understanding the premise of the research problem and the questions thereof, and they are valid in contributing to the discourse on securitised migration and its growth in the global arena. The current climate of migration in South Africa is met with discriminatory and exclusionary attitudes and it is unlikely to change any time soon, given that securitisation will continue to grow as long there is an increase in the patterns of migration. The following chapter will provide the conclusion and the recommendations that will conclude the study.

## 6. **Chapter six: conclusion and recommendations**

This chapter concludes the study by providing context to the impact of the research on the broader debates on security (securitisation), human security, border management and securitised migration. South Africa has established itself as one of the rising migration hubs in Africa, but its implementation of restrictive national security measures to manage the migration to the country poses a challenge to the human security of the migrant and the overall development of the country through regional integration. The overall argument of the study was that presenting a new political act that informs securitised measures of national security is a risk because it imposes further discrimination on migrants and exacerbates their ill treatment. This chapter will provide a synopsis of the preceding chapters, and based on the findings provide recommendations for the key matters as a way for national security measures to move away from seeing migrants as a threat and for there to be a focus on the bigger picture of the development of the country through the integration of migrants.

The study comprised six chapters. Within these chapters, the study observed four objectives: to establish what changes the BMA Act seeks to make, to explore the history of South Africa's border management, to explain the political discourse on migration in South Africa and lastly, to understand the potential human security implications for migrants because of the new border management authority approach to border security. Chapter 1 aimed to introduce the overall idea of the study in its state-centred/securitised approaches to border management drawing from the BMA Act 2 of 2020 and the history of border management in South Africa. South Africa prioritises its national security to ensure sovereignty and territorial integrity, but this stance has proven to show patterns of securitisation, particularly in the tightening of border security measures and the increase in migrant discrimination as evident in violent xenophobic attacks against migrants. This chapter focused on the use of discourse analysis to understand the shift in the national security interests of South Africa from a humanitarian (rainbow nation)

approach to an exclusionary (securitised) and controlled approach. The chapter was backed up by chapter 2 to explain the literary debates that pertain to the theory used in the study.

A review of security and migration through literature in security studies was needed to unpack the relations of these terms together and for the study. All spheres of life except the military have become securitised, including migration. Chapter 2 presented this through debates on a global understanding of securitised migration and particularly its rise in the Global South and how migrants, in this case, can be viewed as a threat to national security because securitisation theory justifies this notion. This chapter found that migration has been connected to the impeded development of South Africa and therefore it is believed to be a threat that needs to be restricted, excluded and removed. This criminalises the migrant and informs the anti-foreigner political discourse on migration to South Africa. The third chapter focused on the theory around securitisation and the concepts that inform and are impacted by it such as security, human security, migration and securitised migration. Chapter 3 started by explaining the general definition of security not being sufficient for the study and that a focus on human security allows for a more personalised explanation of the political discourse on migration. It found that “migrant” could be a broad term that encompasses both documented and undocumented migrants, asylum seekers and refugees because they are in most cases equally affected in the securitised national security approaches of states.

In chapter 4, the study elaborated on the historical and present securitised measures on immigration in South Africa’s border management. This was demonstrated through an explanation of what the BMA Act 2 of 2020 is and seeks to change the policy approaches in managing migration in South Africa. This chapter identified themes in the process of securitisation, and this was shown in how South Africa’s current and past immigration policies (management) have leaned towards restrictive and controlling approaches to migration. More than that, the chapter demonstrated that political discourse continues to thrive in local and national political spaces and that this informs/results in strict and exclusionary border management measures and threatens the livelihoods of migrants and criminalises their existence in South Africa. It makes migrants more susceptible to discriminatory behaviour (violent attacks) and attitudes. Chapter 4 was complemented by chapter 5 in its synthesis of the key findings in the research.

Chapter 5 found that the BMA Act 2 of 2020 does not present new ideas around border management but rather represents the realignment of an authority that is based on the control,

restriction and exclusion of “unwanted” migrant flow to and in South Africa. This discussion found that the use of political fear through an increase in police and military presence at the borders and internal management causes distress to migrants, places them in danger (particularly in the routes and approaches taken to find refuge into the country) and creates unnecessary fear. Chapter 5 concludes that changes need to be made to the policymaking frameworks and factors that inform these frameworks and it highlighted the existing structures that support migrants in South Africa. There needs to be an understanding of the value of inclusive security measures, the life of the migrant and the overall development of the country through integration because of migrant “acceptance”.

As indicated throughout the study, the aim was to understand the securitisation of migration and the human security implications thereof through a case study on South Africa’s border management through the implementation of the BMA Act 2 of 2020. To prevent a securitised trajectory for South Africa’s immigration policy approaches and to protect the human rights of migrants, this researcher recommends that South Africa employ the following recommendations to effectively address the abovementioned findings:

1. Address the systematic issue of xenophobia before implementing new immigration policies/acts. This would allow for the policies to be objective in their intentions and to drive the management of borders without bias. An amendment of the BMA Act is necessary, as it may do more harm than good to the overall trajectory of migration and state development.
2. Revisit the 2017 White Paper and the Acts that came before it to dismantle “traditional” (apartheid) influence in ensuring state sovereignty and territorial integrity. This can be done through the implementation of regularisation programmes proposed in the White Paper to allow for a diversification of resources in spaces that would improve border management and to utilise technology over human-driven tactics.
3. Politicians should oppose institutionalised discriminatory behaviour in political discourse and instead address the root causes of administrative failures when it comes to dealing with the influx of migrants in the country. This could be done by including migration in the developmental plans of the country that would aid in achieving the political order of the country.
4. Use a facilitative approach in border management rather than an interdiction approach and thereafter consider the benefits to development that migrant presence through regional integration presents.

In conclusion, this study has provided a link between human security and securitised migration through an understanding of the formation of the BMA Act 2 of 2020. The value of this research is that it adds to the existing literature on security studies and provides recommendations on what can and should change in the position of managing migration in South Africa. With this research, other states may be able to prevent themselves from taking similar approaches that South Africa has taken to ensure overall future African integration and development through the facilitation of the safe movement of people across the region.



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## 8. Appendixes

### APPENDIX I: ANTI-PLAGIARISM FORM

#### PLAGIARISM POLICY AGREEMENT

The University of Pretoria places great emphasis upon integrity and ethical conduct in the preparation of all written work submitted for academic evaluation.

While academic staff teaches you about referencing techniques and how to avoid plagiarism, you too have a responsibility in this regard. If you are at any stage uncertain as to what is required, you should speak to your lecturer before any written work is submitted.

You are guilty of plagiarism if you copy something from another author's work (eg a book, an article or a website) without acknowledging the source and pass it off as your own. In effect you are stealing something that belongs to someone else. This is not only the case when you copy work word-for-word (verbatim), but also when you submit someone else's work in a slightly altered form (paraphrase) or use a line of argument without acknowledging it. You are not allowed to use work previously produced by another student. You are also not allowed to let anybody copy your work with the intention of passing it off as his/her work.

Students who commit plagiarism will not be given any credit for plagiarised work. The matter may also be referred to the Disciplinary Committee (Students) for a ruling. Plagiarism is regarded as a serious contravention of the University's rules and can lead to expulsion from the University.

The declaration which follows must accompany all written work submitted while you are a student of the University of Pretoria. No written work will be accepted unless the declaration has been completed and attached.

Full names of candidate:.....**Keitumetse Sepeng**.....

Student number:.....**16023197**.....

Date:.....**2020/10/22**.....

#### **Declaration**

1. I understand what plagiarism is and am aware of the University's policy in this regard.

SIGNATURE OF CANDIDATE:..........

SIGNATURE OF SUPERVISOR:..........

This document must be signed and submitted to the Head: Student Administration within two months of registering for the research component of the programme.

APPENDIX II: DECLARATION OF ORIGINALITY FORM

UNIVERSITY OF PRETORIA

DECLARATION OF ORIGINALITY

This document must be signed and submitted with every  
essay, report, project, assignment, dissertation and/or thesis.

Full names of student:..... Keitumetse Sepeng .....

Student number:.....16023197.....

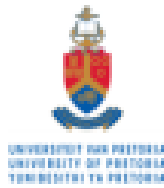
**Declaration**

1. I understand what plagiarism is and am aware of the University's policy in this regard.
2. I declare that this mini-dissertation (eg essay, report, project, assignment, dissertation, thesis, etc) is my own original work. Where other people's work has been used (either from a printed source, internet or any other source), this has been properly acknowledged and referenced in accordance with departmental requirements.
3. I have not used work previously produced by another student or any other person to hand in as my own.
4. I have not allowed, and will not allow, anyone to copy my work with the intention of passing it off as his or her own work.

SIGNATURE OF STUDENT:..........

SIGNATURE OF SUPERVISOR:..........

## APPENDIX III: ETHICAL CLEARANCE LETTER



### Faculty of Humanities

Fakulteit Geesteswetenskappe  
Lefapha la Bomothe



31 March 2021

Dear Miss K Sepeng

**Project Title:** Human Security Implications on the Securitisation of Migration: A case study on South Africa's BMA Act of 2020  
**Researcher:** Miss K Sepeng  
**Supervisor(s):** Dr CC Nshimbi  
**Department:** Political Sciences  
**Reference number:** 18023197 (HUM038/0221)  
**Degree:** Masters

Thank you for the application that was submitted for ethical consideration.

The Research Ethics Committee notes that this is a literature-based study and no human subjects are involved.

The application has been approved on 25 March 2021 with the assumption that the document(s) are in the public domain. Data collection may therefore commence, along these guidelines.

Please note that this approval is based on the assumption that the research will be carried out along the lines laid out in the proposal. However, should the actual research depart significantly from the proposed research, a new research proposal and application for ethical clearance will have to be submitted for approval.

We wish you success with the project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Pikirayi'.

**Prof Innocent Pikirayi**  
**Deputy Dean: Postgraduate Studies and Research Ethics**  
**Faculty of Humanities**  
**UNIVERSITY OF PRETORIA**  
**e-mail: PGHumanities@up.ac.za**

Fakulteit Geesteswetenskappe  
Lefapha la Bomothe

Research Ethics Committee Members: Prof I Pikirayi (Deputy Dean); Prof K. Harris; Mr A. Bizo; Dr A.M de Beer; Dr A. dos Santos; Ms KT Gwede; Andre; Dr P. Gaba; Dr E. Johnson; Prof D. Mase; Mr A. Mohamed; Dr I. Ncozi; Dr C. Putsepil; Prof D. Rayburn; Prof M. Soar; Prof E. Tshedi; Prof V. Thebe; Ms B. Tshebe; Ms D. Mokotipa