

# *AFRICAN HUMAN MOBILITY REVIEW*

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**Book Review: *Children of Hope: The Odyssey of the Oromo Slaves from Ethiopia to South Africa* by Sandra Rowoldt Shell**

**Decomposing Remittances from International Migration over Human Capital Development: Lesson from Nigeria Experience**

**Migrant Remittances Inspired Enterprises in Tsholotsho: Issues of Sustainability**

**Precarious Mobility: Infrastructures of Eritrean Migration through the Sudan and the Sahara Desert**

**The Value of Human Dignity in the Refugee Protection**

**The Migration Processes in Ghana: The Case of Northern Migrants**



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# ***African Human Mobility Review***

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***African Human Mobility Review*, Vol. 5, No. 1 (April 2019)**

- 1439 Book Review: *Children of Hope: The Odyssey of the Oromo Slaves from Ethiopia to South Africa* by Sandra Rowoldt Shell
- 1443 Decomposing Remittances from International Migration over Human Capital Development: Lesson from Nigeria Experience  
*Asogwa Ikechukwu Sebastine, Anumudu Charles Nnamdi, Ugwuanyi Charles Uche and Ogbuakanne Maryann Uche*
- 1459 Migrant Remittances Inspired Enterprises in Tsholotsho: Issues of Sustainability  
*Gracious Maviza, Mandlenkosi Maphosa, Nevel Tshuma, Zenzo Dube and Tomson Dube*
- 1482 Precarious mobility: Infrastructures of Eritrean Migration through the Sudan and the Sahara Desert  
*Tekalign Ayalew Mengiste*
- 1510 The Value of Human Dignity in the Refugee Protection  
*Callixte Kavuro*
- 1535 The Migration Processes in Ghana: The Case of Northern Migrants  
*Shamsu Deen-Ziblim and Adadow Yidana*

## **Book Review**

*Children of Hope: The Odyssey of the Oromo Slaves from Ethiopia to South Africa*, by Sandra Rowoldt Shell. Ohio University Press, 2018, 352 pages. ISBN: 978-0-8214-2318-9. Hardcover price: \$49.95.

Hewan Girma

*University of North Carolina*

Sandra Rowoldt Shell's recounting of 64 first-person narratives of enslaved Oromo (Ethiopian) children is an innovative and well-written piece of research. As the Horn of Africa is an under-researched geographic area for the study of both domestic and external slave trades, the plurality of these first-person slave narratives has much to teach the reader about the sensitive topic of African domestic slavery. While we can question if these accounts of the enslaved children (aged 10–19, with an average age of 14 at the time of the interviews) are typical, they nonetheless reveal a complicated and detailed history of slavery from the Horn of Africa.

Shell systematically coded the narratives to highlight trends and generate keen insights into the ordeal of the children's first passage (moments of capture, identities of initial captors and subsequent slave traders, the commodity value of the enslaved, gender differences in terms of treatment and value, periods of domestic servitude, pre-capture social status, parental occupation, etc.). Shell employs prosopography, a methodology of quantitative history (cliometrics) to systematically analyse the collective characteristics of the biographies. Although she provides a brief synopsis of each of the 64 narratives in an appendix, Shell analyses them as a group, highlighting similarities and variations in the children's' experiences. In addition to the narratives, Shell uses archival data, such as the records of the Royal Navy which liberated the children, and missionaries who interacted with the children at different times post-emancipation. Additionally, Shell refers to other external sources such as school records, a survey on repatriation issued by the Lovedale Missionary Institute in 1903, death registers, personal correspondence, and other official documentations, thus providing for a more complete picture. Moreover, to complete her rigorous methodological arsenal, Shell employs Geographic Information System (GIS) to map out the internal

journeys the children took before reaching the coastal areas and being transported out of Africa across the Red Sea.

The practice of slavery, both domestic and international, was widespread in the Horn of Africa in the 18<sup>th</sup> and 19<sup>th</sup> centuries. It was only outlawed and abolished in Ethiopia in 1936 under the regime of Haile Selassie. Domestic African slavery has been alternatively interpreted as ‘rights-in-persons’ and ‘slavery-to-kinship’ continuum within an intricate system of African social and kinship relationships. In the example of the Oromo, the practice known as *guddifachaa* meant that child war captives were adopted and therefore incorporated into the victors’ kin group. In effect, this became a system of kinship absorption or ambiguous slavery, although disagreements on these interpretations abound. In the late 1880s, Ethiopia experienced a devastating drought and ensuing famine that wiped out one-third to one-half of the country’s population. Bartering children for food became a means of survival, and Shell aptly notes that “enslavement was an individuated, not a collective process” (p. 191).

Shell indicates that there was no “concerted plan to enslave a particular group,” but that circumstances brought together 64 children who “shared a common heritage and a broad, common area of origin” (p. 194). While 83% of the enslaved children are of Oromo origin, 7% were Kafficho, 2.4% were Shangalla, Gurage, and Yamo, and the ethnicities of 7.1% of the children could not be determined. Shell erroneously asserts that these other ethnic groups are cognate with the Oromo or share strong genealogical or political links to the Oromo. In fact, these other ethnic groups were raided and enslaved, not just by highlanders, but also by Oromo slavers. Unfortunately, this is not the only place where Shell makes an erroneous assertion about ethnic identity in Ethiopia. The enslaved children repeatedly describe their captors and slavers as ‘Sidama’, which Shell misinterprets as Abyssinian. For an Afaan Oromo speaker during the turn of the 20<sup>th</sup> century, ‘Sidama’ was a generic term that referred to non-Oromos, outsiders, aliens, or enemies. Therefore, equating ‘Sidama’ with Abyssinian is reductive and incorrect. This misrepresentation is a disservice to the author’s otherwise brilliant scholarship as it stretches the narratives of the enslaved children to fit within a particular contemporary narrative. It also highlights the author’s limited knowledge about crucial aspects of Oromo history, their internal migrations, and their encounters with other communities. A discussion of the place of the Oromo in the larger story of local and transnational networks of slave trade in the Indian Ocean World is missing.

Shell argues that “any a priori assumptions that slaves were garnered from only the poorest and humblest of Ethiopian society have to be abandoned” (p. 50), and advocates for an understanding that the children came from a broad spectrum of social strata, even royal lines. Although the enslaved children emanated from all socioeconomic backgrounds, their religious status is revealing. The Ethiopian Orthodox Church purposely neglected to penetrate the southern territories of its empire, enabling a continued source of subservient populations. As a result, the Oromo either retained their traditional belief system of *Waaqqifecha*, which is closely linked with the *Gaada* system of governance, or converted to Protestantism and Islam. All of these religions were subjugated compared to the older Ethiopian Orthodox tradition. This also meant that the Oromo population could be used as slave labour by the more dominant ethnic groups based on religious grounds.

Shell makes some problematic and indefensible comparisons between the racial segregation of South Africa’s apartheid regime and Ethiopia’s present-day system of ethnic federalism. How can one conscientiously compare a system of white (colonial) supremacy with indigenous ethnic federalism? She further rehashes a limited history of the ‘colonization’ of Oromo principalities by the Abyssinian Empire without providing the necessary nuanced context to understand this complicated history of state expansion. For instance, while Shell mentions the system of *guddifachaa*, whereby individual children are adopted into a new family, she neglects to address the system of mass assimilation campaigns known as *mogassa*, where entire communities are voluntarily or forcibly integrated into the Oromo group, thus gradually increasing the size of the Oromo population. Shell ardently criticises Ethiopian studies for bypassing the history of the Oromo, whom she paints as singularly oppressed, blurring the boundary between scholarship and political practice. Yet, Ethiopian studies has made tremendous strides over the last 60 years that take into account most of the criticism that Shell levels. Nonetheless, since this problematic historical reexamination of the ethnic plurality of Ethiopia is not the key intervention of this book, it can be begrudgingly overlooked.

While the internal trade of domestic slavery was controlled locally, Arabs governed the Red Sea trade. From initial capture to the Red Sea crossing, the enslaved took slow and intricate internal routes and were used as domestic slaves. The author limits her analysis to the length of time between initial capture and arrival at the Red Sea crossing (from 1 to 9 years), and notes differences in the children’s treatment based on gender. Since the girls were viewed as more valuable, their trek was generally shorter than that of the boys.

Moreover, while the first passage (from capture to the coast) was arduous, the middle passage across the Red Sea (unlike the Trans-Atlantic Slave trades) took a matter of hours. In 1888 and 1889, the enslaved children were loaded into dhows with the intended destination of the Arabian slave market. When the dhows carrying the enslaved children were intercepted by the British Royal Navy, the enslaved children regained their freedom. The year of the Oromo children's liberation coincides with the ascendancy of King Menelik II to Ethiopia's imperial throne in 1889. The children became 'prize slaves' as the British were rewarding the liberation of slaves after the abolition of the slave trades in 1807. The irony that the Europeans who were the biggest instigators and beneficiaries of African slave trades later became the self-styled saviors of enslaved Africans is somehow lost in this narration.

After reaching Aden, the British decided that sending the children back to Ethiopia would potentially condemn them to a life of slavery. The Lovedale Missionary Institute in the Eastern Cape of South Africa (founded in 1824 by the Glasgow Missionary Society) would eventually become the home of the enslaved Oromo children. The gender differences upon arrival were marked. The author notes that the girls seem traumatized, probably due to sexual trauma that the narratives fail to capture. Since Lovedale was the leading missionary institution of its era in South Africa and educated many future leaders, the Oromo children received unrivaled education. While Shell implies that race did not matter in the integration of the Oromo children in South Africa, it is impossible to imagine this to be the unadulterated reality. After receiving their education in South Africa, between 1900 and 1908, 21 of the 64 Oromo children eventually returned to Ethiopia (8 independently and 13 with German assistance). Others either died or permanently remained in South Africa. The fates of the rest are unknown.

Overall, this book provides the reader a complete overview of the children's lives from pre-capture to enslavement to eventual return to their homeland. It is unequivocally a must-read for any person interested in the African slave trade, particularly as it concerns the first passage. For future research, it would be informative to learn about the long-term fairings of the survivors and their lives in South Africa and Ethiopia.

## ***Decomposing Remittances from International Migration over Human Capital Development: Lesson from Nigeria Experience***

***Asogwa Ikechukwu Sebastine\****, ***Anumudu Charles Nnamdi\*\****, ***Ugwuanyi Charles Uche\*\*\**** and ***Ogbuakanne Maryann Uche\*\*\*\****

### ***Abstract***

*The aim of this study is to ascertain the distribution of international remittance inflow as opposed to the level attained in education before migration. The study uses the Gini coefficient decomposition analysis for the emigrants' remittances and the logistic regression model to ascertain the distribution of emigrants' remittances as opposed to the level of human capital development in education completed before migration. Evidence from the study shows that the level of education completed before migration contributes to the unequal distribution of remittances across the emigrating groups. The Gini coefficient for primary school or lower, secondary, technical, tertiary and other levels of education are 0.09, 0.08, 0.07 and 0.08 respectively with their corresponding Theil indices being 0.014, 0.011, 0.001 and 0.011 respectively. These statistics suggest that the advancement in human capital development in education before migration would reduce the inequality in remittance inflow. The policy implication of this finding supports the migration policies that encourage education before migration as it reduces the inequality in the remittances.*

***Keywords*** *Nigeria, remittance, human capital development.*

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## ***Background to the Study***

According to the International Organization for Migration (IOM), the United Nations (UN) migration agency, a migrant is any person moving or who has moved across international borders or within a state away from his or her habitual place of residence (IOM, 2017). This implies that migration is the overall movement of people between countries, which applies to both immigration and emigration. Immigration refers to people coming into a country while emigration refers to people leaving a country for a different country. According to Stalker (1997), International migration is one of the major keys that drives the globalization process. Likewise, IOM (2016) reveals that international migration is a force for development and international cooperation for both countries of origin and countries of destination. Since the late 1980s, migration across borders has been rapidly increasing and high to industrialized countries over time than the migration to developing countries. For example, the growth rate of the migrants' stock for industrialized countries between 1990 and 2015 rose to 3.0% from 2.9% during the period 1975 to 1990, while the migrants' stock for developing countries declined to 0.5% during the period 1990 to 2015, from 2.6% stock during the period 1975 to 1990 (UN, 2016 and Zlotnik,2004). The recent UN's 2017 International Migration Report also reveals that international migrant statistics have continued to grow rapidly over the past fifteen years, reaching 258 million in 2017, (UN, 2017). In terms of overall international migration, in 2015 two-thirds of all international migrants lived in Europe, estimated at 76 million (78 million in 2017), while 75 million lived in Asia (in 2017) this had increased to 80 million). In 2015 Northern America hosted the third largest international migrants, estimated at 54 million (58 million in 2017) followed by Africa with 21 million (up to 25 million in 2017), Latin America and the Caribbean with 9 million (up to 10 million in 2017) and Oceania remained steady at 8 million (UN, 2016, 2017). The percentage growth rate of international migrants from 2000-2010 is 23.69%, 2010-2013 is 8.411%, and 2013-2015 is 5.172%. Hence, over the period 1995-2017, the international migration growth rose to 93% and this demonstrates a significant growth in the global migration patterns, (UN, 2017).

Despite the fact that sub-Saharan Africa as a host, receives more refugees as caused by conflict and political instability, the region sends forth both skilled and unskilled labourers to the rest of the world, leading to a labour supply to other countries. Nigeria, Côte d'Ivoire and South Africa have emerged as the top recipients of intra-sub-Saharan migration with 0.9 million, 2.3 million and

2 million people as the stock of migrants respectively. In recent times, the majority of immigrants in Nigeria are from Economic Community of West African States (ECOWAS) countries, but not as refugees, since the refugees constitute a small proportion of the overall immigrants stock of 0.9% from 2007 to the present time (Afolayan, 2009). Nigeria as an important destination for migrants in the West African region, has increasing numbers of emigrants in return. Nigeria as a host country or country of origin to immigrants as well as a sending country for emigrants has experienced some economic improvement as a result of the migration through remittance. However, it is currently unclear if the inflow of foreign remittances is spread equally or unequally across the emigrants, especially considering the level of human capital development of the emigrants before migration.

It is becoming evident that Nigeria as a developing country is traditionally an important destination for migrants in Africa, but Nigeria also sends forth emigrants to other countries. The implication of the rising emigration from Nigeria has resulted in a negative net migration rate per 1000 people to -0.3% in 2005 from -0.2% in 2000; the trend, as projected, got worse in 2010 to -0.4% and that, that about 1,041,284 Nigerian nationals lived abroad with 0.6% of the country's population to be emigrants (Afolayan 2009). The study further reveals that Nigerian emigrants majorly live in Sudan (24%), United States (14%), United Kingdom (9%), Cameroon (8%) and Ghana (5%), (Afolayan 2009) and that in 2013, two-thirds of emigrants from Nigeria, which is 64.4%, were residing in more developed regions,(UN, 2013). This conforms to the projection of the United Nations on the rising Nigerian emigration rate. Current estimates in 2017 shows that Nigerian international migration as a percentage of the total population is 0.6% from and this represent a rise from 0.4% in the year 2000, (UN, 2017). Likewise, IOM,(2018) report reveals that the international migration by major region of residence as at 2015 for Africa was 22million, Asia was 76million, Europe was 77million, Caribbean was 9million, America was 54million and Oceania was 8million.

It is not in doubt that there are wide-ranging impacts of migration on development such as human trafficking, social development, health, environment, employment and the labour force. The most common impact of emigration is on the remittance inflow into Nigeria. According to Afolayan (2009), the inflow of remittances into Nigeria prior to 2004 was under \$2.0 billion but rapidly rose to \$2.3 billion in 2004, \$6.5 billion in 2005, \$10.6 billion in 2006, and \$18.0 billion in 2007. In the recent time, the annual growth rate of remittance inflow in Nigeria for 2015, 2016, 2017 and 2018 were 1.69%, -

6.99%, 11.79% and 10.49% respectively, (World Bank 2017). However, a major factor to be considered here, is the impact of the level of human capital development in education acquired by the emigrants before migration, on the remittance inflow. A related factor is the distribution of the total remittance inflow over the level of human capital development in education acquired by emigrants before migration. In the light of Afolayan (2009), the propensity to migrate is particularly high among the highly skilled or educated and further reveals that in 2000 that 10.7% of the highly skilled population who were trained in Nigeria worked abroad, which is an example of the so-called 'brain drain', which impacted most severely on the medical sector.

Despite the gains from international migration, government policies had constantly tried either to maintain the current migration or to decline it. For example, among the 195 countries with Nigeria inclusive a large majority of governments (73%) either had policies to maintain the current level of immigration or they were not intervening to change it, while 16% had policies to lower and 11% had policies to raise it. It is on this premise that the following two key questions are raised. Firstly, what is the distribution of the total amount of remittance, as opposed to the level of human capital development in the education acquired before migration? Secondly, does the level of education acquired before migration have a significant effect on the total amount of remittance inflow?

### ***Theoretical Literature Review***

International migration is as old as human existence. It is difficult to discuss global integration without recognizing the role of migration (UN, 2013). Several theories have discussed migration with a variety of views and concepts both in economic, social and psychological concepts yet there is no unified model on what, why and how people migrate. Some of the theories of migration have both macroeconomic and microeconomic foundations and these are discussed below.

### ***Early Theory of Migration and Neoclassical Macro-Theory***

The early theory of migration is based on the economic analysis of Smith's (1776) "Inquiry into the nature and causes of the wealth of nations" and is further buttressed by the views of Lewis (1954), Hicks (1963) and Harris and Todaro (1970) on labour market theory, as cited by Olejarova (2007). While the early theory on migration focused on domestic migration, it was closely linked to the location model from regional economics and economic

geography. Smith emphasized that there is greater spatial dispersion of wages than commodity prices. This further suggests that migration is potentially a response to spatial disequilibrium in the labour markets. The formalized model of Smith's hypothesis to show that labour moves from location 'i' to location 'j' if the wage is higher in 'j' than in 'i' and that the volume of migration is related to the wage differential, as illustrated below:

$$M_{ij} = \beta_{ij}(W_j - W_i), \dots (1)$$

Where  $W$  is the wage,  $M$  is the number of migrants and  $\beta$  reflects barriers to migration, such as distance, policy restrictions, etc. that may reduce the speed at which wages adjust to migration. The parameter takes on higher value when the barriers to migration are reduced.

On the other hand, the contributions of British geographer, Ravenstein (1889) and American economist, Jerome (1926) added to the formulation of a set of migration laws:

- a) most migrants move only a short distance and usually to large cities;
- b) cities that grow rapidly tend to be populated by migrants from proximate rural areas and gaps arising in the rural population generate migration from more distant areas;
- c) out-migration is inversely related to in-migration;
- d) a major migration wave will generate a compensating counter-wave;
- e) those migrating long distance tend to move to large cities;
- f) rural persons are more likely to migrate than urban persons; and
- g) women are more likely to migrate than men.

The highlighted laws were jointly summarized, using the gravity model of migration, which states that the product of the population of the origin and destination are inversely proportional to the distance between the two, as illustrated below:

$$Y_p = P(1)P(2)/D, \dots (2)$$

Where  $Y_p$  is the product of migration,  $P(1)$  is the origin population and  $P(2)$  is the destination population and  $D$  is the distance between origin and destination.

### ***Dual Labour Market Theory***

The dual labour market theory, like other macroeconomic theories, queries the rational choice in decision-making about migration made by individuals and argues that international migration stems from the intrinsic labour from modern industrial societies. Piore (1979) laid the claim that the lasting demand for immigrant labour is associated with the economic structure of developed countries. The sub-sectors of the economic structure include: a high wage-level sector and a low wage-level sector. The high wage-level sector comprises a capital-intensive method of production while the low wage-level sector is characterized by the labour-intensive method of production.

### ***Empirical Literature***

Despite migrants being the most vulnerable members of a society, evidence has shown that there are both positive and negative sides of international migration, which are determined by a number of factors. Naude (2009) lists conflicts, environmental and economic factors as the key determinants of migration. The paper stresses further that conflict is a major cause of forced migration in sub-Saharan Africa. The environmental degradation, desertification and deforestation along with other natural disasters like floods or drought are all factors that force migrants into migration as a coping strategy. African as an agro-based region records increased migration of labour in the face of the existing environmental pressure (Grote and Warner, 2009). Similarly, Adepoju (2005) sheds light on migration in West Africa, stating that migration in this region is caused by population pressure, inequality, poverty, poor economic performance and economic conflicts during pre-colonial and colonial era. Zoomers and Naerssen (2007) also state that the high rate of migration in Africa is a consequence of increasing problems with the multi-cultural society in the receiving area, combined with a fear of invasion. Lidak's (2014) empirical evidence on the impacts of migration shows that migration brings a large number of problems to European countries, that fundamentally influences the policies of liberal democratic nation states.

The literature analyses international migration on two dimensions, namely the micro and the macro levels. The macro theories explain the structural conditions that influence the international migration flow, including economic, political and cultural factors. The micro theories, on the other hand, approach it from an individual level of decision-making. The statistics of study from Darkwah and Verter (2014), reveals that Europe received about half a million

people illegally, who were mostly economic migrants from Asia and Africa. Regarding the determinants of international migration, unemployment and population pressure are among the key determinants of migration in Nigeria. In the work of Darkwah and Verter (2014), the linear regression model result showed that the log of unemployment, the log of remittances and the log of population were the significant factors determining emigration from Nigeria with 0.15%, 0.05% and 11.3% positive magnitudes respectively. The study tends to mirror migration and remittance situation in the Nigerian context, although the use of time series data for the analysis limits the knowledge on the patterns of emigration and inequality in the households in Nigeria.

A study by Ratha, Mohapatra and Scheja (2010) reveals that international migration is a channel of remittance access with positive impacts on the development of an economy, in both sending and receiving countries. Ratha et al. (2010) draw attention to the social impacts of international migration on poverty, inequality and human capital development, despite the negative impacts and social costs of international migration. A study on Nigeria by Fonta, Onyukwu and Nwosu (2011) reveals that remittance income could play an important role in mitigating poverty and income inequality. It also found that the impact of remittances is unevenly distributed across the different regions by gender and by levels of educational attainment. The evidence from the study using the Foster-Greer-Thorbecke (FG 1984) model states that a scenario where the head of the household without formal education, who receives remittances, reduces poverty by 0.07%. On the other hand, if the head of the household had attained a tertiary-level education and receives remittances, the poverty rate declines by over 0.22% (Fonta et al., 2011). Although the findings from this study seem interesting, the findings do not take into consideration the knowledge and the skills-level attained by the emigrants prior to migration, who send remittances to their home countries – which is the focus of this study. That knowledge could mirror the welfare status of the households back home, thereby validating the level of significance of the findings.

The decision to migrate varies from individual to individual. According to King (2012), the phenomenon of the immobility of people raises a series of questions on migration adventure. For example, if about 97% of the world's population does not migrate, does the 3% of the world's population who are migrants, have a peculiar reason for doing so? Is immobility linked to the lack of access to travel resources? Is it a choice of the population of a country to choose to be immobile? What are the factors that can determine the patterns

of international migration? Are there common drivers of international migration? Which patterns of international migration best explain the migration patterns in Africa?

Yaro (2017) posits that West Africa has a long history of population mobility, both in the continent and internationally. On the African continent, with its 54 countries, 35.7% of migration is from central Africa, 5.8% is from Southern Africa and 44.6% is from West Africa.

### ***Analytical framework***

This study uses the Gini decomposition technique to analyze the extent of equal and unequal distribution of the international remittances in relation to some level of human capital development in education attained before migration. According to Stark et al. (1986) as cited in Fonta et al. (2011), the Gini coefficient is a measure of inequality of a distribution and it is defined as the ratio with values between 0 and 1. The income inequality,  $G$ , is calculated as follows:

$$G_t = \sum_{i=1}^k R_k G_k S_k, \dots (3)$$

Where  $S_k$  = household share of income source  $k$  on total income,  $G_k$  = the source Gini and  $R_k$  = Gini correlation of income from source  $k$  with the distribution of total income. Following the equation (3), we are therefore allowed to decompose, firstly, the total remittance income upon distribution or inequality as a function of the level of skills that the emigrants attained before migration ( $S_k$ ); secondly, the extent of the equal or unequal remittance distribution ( $G_k$ ); thirdly, how remittance inflow sources and the distribution of total remittances are correlated ( $R_k$ ). This determines the extent to which the level of human capital development in education influences the odds of remittance inflow.

In the second experiment estimating the impact of the level of human capital development in education acquired before migration, on the odds of emigrants' remittance inflow, this study uses a logistic regression model.

### ***Logistic Regression Model***

Logistic regression is a mathematical model used to describe the relationship of several  $X$ s to a dichotomous dependent variable. The functional form of the

logistic regression model as stated by Kleinbaum and Klein (2010) is as follows:

$$F(z) = \frac{1}{1 + e^{-z}} \dots\dots\dots(4)$$

$$F(Z) = \text{for } 0 \leq f(z) \leq 1$$

Z is the vector of the explanatory variables and coefficients. Below is an illustration of the prediction of the probability of a logistic regression model.

$$\text{Prob}(Y = 1) = 1 - L(-\sum_{k=1}^k \beta_k x_k) = L(\sum_{k=1}^k \beta_k x_k) = \frac{e^{\sum_{k=1}^k \beta_k x_k}}{1 + e^{\sum_{k=1}^k \beta_k x_k}} \dots\dots\dots(6)$$

The Prob(Y = 1) is the probability of an occurrence or treatment as opposed to the event not occurring or not being treated. Below is an illustration of the model, in a compact and linear form:

$$P(W_i / X_i = x) = E(W_i) = \text{Log}\left(\frac{P}{1 - P}\right) = X_i \beta_i \dots\dots\dots(7)$$

The dependent variable  $W_i$  is a linear function of the vector of conditioning

variable  $X_i$  while the  $\log\left(\frac{p(w)}{1 - p(w)}\right)$  is the natural log of the treatment odds.

The functional form of the regression model above allows this study to estimate the impact of skills and the duration of stay of the emigrants on the odds of remittance inflow into Nigeria as specified below:

$$\text{Log}\left(\frac{P(R)}{1 - P(R)}\right) = \alpha + \beta_1 \text{skilled\_level} + \beta_2 \text{duration\_stay} + \beta_3 \text{migration\_group} + \beta_4 \text{sex} + \beta_5 \text{location} + \epsilon_i \dots\dots\dots(8)$$

Where  $\log(P(R)/1 - P(R))$  is the odds ratio of the emigrants ever sending money as opposed to not sending money. If the emigrant ever sends money, the probability P(R) of response takes yes or 1, but if the emigrant never sends money 1 - P(R), the outcome takes no or 0. The skills level of the emigrant is the level of skill attained by the emigrant before migration. The level of skills of the emigrants is classified as ‘primary school or lower’, ‘secondary level



technical/vocational school', 'tertiary/university', 'others' and 'people that don't know'. The duration of stay is defined as the length of period the emigrant lived abroad since migration. Sex is classified into male or female. Although the level of skills attained by the emigrants before migration is primarily the variable of interest for this study, the other variables are used to check for interaction effects.

### ***Data Source and Scope of the Study***

The scope of this study is limited to Nigeria, using survey data on migration from Nigeria by the International Organization for Migration (IOM) in 2009. The performance of emigrants is measured by the dichotomous outcome of whether the emigrants ever send money to the home country or not. The level of skills of the emigrants is measured in terms of education levels attained before migration, taking into consideration primary education, secondary education, tertiary education and other unspecified training, as well as socio-economic characteristics of the emigrants, including gender, location and duration of stay.

### ***Analysis and Discussion***

#### ***Inequality Decomposition***

The inequality aversion shows how sensitive income difference is to inequality aversion. The more positive  $e > 0$  is, the more sensitive  $A(e)$  is to income difference at the bottom. Table 1 shows that remittances are less sensitive to the inequality on the emigrant level of human capital development. For example,  $A(1) = 0.01383$ , which is very close to zero.

<b>Table 1: Atkinson indices, <math>A(e)</math>, where <math>e &gt; 0</math> is the inequality aversion parameter</b>			
All Obs	<b>A(0.5)</b>	<b>A(1)</b>	<b>A(2)</b>
	0.00676	0.01383	0.02906

*Computed by authors using Stata 12.*

#### ***Inequality Decomposition of Remittances by Sub-Groups***

The Gini coefficient is the aggregate numerical measure of income inequality ranging from 0, which is perfect equality, to 1 for perfect inequality. The higher the value of the coefficient, the higher the inequality of income distribution; the lower it is, the more equal the distribution of income. Table 2 below shows

that emigrants' remittances across the levels of human capital development in education attained before migration, are generally close to equal distribution. But from the groups of the level of human capital development, the Gini coefficient for primary school or lower, secondary and technical, tertiary and others are 0.09, 0.08, 0.07 and 0.08 respectively with their corresponding Theil indices at 0.014, 0.011, 0.001 and 0.011 respectively. These statistics suggest that the advancement in human capital development (education) before migration reduces the inequality in remittance inflow. The policy implication of these findings is that migration policies with human capital development can reduce the inequality in the remittances. This is supported by the Gini coefficient of the primary or lower level of human capital development (0.09414) which remained higher than other levels of human capital development.

**Table 2: Sub-groups indices GE<sub>k(a)</sub> and Gini<sub>k</sub>**

<b>Highest schooling level attained before migration</b>	Pop.Share	Income share	GE(-1)	GE(0)	GE(1)	GE(2)	Gini
<b>Primary or lower</b>	0.13842	0.12050	0.01677	0.01555	0.01475	0.01425	0.09414
<b>Secondary and technical</b>	0.36299	0.35583	0.031346	0.01249	0.01182	0.01137	0.08385
<b>Tertiary</b>	0.48376	0.51064	0.01068	0.01011	0.00975	0.00954	0.07552
<b>Other</b>	0.01483	0.01302	0.01074	0.01086	0.01105	0.01134	0.08311

*Computed by authors using Stata 12.*

### **Logistic Regression Result**

Table 3 below with the results, shows the estimated odds of the logistic model for the study after 4 iterations. The odds of the emigrants sending money home is categorized as the probability of the emigrants sending money home (yes or 1) as opposed to the emigrants not sending money home after migration (no or 0). The odds ratio column represents the odds of Y = 1 (sending money

home) with the change in the independent variables. If the odds ratio is greater than one, then the odds of  $Y = 1$  increase but if the odds ratio is less than 1, the odds of sending money decreases. With the focus on the level of human capital development in education attained by the emigrants before migration, the increase in the education levels of the emigrants increases the odds of the emigrants sending money, is higher than the emigrant with primary school education only. The tertiary education level proved significantly different from the other levels of education or skills attained before migration. The increase in the duration of stay by the emigrants also increases the odds of the emigrants' remittances. The presence of the emigrants from the rural areas also increases the odds of the remittance. On the other hand, the presence of female emigrants decreases the odds of the remittances, showing them to be lower than with the presence of males. Additionally, the presence of emigrants from African and other countries decreases the odds of emigrant remittance, making them lower than those of the Organization of Economic Cooperation and Development (OECD).

The variation explained in the model of the emigrants sending money home with the presence of the level of human capital development in education of the emigrants before migration, is 14.67%, but the model is significant with a probability value of 0.000 and the L-R Chi2(8) is 147.50.

Number of iteration = 4

Number of Observation = 769

LR Chi2(8) = 147.50

Prob > Chi2 = 0.0000

Pseudo R2 = 0.1467

Log likelihood = -428.82172

**Table 3: Odds ratio result**

<b>Odds-Remittance</b>	<b>Odds Ratio</b>	<b>Std.Error</b>	<b>Z</b>	<b>P&gt;/Z/</b>	<b>95% Conf.</b>	<b>Interval</b>
<b>Education group:_Secondary</b>	1.427838	0.4721536	1.08	0.281	0.7468028	2.729933
<b>Education group:_Tertiary</b>	3.573276	1.20584	3.77	0.000	1.84425	6.923306
<b>Education group:_Others</b>	0.2211937	0.1843808	-1.81	0.070	0.0431753	1.13321
<b>Females</b>	0.4488508	0.0827441	-4.35	0.000	0.3127418	0.6441961
<b>Duration of stay</b>	1.090695	0.0205603	4.61	0.000	1.051133	1.131746
<b>Location:_Rural</b>	1.298179	0.2227823	1.52	0.128	0.9273825	1.817233
<b>Int.migration:_Africa</b>	0.4140167	0.0798218	-4.57	0.000	0.2837314	0.6041272
<b>Int.migration:_Others</b>	0.2509643	0.1200782	-2.89	0.004	0.0982516	0.6410385

*Computed by authors using stata 12.*

### ***Policy Recommendations***

Although the inequality in emigrants’ remittances as opposed to the level of human capital development (education) before migration is not quite pronounced, there is still no perfect equality.

Migration policies that promote human capital development in education before migration will significantly improve the unequal distribution of international remittances, as opposed to the level of human capital development. The promotion of human capital development in education before migration will also increase the odds of the inflow of international remittances in Nigeria. In order to achieve a perfect distribution in international remittances as opposed to the level of human capital development in education, the government could introduce and implement a policy mandating the attainment of specified levels of education, for emigration control in the country. Furthermore, human capital development

in education would balance the effects the emigration of a high-skilled labour force – the so-called ‘brain drain’ – with the high inflow of international remittances into the country.

### **Conclusion**

This study has established the impact of human capital development in education before migration, on the unequal distribution of international remittances. It was the aim of this paper to study the international remittance distribution as opposed to the level of the human capital development attained before migration. It applied a logistic-based regression model to determine the effects of the level of human capital development on the odds of sending money back to the households. Further study is required to investigate the decomposition of remittances to the households, both for the emigrants and non-migrants, as opposed to the level of human capital development. This will ascertain if there is a difference in the effects of human capital development as a treatment variable on remittances to the households, if data were available.

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## ***Migrant Remittances Inspired Enterprises in Tsholotsho: Issues of Sustainability***

***Gracious Maviza\* Mandlenkosi Maphosa\*\*, Nevel Tshuma\*\*\*, Zenzo Dube\*\*\*\* and Tomson Dube\*\*\*\*\****

### ***Abstract***

*Following unprecedented and protracted political and economic crises during the period spanning 2000 to 2009, Zimbabwe experienced increased migration of its populace to the diaspora. One notable positive result of this migration phenomenon has been an increase in the inflows of remittances, which have partly inspired the emergence of enterprises. In February of 2009, Zimbabwe introduced the multi-currency system, which introduced new dynamics related to the sustainability of these enterprises. This, coupled with the foregoing, called for the review of the sustainability of remittance-inspired enterprises to ensure their potential for survival in the interim and the long term. As such, the present study was guided by a framework produced by the International Labour Organization (ILO), which lists the six basic conditions necessary for nurturing sustainable enterprises. This study made use of both primary and secondary data that included a household survey carried out on 40 households and 10 key informant interviews. In line with five of the six pillars of the ILO framework, the study found the following: 1) there is a governance framework instituted by the District Council that regulates the operations of businesses; 2) the infrastructure to support businesses is either not in place or is in a poor state; 3) enterprises practice responsible stewardship of the environment; 4) the society and culture is supportive of enterprise formation; and 5) the macro-economic environment is riddled with uncertainties. The study concludes that whilst remittances*

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*provide seed capital for entrepreneurs to invest in Tsholotsho, the environment does not adequately support the sustainable running of those enterprises.*

**Keywords** Migrant, remittances, sustainability, enterprises, Zimbabwe, Tsholotsho.

### **Introduction**

From 2000 to 2009, Zimbabwe experienced a mass exodus of its populace to the diaspora due to the economic meltdown and political unrest that characterised this period. This phenomenon created different economic opportunities across the country, with the massive inflow of remittances to Zimbabwe from migrants leading to a significant emergence of enterprises in areas such as Tsholotsho.

This article seeks to address the questions that ensued from a study carried out in the same area, which sought to follow the distribution of remittance use between consumption and investment, analysed the kind of investments remittances promote in the local economy, and examined the impact of remittances on local development (Ncube & Gomez, 2011; Ncube & Gómez, 2015). Ncube and Gómez's (2011; 2015) study used the 'follow the money principle' ethnographic technique. It involved recording several rounds of transactions in a village in rural Zimbabwe after receipt of cash from abroad. The study paid attention to four indicative aspects of local development, namely income generation, agricultural productivity and growth, job and enterprise creation, and infrastructure improvements. Ncube and Gómez (2015: 191) found that remittances:

*[...] Promote micro-enterprises and employment generation; increase the households purchasing power, which revitalises entrepreneurial skills among those that are inclined towards own-employment and leads to investments that add diversity and income to the local economy, resulting in what is referred to as productive consumption.*

Furthermore, the study revealed that "productive consumption created opportunities for investment in growth-oriented SMEs, whether their owners are receivers of remittances or not" (Ibid). On one hand, the receivers formed a consumptive class with limited motivation to run new businesses. As such, they mainly focused on upgrading agricultural activities. On the other hand, the non-receivers formed a pool of low-wage labour (Ncube & Gómez, 2015). The results from the study indicated that "the enterprises and jobs created were not particularly of high quality or innovative and their sustainability in

the event that remittances cease flowing in was not ascertained” (Ncube & Gómez, 2015: 191). This uncertainty necessitated further research into the sustainability of these remittance-inspired enterprises.

Furthermore, in February 2009, Zimbabwe introduced the multi-currency system, which brought new dynamics related to the sustainability of these enterprises. This, coupled with the foregoing, called for review of the sustainability of these remittance-inspired enterprises to ensure their potential for survival in the interim and the long term. To this end, this article amplifies the current understanding in development discourse that the Matabeleland region has had the highest incidence of emigration in the country and has experienced significantly high returns from remittances (Maphosa, 2005; Ncube & Gómez, 2011). According to Maphosa (2005: 3), “remittances are the most important source of income for many households in the Southern [and Northern] districts of Zimbabwe.” In Tsholotsho, this high turnover of remittances has seen an increase in the development of enterprises that have possibly improved the employment rate in the region. However, the sustainability of these remittance-inspired enterprises has not been established notwithstanding their high prevalence. Thus, this article investigates the sustainability of remittance-inspired enterprises in Tsholotsho District. This is done in light of the dynamics of the multi-currency systems and their broad impacts on enterprises.

### ***Remittances and Entrepreneurship***

Globally, remittances are worth billions annually with the World Bank (2018) estimating that in 2017 remittances amounted to US\$613 billion. The World Bank (2018) goes on to indicate that remittances to low- and middle-income countries increased from US\$429 billion in 2016 to US\$466 billion in 2017. For southern Africa, the remittances totalled US\$38 billion in 2017 (Ibid). In 2017, the top remittance-receiving countries included India (US\$65,380 million), China (US\$62,850 million), Philippines (US\$32,795 million), Mexico (US\$30,534 million), Nigeria (US\$18,956 million), and Egypt (US\$18,199 million) (KNOMAD, 2019). In Zimbabwe, diaspora remittances have been steadily rising from a low of approximately US\$300 million in 2009 to a high of US\$939 million in 2015 (Reserve Bank of Zimbabwe, 2017; IOM, 2018).

In countries affected by long-term crises, migration is often seen as a key coping survival strategy, which leads to the formation of diasporas that play an important role in sustaining the livelihoods of those who remain behind. Remittances are viewed as counter-cyclical. They increase during periods of

crisis and therefore play an important role in enabling some people to survive in such periods. Zimbabwe's migration trends and the size of the Zimbabwean diaspora population, although varied and contested, seem to confirm this view; the number of Zimbabweans migrating to the diaspora has been steadily increasing, especially during peak crisis periods. To this end, estimates of Zimbabweans in the diaspora range from a low of 571,970 living in the top five countries of destination (IOM, 2018) to an estimate of 1,253,100 (Ratha, Mohapatra, & Scheja, 2011) to a high of over 3,000,000 said to have emigrated over the last decade, with roughly two thirds of these migrants heading to South Africa (Von Burgsdorff, 2012). The top five countries of destination and their Zimbabwean populations in 2018 are as follows: South Africa (358,109), the United Kingdom (115,708), Malawi (35,287), Australia (34,034), and Botswana (28,832) (IOM, 2018). The significance of the size of the Zimbabwean diaspora community becomes clearer if one juxtaposes it with the size of Zimbabwe's population of 13,061,239 in 2012 (IOM, 2018).

Maphosa (2005) notes that remittances from South Africa are the most important source of income for many households in the Southern districts of Zimbabwe. Indeed, Zimbabwean migrants working in South Africa, including undocumented migrants, remit significant amounts from their host country to their communities of origin (Ibid). Remittances are defined as "income (in any form) received by a household in one distinct place, from individuals or households living in another place" (Savage & Harvey, 2007: 10). However, for the purposes of this study, the remittances in question refer to money sent to Zimbabwe by emigrants in the diaspora.

Zimbabwe is one of the top ten emigrating countries in the sub-Saharan region (IOM, 2009). Most Zimbabweans in the neighbouring countries remit cash at least once a month. Those within the SADC region visit Zimbabwe frequently and, as such, are more able to remit in person (Ibid). It is estimated that Zimbabweans in South Africa remitted ZAR 5.1–6.8 billion, which is US\$680–905 million in 2011 (Von Burgsdorff, 2012). Remittances are now seen as a way of reducing poverty (IOM, 2009). It can be noted that remittances ease survival for the vulnerable and for some remittances can sustain local trading. Chalise (2014) holds that a good investment climate with well-developed financial systems and sound institutions is likely to lead to a higher degree of remittances invested in physical and human capital. It is argued that remittances form a source of savings and capital for investment in education, health, and entrepreneurship, all of which have an effect on productivity, employment, and growth in both the short term and the long term (Nzima,

2013; Mishi & Mudziwapasi, 2014; Nzima, et al. 2017). However, the largest impact on growth and development occurs when remittances fund productive investment.

Poverty tends to be higher in rural areas than in urban areas, and remittances are viewed as central elements of household strategies to overcome poverty and development constraints (De Haas, 2007). A significant number of studies reveal that households receiving remittances from across borders have a higher propensity to invest than non-migrant households when controlling for income and other relevant household variables *per se* (Ibid). De Haas (2007) notes that the extent to which money is remitted, and how and where remittances are spent by the recipient, essentially depends on the migrant's social and economic position in the destination country, as well as on the investment conditions in the countries of origin. Jokisch (2002) posits that remittances have helped migrants to invest in land, cattle, and housing, and in some cases, remittances have not been focussed on agricultural improvements. They have also been used to pay for education and health, settle debts, perpetuate emigration, and fund luxurious consumption, such as large homes (Ibid).

Some scholars (Nzima, 2013; Ncube & Gómez, 2015; Nzima, Duma, & Moyo, 2016) argue that the ultimate impact of remittances on local development would be reflected by indicators such as employment creation, start-ups and investments in small enterprises, and an overall increased competitiveness. In their study carried out in Village 2 of Ward 19 in Tsholotsho District, Zimbabwe, Ncube and Gomez (2015) found that the recipients of remittances purchased assets that boosted their income streams and sustained them in the event of shocks. *Inter alia*, these assets included scotch-carts, livestock, solar panels, brick under asbestos, and zinc housing structures. Ncube and Gomez's analysis revealed that the remittances increased household purchasing power, awakened entrepreneurial skills and thus led to investments that added diversity and income to the local economy. Maphosa's (2005) remittance study in Ward 7 of Mangwe District in Matabeleland, South Province of Zimbabwe, revealed that 31.2 percent of remittances were invested in agriculture. Ten percent was invested in the business sector, such as in general dealer shops, grindings mills, and bottle stores, amongst others.

## ***The Integrated Approach to Sustainable Enterprise Development***

The ILO (2007:7) posits the following:

*[...] Sustainable enterprises are those which truly value human resources, over and above other resources (natural, financial, physical) and ensure that all who are engaged in the activities of the enterprise have appropriate skills sets, capacities and lifelong learning possibilities.*

There are several external constraints to enterprise development (which businesses may have no control over) and internal constraints to enterprise development (relating to the capacities and knowledge of entrepreneurs) (Reinecke, 2002; ILO, 2014). Examples of internal constraints include the quality of labour, skill levels, and education. Education includes basic numeracy and reading skills. External constraints include the socio-economic environment and the polity. As such, the promotion of sustainable enterprises is an extensive subject due to the diversity of enterprises in terms of size, sector, spatial dimensions, management, governance systems, legal status, and operational objectives (Reinecke & White, 2004, ILO, 2005). According to ILO (2007: v):

*[...] Promoting sustainable enterprises is about strengthening the institutions and governance systems which nurture enterprises because strong and efficient markets need strong and effective institutions; and ensuring that human, financial and natural resources are combined equitably and efficiently in order to bring about innovation and enhanced productivity.*

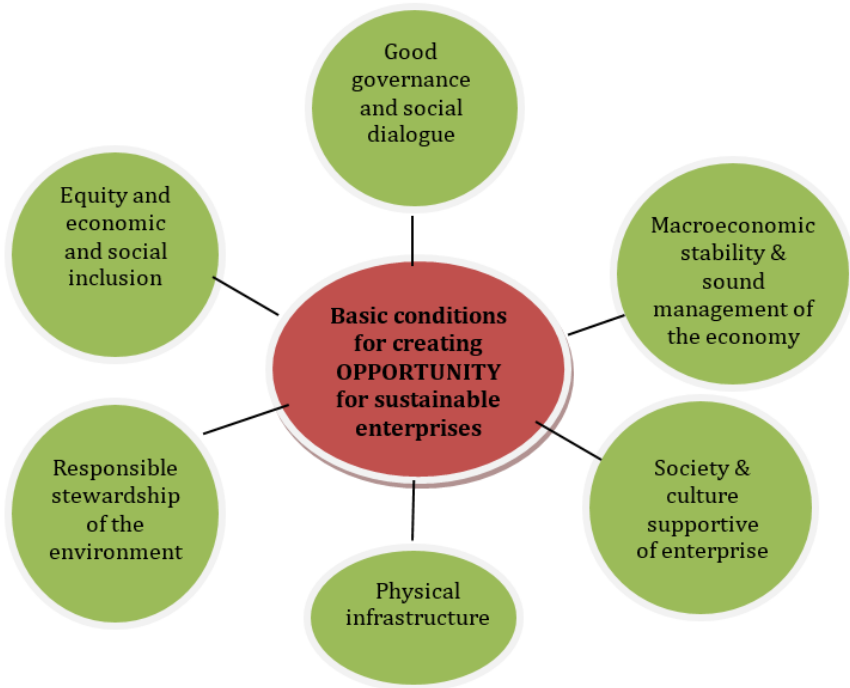
The importance of enterprise as the prime source of growth and employment cannot be overemphasised. Driven by the pursuit for profits, enterprises innovate, invest, and generate employment and wage income. To achieve this, they are often in need of a supportive and enabling environment pigeonholed by the existence of open, rule-based, predictable, and non-discriminatory markets, as well as non-corrupt and well-governed economies (Grebel, 2005). The concept of 'sustainable enterprise' is associated with the universal approach to sustainable development. This approach emphasises forms of progress that meet the needs of the present without compromising the ability of future generations to meet their needs. It is an approach that proposes a holistic, impartial, and integrated perspective on development (Harris, 2000; ILO, 2005). IOL (2007: 7) notes:

*In contrast to narrowly defined, traditional perspectives which depict enterprises in terms of linear input–output relationships centred solely on maximizing short-term economic value, an integrated approach to sustainable enterprise development takes a more holistic and long-term view.*

It gives distinct overlaps of mutually dependent operational and policy spheres which exist on micro, macro, and meta levels. The micro level is concerned with the enterprise itself and its immediate environment. It covers the various resources that make an enterprise sustainable, for example, natural and physical resources (Reinecke & White, 2004; ILO, 2007). The macro level embodies policy frameworks that directly determine the competitive and enabling environment, as well as the sustainability and growth potential of enterprises (Ibid). The meta level refers to:

*[...] The broad political, economic, social and environmental conditions which determine, among other things, the quality of institutions and governance in a society and; include a range of factors which might not be specific to enterprise but effectively influencing broader private sector development and general societal outcomes such as stability, inclusivity and the challenges of addressing issues like inequality and corruption (ILO, 2007: 8).*

Therefore, it is clear that there are complex and diverse conditions necessary for creating the prospect for sustainable enterprises. The basics of these conditions include, inter alia, good governance and social dialogue, microeconomic stability and sound management of the economy, socio-cultural dynamics, physical capital, environmental stewardship, as well as equity and socio-economic inclusion. These conditions are summarised in Figure 1 and explained below.



**Figure 1:** Basic conditions for creating the opportunity for sustainable enterprises (IOL, 2007).

According to the ILO (2007) framework, the good governance and social dialogue pillar encapsulates tenets such as participation, consultation, transparency, accountability, and a legal framework that enables creation of opportunities for enterprises. This also entails the respect of property rights and their legal enforcement and protection. An effective social dialogue between the government, the civic society, and the private sector needs to be in place. Efficient civil and political institutions and processes foster an environment of opportunity and just. Social inclusion has the potential to create bigger outputs and markets through increased participation. It is argued that social inclusion is inherent in sustainable societies and strengthens the potential for sustainable enterprises. High levels of income inequality hinder opportunities for the poor to contribute and participate in the economy. This can also weaken poverty reduction attempts and undermine political stability. There should be proper stewardship of natural resources by the government

on behalf its citizenry. Similarly, good macroeconomic policies that provide stability and certainty are vital. These polices nurture and foster the spirit of entrepreneurship. Good management of the economy, resources and, on a micro level, sustainable enterprises is needed. Sound savings and investments mechanisms lead to better physical infrastructure. Commerce grows hand in hand with opportunities. Enterprises flourish in environments in which the culture supports entrepreneurship (ILO, 2007).

The aforementioned basic conditions for creating the opportunity for sustainable enterprises are appropriate to consider in this article, as it investigates the sustainability of remittance-inspired enterprises. These basic conditions foster and nurture sustainable enterprises. Notwithstanding the importance of all the aforementioned pillars of the ILO framework and their building blocks, this study only focuses on the following pillars: good governance and social dialogue, social and cultural support of enterprises, responsible stewardship of the environment, physical infrastructure, macroeconomic stability, and sound management of the economy. Given the broad nature of the concept of good governance, this study focuses on the availability of legal frameworks that support enterprise development and growth.

### ***Methodology***

Quantitative and qualitative research methods were used in this study. Quantitative data was collected through a household survey. To complement the quantitative data, qualitative data was collected through interviews that were conducted with key informants such as the entrepreneurs, the District Administrator's (DA) office, and the Rural District Council's (RDC) office. Furthermore, documents from the DA's office in Tsholotsho District, such as the Rural District Councils Act of 1988, District Development Plan, and RDC's reports, were reviewed.

Tsholotsho District is in Matabeleland North province in the western part of Zimbabwe and is comprised of 21 wards. The district lies in the agro-ecological region five, which is characterised by low and erratic rainfall averaging 650mm per annum (Maphosa et al., 2014). Tsholotsho is one of the districts in Matabeleland provinces which was affected by the political disturbances



known as Gukurahundi<sup>1</sup> in the early 1980s, where it is alleged that 20,000 people were massacred (Moyo, 2017; Ndlovu, 2017). This political history and economic marginalisation of Matabeleland in general and Tsholotsho in particular has had great influence on sustained migration patterns (Ncube & Gómez, 2015).

### ***Sampling Procedures***

Tsholotsho District was purposively selected due to its high incidence of migration and remittance-inspired enterprises. Of the 21 wards in Tsholotsho, 2 were sampled purposively since this was a follow-up study on Ward 19. The other ward (Ward 16) was also chosen purposively since it borders Ward 19 and, hence, they have similar socio-economic profiles. Each of the sampled wards has 6 villages, meaning that a total of 12 villages made up the targeted population. One village was picked in each of the wards. According to the Zimstat 2012 census findings, Ward 19 has 1208 households and Ward 16 has 1204. As such, a total of 2,412 households were part of the targeted population. Given this total number of households, on average, each village in Tsholotsho has approximately 200 households. As such, by multiplying the number of households by the number of villages in the sample, a total of 400 households was obtained. This was further sampled by picking every 10<sup>th</sup> household in the village, providing a total sample of 40 households, representing 10% of the study population.

To gather further data, purposive sampling was used in the identification of key informants – that is, entrepreneurs – the District Administrator’s office and the Council office.

### ***Data Collection Methods***

This research required both primary and secondary data. Primary data was gathered through various instruments, which were developed in line with the study objectives and the ILO conceptual model. The instruments were translated into isiNdebele, a local language spoken in Tsholotsho, before being piloted in Ward 17, which is adjacent to the sampled wards. After the pilot, anomalies that were observed in the instruments were addressed. The

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<sup>1</sup> The term ‘Gukurahundi’ refers to the ‘early rain that washes away chaff before the spring rains’, referring to the period of post-colonial, state sanctioned political and ethnic violence enacted against the Ndebele people in the Matabeleland and Midlands regions by the Fifth Brigade (Cameron, 2017).

instruments included a household survey questionnaire carried out on 40 households in the sampled villages. The questionnaire captured indicators of the amount of remittances received, spending patterns, and dominant currency, among other key factors. It also captured how these factors eventually affected enterprise development and sustainability.

Notably, not all significant information relating to the sustainability of remittance-inspired enterprises and the effects of the multi-currency system in Tsholotsho District could be gathered through a survey. As such, the study also made use of in-depth interviews with the key informants. It probed the institutional frameworks available to support entrepreneurs (e.g. Business Development Services), the prevailing legal environment governing the operations of the enterprises, the nature of human resources engaged, and the plough back techniques that the entrepreneurs adopted.

### ***Findings***

The findings reveal that of the 40 respondents that participated in the survey, 66% were aged 51 years and above. The majority of these were women who constituted 90% (36) of the respondents. All the respondents had attained some level of education albeit at varying levels. Of the total number of respondents, 85% (34) stated that they received an income of between US\$100 and US\$200 a month, inclusive of remittances. All the respondents mentioned that they had at least one relative in South Africa, with 80% indicating that these family members send remittances of at least ZAR200 to ZAR500 every month. The majority of the respondents received their remittances from South Africa through informal means. The predominant mode of remitting was through cross-border transporters, informally and natively known as '*omalayitsha*'<sup>2</sup>, and sometimes through relatives or allies travelling back home from South Africa. The challenges associated with this were that there were delays in delivery, failure to deliver by *omalayitsha* who embezzled funds, delivery of fake money by *omalayitsha*, preference for the US dollar (USD) over the South African rand (ZAR) in paying fees, not enough money was received to cater for the needs at home, heavy commissions by *omalayitsha*, and unstable rand exchange rates. All these challenges negatively impacted the receiving households.

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<sup>2</sup> *Omalayitsha* is the Isindebele word for private transporters or courier-service providers, which literally means 'those who carry'.

Responding to a multiple response question, respondents indicated that the remittances they received were generally used to subsidise household expenses (86%), pay for children's education (58%), finance building projects (45%), pay for access to health care (40%), pay for burial society membership subscriptions (33%), buy livestock (24%), among others. These remittances were predominantly spent locally depending on the availability of the commodities being sought. This was the case mainly because the money received was hardly enough to finance the movement to and from Bulawayo, the closest city, and at the same time get meaningful household supplies. However, before dollarization, households indicated that they used to buy their goods in Bulawayo because the exchange rate was favourable. This afforded them more Zimbabwean dollars from the ZAR they would have received. This is unlike in the current economic regime, in which Zimbabwe has adopted the multi-currency system. In this system, recipients of remittances no longer have the advantage of exchange rate differentials that they enjoyed during the Zimbabwean dollar era. The majority (72%) of the households indicated that they never get surplus from the monetary remittances received. The remittances received were hardly enough to cover basic necessities. For those who had surplus, they indicated that they saved the money or used it to cover other day-to-day needs, for example, labour. It also emerged from this study that although local households received remittances, they did not have much capital to invest, which proved detrimental to sustaining enterprises. This coupled with a poor economic environment, liquidity challenges, the unstable exchange rate between the USD and the ZAR, as well as the depreciation of the rand, negatively affected businesses and ultimately their sustainability.

### ***Key Issues in the Sustainability of Remittance-Inspired Enterprises Governance***

According to Méndez-Picazo et al. (2012), the behaviour and performance of the government in specific countries creates an environment that will promote or thwart the growth of entrepreneurship as a viable vehicle for economic growth. Additionally, historical, cultural, socio-economic, and political processes have been identified as determinants of the growth or demise of entrepreneurship (ILO, 2007). In the case of Tsholotsho District, there were evident governance structures and regulatory frameworks that were supportive of entrepreneurship in the form of relevant by-laws. For example, in an interview with the Tsholotsho RDC Chief Executive Officer (CEO), it was revealed that the RDC was empowered to institute by-laws, charge enterprises

certain levies, and even fine the enterprises in cases of transgression. The CEO averred that:

*[...] As an RDC we are the responsible authority for all business operations in the District. We are empowered by the Rural District Councils Act Chapter 29:13 to, amongst other things, regulate these business operations by promulgating by-laws. Furthermore, we are entitled to charge fees for licences that we issue, such as liquor and shop licences. We also levy rates and other charges to these enterprises so that we can use the revenue generated to further development in the district.*

This is evidence of some form of governance, support, and regulation of enterprises through its by-laws. Méndez-Picazo et al. (2012) observe that laws, decisions made by policy makers and public officials and institutions, create incentives for economic agents (in this case entrepreneurs) to invest, and this has direct effects on economic growth. This means that the governance and regulatory mechanisms in place boost investor confidence as they can see value for money. However, in the case of Tsholotsho, although these governance provisions are in place, the local authority indicated that some enterprises did not pay their levies through licencing fees. This is indicative of some of the ill-elements in the entrepreneurial field, as some entrepreneurs are only after making profit and are not necessarily keen on future development and sustainability. Notably, most of the remittance-inspired enterprises in the locality had a profit orientation rather than a sustainability orientation. As a result, regardless of the significantly enabling governance framework in the district, some of the enterprises did not comply with the requirements, thus jeopardising their chances of sustainability.

Although, according to the RDC by-laws, failure to pay levies may result in shops being shut down or licenses revoked resulting in loss of business, not much was done to enforce these by-laws. This could be partly attributed to the fact that 65% of the survey respondents expressed sentiment that corruption and bribery were also common practices in the allocation of stands and policing for licences. This is detrimental to enterprise development, growth, and opportunities. The responsibility to ensure that such ill practices are discouraged lies with the RDC, and the RDC should have coined mechanisms to ensure that the punishment for failure to pay the levies and comply with the by-laws is greater than non-compliance. Although there are provisions for regulation of entrepreneurship at the macro-level, the micro (RDC) entities are failing to enforce the governance mechanisms (Chalise, 2014). This results in

curtailing the benefits of entrepreneurship and its potential to contribute to economic growth. Furthermore, the vibrancy of the enterprises is negatively affected by lack of collectives for enterprise proprietors. All the enterprise owners interviewed indicated that they do not have associations that provide a platform for them to collectively advance their interests. Therefore, the enterprise owners seem to be advancing individual interests instead of pushing for collectivity, especially as they engage with governing authorities.

### ***Social and Cultural Support of Enterprises***

Entrepreneurs play an important role in the process of industrialization, employment creation, and breaking the vicious circle of poverty (Ncube & Gómez, 2011; Chalise, 2014; Nzima et al., 2017). However, for enterprises to thrive in any given locality, the society and culture in which they exist should be supportive of entrepreneurship (ILO, 2007). This creates an enabling environment that promotes the sustainability of the business ventures.

In Tsholotsho, it emerged that through its RDC, the district had regulations in place that were supportive of enterprise formation. This had a positive effect on the viability of the enterprises as there were institutional provisions to support the establishment of enterprises in the district. According to the ILO (2007), enterprises are likely to be sustainable when their host societies embrace a broad-based culture that is supportive of enterprise development. Thus, the availability of sound institutional frameworks and regulations in the sphere of business, as well as locals' buying behaviour in Tsholotsho, demonstrates that the society and culture at large are supportive of enterprises. In this regard, 80% (32) of the survey respondents indicated that they buy their goods from local enterprises and also contract local service providers for services such as brick moulding and building. This is in line with scholarship on sustainable enterprises, which proffers that, for enterprises to be sustainable, host societies and cultures at large should be pro-enterprise development and governed by sound institutions that promote and reward business intelligence and successes (Ncube & Gómez, 2011, Nzima, 2013; Ncube & Gómez, 2015). Although most of the households that received remittances did not directly invest in any entrepreneurial activities, the institutional and socio-cultural environment in the district is supportive of enterprises in Tsholotsho as evidenced by a high incidence (88%) of family run remittance-inspired enterprises in the study area. To further buttress the notion that the society and culture is supportive of enterprises, one of the key informants representing the local government opined that:

*[...] In this area, we embrace entrepreneurship and as families, we also support each other in any business adventures. That is why you will find that there are a lot of shops around here whose owners are in South Africa but their family members here will make sure that the business is open and runs smoothly every day.*

Furthermore, it emerged that in Tsholotsho there is high tolerance for tribal diversity as a significant number of enterprise owners were people who were foreign to the locality who were attracted by remittances. Some come as far as Masvingo, yet comfortably trade in the area. This resonates with the assertion on the socio-cultural dimension of sustainable enterprises, which typically includes the following:

*[...] A commitment to promote social integration by fostering societies that are stable, safe and just and which are based on the promotion and protection of all human rights and on non-discrimination, tolerance, respect for diversity, equality of opportunity, security and participation of all people including the disadvantaged and vulnerable groups and persons (ILO, 2007: 9).*

This kind of diversity was noted in Tsholotsho, entailing that the society has high tolerance for people who are not native to the locality yet are pioneering meaningful business initiatives that may foster greater sustainability in the resultant enterprises. This was in line with the findings of Ncube and Gomez (2011), that remittances in the study area had attracted investors from afar.

### ***Remittances and Physical Infrastructure***

The relationship between infrastructure and economic development has been well established by various authors. Thus, it is relevant to briefly interrogate how remittances have spurred infrastructural development in the study area. This is critical given that “little research has been undertaken to establish links between infrastructure and private economic activity at the local level and for rural areas” (Rives & Heaney, 1995: 60). Notwithstanding that a sound infrastructure is a key enabler of local economic development, this study established that remittances have not directly contributed to the establishment of public infrastructure in the study area. In the survey, none of the 40 respondents indicated that they had used their remittances in part or in full to advance public infrastructural development in their localities. The closest that remittances have come to contributing to infrastructural development in the area is through the construction of a local clinic that,

according to the Councillor for Ward 19, was largely funded from pooled resources contributed by diasporas mostly based in South Africa and Botswana. The Councillor for Ward 19 revealed the following:

*[...] People in this area generally do not invest their remittances in public infrastructure development, perhaps because the remittances they receive are mostly enough to cover their sustenance with no surplus to invest let alone in the development of public infrastructure.*

Even on the soft infrastructure side, there has not been any meaningful injection of remittances to fund issues, such as human capital development or aiding the development of sound regulatory mechanisms within the district. Since infrastructure is a key enabler of economic development, this lack of investment on both the soft and hard infrastructure calls into question the sustainability of remittance-inspired enterprises. For instance, the lack of investment in the road network by those businesspeople who are into brick-making and welding constrains the development of these enterprises as market access becomes an inhibiting factor. This is so because the access roads to the business centre are in a poor state due to lack of maintenance. The laissez-faire approach to issues of infrastructural development by the business community is largely explained by the belief that this is the domain of the government and its related agencies.

Furthermore, on the soft infrastructure side it is of concern that there is no investment to boost human capital development. This is because Tsholotsho has suffered serious brain and brawn drain. For most of the enterprises surveyed, the employees for very basic jobs such as shop keepers, were coming from faraway places such as Nkayi, Binga, Hwange, Lupane, and Masvingo. Most of the businesspeople also revealed that there are challenges regarding the supply of electricity and water in the business centre. This situation thus calls for greater involvement by the business community in ensuring that these vital services are availed consistently. However, no such initiatives were noted during the course of the study. Such a situation compromises the sustainability of all enterprises in general. For instance, two bakery owners said they continually suffer losses due to power cuts, which affects the bread production process. This led to the production of poor-quality bread, which they had to sell at sub-economic prices. The situation was the same for welders, as they claimed that sometimes they could go for a whole day without working on any orders placed by clients due to load shedding. The welders averred that this situation led local people to opt to buy readymade

products, such as window frames, door frames, and scotch carts from other areas, such as Bulawayo.

One of the key issues that came out of the study is that most of the enterprises were operating from rented premises. This indicates that the businesspeople who had initiated their enterprises through remittances were not just failing to contribute to public infrastructure development but were also failing to build infrastructure for their own use.

Another key determinant of the sustainability of remittance-inspired enterprises relates to how the businesses interact with the natural environment, which is discussed in the following section.

### ***Responsible Stewardship of the Environment***

The nature of environmental usage is one of the critical factors that determine the sustainability of business enterprises. This is especially true for those businesses that directly rely on the natural environment for their survival. As noted above, some of the businesses initiated through remittance funding rely primarily on the natural environment. For instance, there are a number of brick-moulding enterprises around the business centre. The brick moulding enterprises are creating environmental hazards in the area through sand poaching. The Councillor for Ward 16 indicated that, as a Council, they were seized with the matter as they were empowered by the Rural District Councils Act to manage the environment in their areas of jurisdiction. He averred that

*[...] As a Council we are obliged to manage the environment in Tsholotsho and the Act [RDC Act, 1988] directs that we should have a council committee responsible for the environment. We have that committee and as a Council we have noted with concern that some of the brick-making enterprises did not get river sand through official channels but instead resorted to poaching in undesignated areas.*

This practise, the Councillor argued, leads to environmental degradation in general, and in terms of the siltation of rivers and dams in particular. However, the Councillor also noted that whilst these enterprises degraded the environment, it was at a lower scale than the traditional brick-moulding practises to which locals are accustomed. He argued that these practises degraded the environment through extensive deforestation, since firewood is needed to light fires to catalyse the brick hardening process. Furthermore, traditional brick-moulding requires moulders to source clay, which leads to land degradation.



### ***Macroeconomic Stability and Sound Management of the Economy***

Macroeconomic policies that seek to stabilize the economy are fundamental in the growth of sustainable enterprises. According to ILO (2007), macroeconomic policies should guarantee steady and conducive conditions for sustainable economic growth. Also, sound management of the economy should focus on creating better job opportunities, combating inflation, and formulating and implementing policies and regulatory frameworks that encourage long-term investments. In relation to this study, it is critical to assess the macroeconomic environment in the study area and how the Zimbabwean economy is managed as a condition of promoting sustainable enterprises.

It is worth noting that, at the time of the establishment of these enterprises, the macro-economic environment prevailing in Zimbabwe was characterised by hyperinflation. This environment made establishing business ventures challenging. However, as has been alluded to earlier in this paper, the availability of foreign currency remitted by Zimbabweans in the diaspora made it possible to establish these enterprises. This was mainly due to favourable exchange rates for those with foreign currency. The state of the economic instability in Zimbabwe made spending by the local recipients of remittances economic in nature.

The research revealed that, apart from the local members of the community, there were shop owners who came from other regions to establish their businesses in Tsholotsho District. This was in the hope of tapping into the monetary remittances being received in the district. However, with the introduction of the multi-currency system, the macroeconomic environment stabilised, thereby eroding the comparative advantage that the Tsholotsho residents had enjoyed over the years. A stable macroeconomic environment would naturally promote sustainable growth of enterprises. However, business owners who were interviewed complained about the exchange rate that was so unfavourable to them, as they changed the weaker ZAR to the stronger USD. For instance, a businessperson who operates a welding company indicated the following:

*[...] When the Rand was stronger than the Zimbabwean dollar, business was good. However, now with the Rand weaker than most of the currencies used in Zimbabwe, we are struggling to survive.*

These sentiments were echoed by another businessman who argued that “this place [Tsholotsho] has rands but when we buy raw materials we are negatively affected by the cross-rate since where we get our stuff, they want US dollars”. As a result of these observed realities, the prevailing macroeconomic environment does not encourage the growth and sustainability of these enterprises, given the fact that very few jobs are created by the enterprises and that the market, which promoted their very establishment, are slowly but surely dwindling. One observation that came out strongly from key informants during the research was that it was becoming a lot cheaper for the diaspora to send groceries than to send money to purchase commodities in the local shops. A retailer in Dikili, Ward 16, indicated that

*[...] Demand for most non-perishable commodities had been declining gradually since the introduction of the multi-currency regime. This has largely been influenced by an increase in the inflow of in-kind remittances.*

Inevitably, this affected demand for various commodities and services offered by the enterprises. Scholars have argued that the development of sustainable enterprises cannot be achieved without addressing demand drivers. This study revealed that there are no specific policies or strategies to stimulate demand, hence putting the sustainability of enterprises into question. For instance, entrepreneurs bemoaned lack of access to capital as a drawback in their business operations that curtailed their efforts to expand the businesses. To this end, a proprietor of a bakery in the Matshangana business centre argued that “we wish to grow but we have no capital.” This challenge was also highlighted by a fellow business person who indicated that “no institution is supporting us, we wish someone could finance us or give us access to loans so that we can conduct business properly.” These concerns were corroborated by the Assistant to the District Administrator, who indicated that “access to capital remains a challenge for small rural enterprises as capital that was available had stringent conditions attached to it which most rural entrepreneurs cannot meet.”

The other observation that was made in the field was that of a relatively better-managed economy by the Government of National Unity (GNU) from 2009 to 2013. During this period, there was general flow of cash and it was in good supply. However, at the time of research, the new government at the helm of the Zimbabwean economy was facing a cash crisis. The liquidity crisis affects

spending by both enterprises and consumers. Thus, in the long run, it is a threat to the sustainability of the enterprises.

### ***Conclusion and Recommendations***

This study interrogated the sustainability of remittance-inspired enterprises in Tsholotsho. It established that there are steady inflows of remittances, mainly from neighbouring countries. These remittances are usually small amounts channelled through informal means. As such, most of the money received is used for consumptive purposes, such as healthcare, education, funerals, food expenses, etc. In investigating the sustainability of the remittance-inspired enterprises, the study was guided by the ILO framework. On the good governance and social dialogue pillar, it emerged that there are structures in place, instituted by the Tsholotsho RDC, which regulate the operations of businesses, creating a conducive environment for entrepreneurship. Nonetheless, a major drawback in the operations of enterprises in this respect is the lack of organisation on the part of the business community, where each operator minds his or her business without due consideration of the wider interests of the group.

The study revealed that the infrastructure to support vibrant businesses is either poor or non-existent. Furthermore, it noted that the business community is not contributing to the development of a sound infrastructural base to aid economic development in the district. The study further noted that the poor infrastructural base is further compounded by a macro-economic environment that has been in flux, dovetailing political developments in the country. As such, there have been periods that have been enticing for those with remittances to initiate enterprises within the district, whilst those with established businesses would be recording brisk business. However, it should be stressed that where remittance-inspired enterprises are concerned, macro-economic stability does not always translate to thriving enterprises. This is because there have been times where an economic downturn has actually spurred remittance-inspired enterprises, as was discussed in the case of Tsholotsho.

In terms of responsible stewardship of the environment, the establishment of some licenced enterprises such as brick-making is assisting in promoting better ways of interacting with the natural environment. Nonetheless, there are concerns relating to unsustainable use of the environment by the locals such as traditional brick-makers. The activities of such groups can in future jeopardise those of licenced brick-makers.

The Tsholotsho community was found to be supportive of enterprises, including those established by proprietors from other districts. Furthermore, the establishment of enterprises through remittances promoted both social and economic inclusion, as jobs are created and goods are made available locally.

In light of the foregoing, it can be surmised that remittances provide seed capital for entrepreneurs to invest in Tsholotsho, and the environment obtaining does not adequately support those enterprises to be run in a sustainable manner. Notwithstanding, it is recommended that efforts to support and strengthen remittance-inspired enterprises be upscaled to ensure their continued contribution to local economic development and sustainability.

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# ***Precarious Mobility: Infrastructures of Eritrean migration through the Sudan and the Sahara Desert***

***Tekalign Ayalew Mengiste\****

## ***Abstract***

*This paper explores migrants' experiences and their specific practices geared towards negotiating migration barriers and the effects of externalization. Contemporary migration from Eritrea is shaped by changing migrant aspirations, expanding networks of intermediaries and socioeconomic challenges. This is compounded by the European Union's (EU) externalization of border controls and limited opportunities for legal migration paths. In this context, a vast majority of Eritrean young men and women opt for overland exits through dangerous and long trails across the Sahara Desert and the Mediterranean Sea until they arrive in Europe. The irregular transitions and stepwise mobility are facilitated by the interactions of actors, mainly smugglers, family members in one's homeland, former migrants en route and in the diaspora as well as the local people along the trails, which I call infrastructures of migratory mobility. The paper argues that migrants and their communities develop and use alternative mobility infrastructures by establishing a transnational knowledge community to navigate increasing migration controls in origin and transit countries, as well as the externalization of European borders and migratory controls.*

**Keywords** Migration infrastructure, journey, transition, Eritrea, smuggling, knowledge, externalization.

## ***Introduction***

*Our dream is to reach Europe at any cost. Look at what is happening here [Sudan]....The police chase us everywhere in Khartoum. We must leave soon.... We cannot go back to Eritrea.... Staying here is also*

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*dangerous.... I pray to find a good 'semsari'<sup>1</sup> [lit. smuggler in Arabic] and a good co-traveller. I am gathering information about routes, smugglers, timing, how to behave during interactions with smugglers, how to hide money, which clothes, medicine and food to carry. I am also waiting for my sister from Germany to send me money to pay the 'semsari' who would assist us to cross the desert.*

The vignette above was narrated by an Eritrean migrant named Meqdi, who was in her 30s when I met her in Khartoum, Sudan, in April 2016. She was mobilizing resources to cross the desert from Khartoum. Her situation was not an isolated case. It was a typical example of how, in the context of challenging socio-economic and political conditions in origin and transit countries and limited availability of paths for legal migration, young male and female migrants from Eritrea strive to organize precarious journeys across deserts and seas.

This paper discusses the emergence and role of irregular migration facilitating infrastructures that support and sustain Eritreans migrating to Europe and their transition experiences in the Sudan in the context of the European Union's (EU) increasing efforts to externalize border controls. By transition I mean an onward migratory mobility through transit spaces. The discussion is based on empirical data from the field that show specific resources and knowledge used by migrants to keep moving, despite the stated impediments.

Since 2000, the Sudan and Libya have been both destination and transition countries for Horn of African migrants and asylum seekers who use the north-western migration routes towards Europe via the Sudan, the Eastern Sahara, Libya and the Mediterranean Sea. However, the journey is unpredictable and migrants face uncertainty and violence at every step of their journeys and transitions, particularly in Libya. The migratory journeys across the Sahara Desert have always been risky (Dinbabo and Carciotto, 2015; Dinbabo and Nyasulu, 2015; Triulzi and Mackenzie, 2013: 219). However, the level, types and intensity of violence have recently become more complex, particularly after the Libyan civil wars. The situation has deteriorated further with the EU's insistence on tightening the control of its external borders with the Mediterranean Sea and Libya. It has created a legal and security vacuum where

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<sup>1</sup> *Semsari*: A term used for persons who informally arrange travel documents or transport services for migrants in exchange for money. Migrants also use the term alternatively with *delaloch* when they are in Libya, Sudan or other Middle Eastern countries. *Semsaris* or *delalochs* also arrange domestic work for migrant women in the Sudan, Libya and Italy.



various criminal groups take advantage of the increasing number of migrants who try to cross the desert and enter Libya for subsequent mobility towards Italy or beyond (cf. Reitano, 2015).

In addition, countries such as Ethiopia and the Sudan cooperate with the EU in border controls as they introduce tough border control strategies including seizing and imprisoning Eritrean migrants irregularly transiting through their territories (cf. Gaibazzi et al., 2017; Mengiste, 2017). This indicates not just tightened border control in Europe but the diffusion of border control practices from Europe to Africa. Because of these measures and the structural violence manifested via the unequal access to safe migration channels between citizens of the global north and those of the south, a migration journey to Europe requires more resources than before, not only in terms of finance but also with regard to reliable information and useful connections with former migrants stationed *en route* and those settled in the diaspora.

Nevertheless, migrants are not just victims of this direct and structural violence and the impediments erected along their treks. They have a collective practice in producing and sharing relevant knowledge, finance and other resources by multiplying the effectiveness of individual capacity to enhance their safety and welfare and to keep moving (cf. Wheatley and Gomberg-Muñoz, 2016). Migrants and their communities design alternative mobility strategies by mobilizing irregular migration facilitation infrastructures (cf. Xiang and Lindquist, 2014). These include support from their family in the diaspora, smugglers and local people along the route, which becomes a transnational knowledge community (see also Mengiste, 2018). This article explores how migrants survive violence and how they organize their migration by mobilizing knowledge, finance, and smuggling services at different phases of their journeys. The next section elaborates the underlining socio-economic and political conditions of mass migration from Eritrea.

### ***Background/Contextualization***

Eritrea has recently become one of the leading refugee-sending countries in the world, mainly towards Europe. Between 2013 and 2016, Eritreans constituted about 20 percent of migrants entering Italy by sea (Frouws, 2017) and from 2013 until 2017 about 104,415 Eritreans arrived in Italy by sea (UNHCR, 2018). However, Eritreans have been fleeing war and conflict since the 1960s: first they experienced a 30-year-long war of independence from Ethiopia (between 1960 and 1991), which was compounded by recurrent drought and famine that generated about 1 million Eritrean refugees scattered

throughout the world. Many of the early refugees settled along transit countries such as Ethiopia, the Sudan, and Libya. Contemporary migration routes that link Eritrea with Europe, are extending financial support and information to newly arriving migrants. Many of the young people from contemporary Eritrea are dissatisfied with the growing economic inequalities, prolonged conflicts and repressive political conditions. The introduction of open-ended and not rendering compulsory military service also put the vast majority of Eritrean youth in a prison-like situation (see Belloni, 2015). They are also lured by diasporic remittances from receiving countries, mainly in Europe, or “returnees’ prosperity” and are driven by social and familial expectations. State persecutions and human rights violations in contemporary Eritrea lead to an increasing number of refugee flights (Treiber, 2014; Campbell, 2014; Belloni, 2016). There are smugglers and their connectors and several other actors that emerge and engage in mediating barriers and organize departure and mobility.

In addition, the regime has not only inadvertently caused an increase in the flight of asylum seekers but also designed strategies to sustain them, for example, through remittances sent back by the exiled community (Tecele and Goldring, 2013). Within this context, risky migration departures and reaching a perceived better refugee receiving country, mainly in Europe, have become a part of the societal norm as well as personal and family hopes to survive and thrive in such uncertain socio-political environments (Kibreab, 2013; Belloni, 2016).

This, in turn, is compounded by the EU’s increasing efforts to stop migratory journeys towards Europe by introducing various externalization strategies of border controls such as intercepting migrants and refugees *en route* and forced deportation. European borders have penetrated deep into African territories as the EU has begun collaborating with African states to impede the migration of Africans to Europe. This has drastically altered well-established regional population movements within Africa (Andersson, 2014; Menjívar, 2014; Kleist, 2017).

The EU forcefully implemented its externalization programs by engaging countries such as Egypt, the Sudan, Ethiopia and Eritrea to fight irregular Eritrean and other east African migratory journeys across their territories (Stern, 2015). To generate the promised economic and diplomatic gains from the EU’s externalization strategies, the Sudan and Egypt introduced tighter border controls in 2014. They began shutting down human smuggling routes

that connect Eritrea, the Sudan, Egypt, Libya, the central Mediterranean Sea and Italy. They also continuously intercept Eritrean asylum seekers passing through their territories and deport them back to Eritrea and Ethiopia (Mengiste, 2017).

However, depriving formal channels of mobility across territorial spaces in the era of 'global interconnections' has forced many of the youth from Eritrea to find alternative informal, dynamic and defiant means of mobility, often at the expense of their lives (cf. Triulzi and McKenzie, 2013; Belloni, 2016). Dynamic informal migration strategies and facilitating infrastructures have developed to fill this gap between expectations and opportunities of migration and mobility. However, the above discussion does not mean that migrants chose mobility because of political and socioeconomic challenges, all at the same time. For each individual, one of the factors is more important and compelling than others. In addition, one condition results in the other. For instance, political challenges and dictatorship may result in economic deprivations and desperations. Thus, the focus of this section is not to explain causes of migration in Eritrea, but rather to show the forces behind or the context of Eritrean asylum seekers' flight. The sections below empirically highlight how individual strategies, the flow of information and the flow of money are affected by the externalization measures and how they also help to mitigate externalization effects and all kinds of impediments and risks along the migration trails.

### ***Conceptual Framework***

The paper analyses the material using two concepts: the notion of structural violence and migration infrastructure. The theory of structural violence explains how structural inequalities (political and economic) systematically deny some people their basic human needs and rights (Ho, 2007). It defines violence as the avoidable disparity between the potential ability to fulfil basic needs and their actual fulfilment. The theory further constitutes the unequal share of power to decide over the distribution of resources as the pivotal causal factor of these avoidable structural inequalities (Ho, 2007). The theory of structural violence provides a useful framework for the understanding of structural violations of global inequalities that lead to violence. These include limited access to safe migration paths for Africans, through an examination of how structures (such as border regimes, poverty, political crises, globalization) constrain migrants' agency to the extent that migrants' fundamental human needs are constrained during clandestine journeys.

The renowned sociologist Zygmunt Bauman noted the unintended and uncontrollable consequences or risks related to contemporary globalization processes. He argued that globalization divides as much as it unites by making the poor poorer, while the rich become richer and those in the middle suffer from “existential uncertainty, anxiety and fear as a result” (Bauman, 1998: 4). Bauman asserts that the freedom of mobility promoted by globalization is not equally distributed across the world and certain sections of the population. He further stated that “mobility climbs to the rank of the uppermost among the coveted values – and the freedom to move, perpetually a scarce and unequally distributed commodity, fast becomes the main stratifying factor of our late-modern or post-modern times” (Bauman, 1998: 2). In transnational migration, context violence refers to structural inequalities that deprive people of access to valued resources, including legal paths of migration and hence forces them to take dangerous migration routes (see Holmes, 2013: 43-88). It is violence committed by configurations of global inequalities that, in the end, lead to deprivations and physical and psychological injuries. Clandestine migrants also experience violence directly, as they often encounter physical, sexual and labour abuses during the migration process (Lucht, 2012; Mengiste, 2017).

To organize migration and survive these violent conditions, migrants mobilize the necessary resources from migration facilitation infrastructures. Xiang and Lindquist (2014: 124) define migration infrastructure as “the systematically interlinked technologies, institutions, and actors that facilitate and control mobility”. In the context of restrictive immigration regulations at destinations globally and externalizing border control practices towards transit lands, migration can be viewed as procedural, multidirectional and self-adjusting movement. Accordingly, migration is mediated by the involution of the regulatory, humanitarian and facilitation elements of the migration infrastructure (Xiang and Lindquist, 2014).

In this regard, the rise of an international regulatory environment and externalization of border control practices have led to a renewed and broad scholarly concern with the migration industry and infrastructures (Sørensen and Gammeltoft-Hansen, 2013; Andersson, 2014). However, the migrant has long been left out of this concept of the migration industry, which pays little attention to migrants’ active and passive agency in mobilising migration resources and the diverse and dynamic relationships that emerge between migrants and smugglers (Herman, 2006; Mengiste, 2018). This study goes beyond the business dimensions and adopts a broader approach, recognizing the entanglement of social and smuggling networks, migration knowledge

production and mobilizing financial support from the diaspora. This helps migrants to survive the risks and to mediate barriers related to the EU's externalization practices including tracking, intercepting, detaining and deporting migrants back to their countries of origin (see Gaibazzi et al., 2017).

This migration facilitation infrastructure becomes important in organizing migratory journeys from the Horn of Africa towards Europe. It becomes the "spatial, infrastructural and institutional moorings that configure and enable mobilities" (Hannam et al., 2006: 3). As demonstrated in the empirical section of this paper, the practice of human smuggling and organizing overland migration partly thrives on being embedded in diasporic transnational social spaces, material practices and migration knowledge production, which collectively build up a transnational knowledge community of migration.

While the term transnational knowledge community does not disregard the violence and suffering encountered by migrants and refugees, it can be used to understand the shared practices of producing a body of information pertaining to and allowing for past, on-going and future experiences of migration as constituting a collective system of knowledge. It goes without saying that migrants' knowledge is incomplete and partial to combat all types of threats and risks; however, it is constantly improvised and updated within the community of mobility. Some groups of migrants are well connected to diasporic networks that generate material and economic support. However, as demonstrated in the empirical section, those migrants who have no connections of this kind also generate support from fellow travellers, helpful locals as well as former migrants or co-nationals settled in transit locations (cf. Kleinman, 2014; Mengiste, 2018).

This kind of translocal relations and infrastructural practices enable Eritrean migrants to design their own strategies and ways of navigating the system to survive and access remunerative work *en route*. The translocal connection is an ambiguous space of experiences and agency, a space that does not exist in an absolute form but is created by the interconnections of mobile people, ideas and objects during the migration journeys (see Mengiste, 2017).

### ***Methods of the Study***

This paper is part of a larger research project based on multi-sited ethnographic fieldwork in Stockholm (Sweden), Addis Ababa (Ethiopia), Khartoum (Sudan) and Rome (Italy), conducted between 2014, 2016 and 2018 but this paper focuses on the African part of the study. These cities were

chosen because they are both main destinations and transition nodes of Eritrean migration, and they are located along the overland migration routes that link Eritrea with main European destination countries such as Sweden and the United Kingdom (UK) (see Mengiste, 2017). The ethnography produced from the African part of the study and used for this paper consists of 94 in-depth interviews with interlocutors (migrants, brokers, border guards and non-governmental organization (NGO) personnel) composed of an almost equal number of women and men, including 35 detailed individual migration narratives. Five smugglers were also interviewed, each providing insights into a particular leg of migration pathways. Primary data findings were supplemented through reviewing research, policy and critical media reports on contemporary migratory mobility from the Horn of Africa and practices of human smuggling across Euro-African borderlands and beyond.

I also had several informal discussions with migrants in the stated research sites and other locations such as Malmö in Sweden and London in the United Kingdom. I carried out participant observations, including extensive casual conversations with refugees, brokers, and smugglers in reception camps, homes, churches, neighbourhoods, squats, restaurants, workplaces and a variety of other settings in Addis Ababa, Khartoum, and Rome. This method helped me to generate data on migrants' transition experiences and the role of communication technologies, brokers and smugglers in facilitating their onward mobility. Informal conversations opened up opportunities to recruit key participants who were willing to describe the organization of migratory journeys from Eritrea to Europe. I conducted interviews while sitting, standing, walking and eating with the interlocutors. In fact, participant observations and informal conversations went hand-in-hand when I conducted fieldwork in the refugee reception centre in Stockholm, migrant neighbourhoods, mainly in Khartoum and Addis Ababa and squats in Rome. I referenced a list of key themes and questions during the interviews to generate the required information related to migration conditions, facilitation actors, networks and their roles. Nevertheless, interlocutors were allowed to propose issues and events they believed were important in the immigration process. I employed life history narrative techniques to generate data on the various stages of migration.

As a follow-up, I conducted telephone interviews with my interlocutors regarding their experiences in Libya, Italy and Germany and also with asylum seekers in the Märsta refugee reception centre in northern Stockholm but who were transferred to other municipalities in Sweden. Because of the mobile

nature of my study subjects, I ensured taking their telephone numbers and established online connections with them via Facebook, WhatsApp and Viber. I actively conducted follow-ups using old, new and social media during all phases of this project (e.g. data collection and write-up processes) to remain updated about the latest developments in the 'migration and refugee crises', mainly along the Euro-African borderlands and within Europe. Through the migrant biographies in Sweden and the UK and shorter fieldwork stints in the transition nodes in Addis Ababa, Khartoum and Rome, I managed to track, trace and map the process of migrants' mobility across the origin, transition and destination locations.

## ***Results and Findings***

### ***Process of Departures: Leaving Eritrea***

Clandestine overland migration from Eritrea requires careful planning, money and accumulated knowledge. In general, the necessary knowledge and information about the 'safest ways of escape from Eritrea' are obtained from former migrants *en route* and in the diaspora, using cell phones and social media. The overland departure routes and different actors that organize the journey towards the Sudan are located in Ethiopia and Eritrea and link Eritrean villages and towns to the city of Khartoum in the Sudan. This in turn forms a transnational social space that reproduces clandestine migratory exits from Eritrea.

Before departure, Eritrean migrants spend months to years gathering the necessary migration knowledge. This shows that the decision to leave Eritrea is dangerous, given that its government criminalized migration. The journey to Europe is riskier and longer, partly due to the EU's external border enforcements. Before the peace deal between Eritrea and Ethiopia in 2018, the Eritrean regime followed 'shoot-to-kill policies' for migrants attempting to cross the border with Ethiopia. Even though the borders have recently legally opened up and freer movement of the population is made possible, in practice, free mobility of younger people from Eritrea to Ethiopia or the Sudan is not possible as the Eritrean regime still maintains the compulsory open-ended national service for the youth. The escaping youth are labelled 'traitors' and are hence often exposed to imprisonment or torture.

Due to the irregular and clandestine nature of the mobility across the highly risky Eritrean-Ethiopian and Eritrean-Sudanese border zones, which is partly related to EU intervention and collaboration with migrant-sending and transit

countries in east Africa in border controls, secrecy is a necessity for the survival of the migrant (cf. Alpes, 2012). It took four years of learning and preparation for the 26-year-old Yordi and her husband to leave Eritrea. She stated, "I decided to leave the country. But, it took four years of preparation to escape Asmara." Migrants claim that in Eritrea, it is difficult to know who is a friend or a foe. Even one's own close relative may be a *siliya* (a spy for the government) and may expose migrants' escape plans to the regime. Migrants could end up in prison for unlimited periods of time. Yordi further noted, "The most important thing is finding a reliable 'pilot'" (a smuggler who guides migrants all the way to the borders). Finally, her husband's friends who were former migrants in Ethiopia put Yordi's husband in touch with a 'pilot' named Kibru, via the internet. Kibru had lived in the border areas and crossed the Ethiopian borders before the war. He knew every detail of the 'safest routes to Ethiopia'. Yordi said that she dressed in black pretending to go to a funeral outside the city. She styled her hair like a rural girl, made up her face and hid any traces of an urban look on her body, to ensure that she did not attract attention from the soldiers and security people. This shows that during escapes, Eritrean migrants use particular forms of visibility and invisibility strategies in order to move across closed borders.

Migrants attempting clandestine crossings at the Eritrean-Ethiopian and Eritrean-Sudanese borders do not simply run away independently when they are desperate (Mengiste, 2017). Rather, their flights are gradual and processual, which requires accumulated knowledge and networks of help embedded in and generated from relations and a range of actors in the locations of origin and in the diaspora. This illustrates that brokering migratory exits involve elements of migration facilitation infrastructures such as communication technologies, state actors and translocal and transnational social relations that produce the necessary migration knowledge, finance and smuggling services (cf. Spener, 2004; Andersson, 2014; Xiang and Lindquist, 2014). Thus, migratory departures are not an act of moving but a process that requires context-specific substantial resources and know-how.

In addition, the clandestine departures from Eritrea and overland journeys towards Khartoum in the Sudan, are dangerous mainly due to kidnappings by criminal Bedouin Rashaida tribes for ransom (see Belloni, 2015), environmental hazards such as hot and arid deserts and interceptions and detentions by the Eritrean regime. The migrants therefore need migration facilitators such as 'pilots' that guide them through safe passages. Yordi noted, "The 'pilots' are our visa to exit Eritrea. They are our saviours!" This indicates



that the process of escape facilitated by smugglers is, contrary to the mainstream narratives of exploitation and crime, far from being perceived as exploitative by migrants. Rather, smugglers and migrants conceptualize the facilitation of migrants' clandestine departures as a mechanism that allows those in transit to be guarded against criminal organizations, environmental challenges and restrictive migration regimes. The specific resources and knowledge produced and reproduced by prospective migrants and migration facilitators enable the migrant departures in the context where externalization operates together with internal measures such as criminalization of emigration in Eritrea, put in place by the authoritarian state. This also shows that, because of restrictive border controls, smuggling becomes not only a small-scale migration facilitation industry along state borders, but also an element embedded in the web of social relations within the migrant community (see Spener, 2004).

The EU externalization policy has increased the vulnerabilities and risks of Eritrean migrant departures. Following a collaborative border management platform between the EU and east African countries, the Sudan and Ethiopia increased border control measures including interceptions and deportations of Eritrean migrants along the existing overland migration routes that link Eritrea with the Sudan and Ethiopia (see Mengiste, 2017). To escape state interception, Eritrean migrants take longer and dangerous journeys in order to arrive in the Sudan. Some of the interlocutors on this research project stated that they moved northwards from Asmara and other towns in northern Eritrea and passed through several towns to enter Port Sudan, and then to Khartoum by walking for months along dangerous lowland deserts. This has exposed migrants to various kinds of risks including robberies, kidnappings by Bedouin Rashaida pastoralists in eastern Sudan for ransom and attacks by hyenas (see Belloni, 2015; Mengiste, 2017, 2018). This indicates that the cooperation between the EU and non-European countries on migration and border control could lead to serious human rights violations and migrant vulnerabilities instead of stopping mobility.

### ***Migrant Vulnerabilities in Sudan and Decisions to Cross the Desert***

The Sudan has historically been a major destination of Eritrean migrants during the liberation war and after the independence of Eritrea. Since the early 2000s, Eritrean migrants have been joining their friends, relatives, neighbours and other Eritreans residing in Kassala, Port Sudan, Gedaref and Khartoum (Hassanen, 2007; Kibreab, 2013). From 2003 – after the Eritrean regime

introduced restrictive emigration laws including criminalizing migratory departures – to the time of writing this article, 1,600 Eritreans have crossed the border and entered the Sudan every month (Kibreab, 2013; Mengiste, 2017, 2018). However, new arrivals often come to the Sudan using Khartoum as a stepping-stone and proceed towards European countries that are assumed to be refugee welcoming nations (cf. Belloni, 2016). However, the old, the sick, those who have well established family members in Sudan and those who have acquired businesses and obtained Sudanese citizenship in various ways, remain in the Sudan (see Mengiste, 2017).

As discussed in detail below, many newly-arrived Eritrean migrants in Khartoum are undocumented and informally engage in various income-generating activities. Similar to other contexts of deportable and thus easily exploitable labour, migrants suffer many forms of abuse and exploitation. Women migrants are overworked, denied of their salary and lack access to healthcare. They claim that they are also physically and emotionally abused, bearing insults, threats of attacks and ultimatums perpetrated by employers. The police repeatedly ask them for *butaqa* (identification) and threaten to imprison them if they do not pay bribes.

Migrants claim that in 2014 and 2015 social exclusion, police harassment and economic exploitation became more frequent. This crackdown on irregular migrants and refugees in the Sudan is related to the internal crises in the Sudan and the pressure from the EU's externalization practices via the Khartoum process. Through the Khartoum process, both Ethiopia and the Sudan receive direct and indirect support from the EU in terms of logistical facilities and development aids in exchange for preventing would-be migrants from migrating. The EU gives states incentives for ensuring that individuals remain in the Sudan or Ethiopia or for keeping asylum seekers in refugee camps and for introducing physical or legal barriers, including migrant apprehensions (interdictions, interceptions, or 'turn-backs') (Stern, 2015; Mengiste, 2017). This has made the traditional population movements, including migration across the Sudanese, Ethiopian and Eritrean borders more difficult, compared to previous decades.

Many of the Eritrean migrants I met in the Sudan said they were planning to leave the country. My informant, Meqdi, told me that she and her Eritrean partner, Solomon, had been preparing to migrate to another country for the past four years. Meqdi was tired of the situation in Khartoum. Every day, the police would round up, detain and impose penalties on undocumented

Eritrean and Ethiopian migrants. Meqdi and many other Eritrean women who sold coffee and tea on street corners were most vulnerable. In 2015 alone, the police detained her twice, imposed a penalty and confiscated her stall equipment. She had been anxiously waiting to hear about the decision on Solomon's family reunification visa for Canada:

*I am tired! Have you seen the giffa [police rounding up and detaining migrants] today? I have lost hope! I should leave soon! It is taking longer. I can't wait! I do not want to miss this season. All my friends have reached Europe. I have prepared all necessary things to cross the desert!*

Meqdi was determined, like many other Eritrean overland migrants entering the Sudan, to reach Europe by crossing the Sahara Desert and the Mediterranean Sea. Migrants complained about skyrocketing rental and housing costs, deteriorating employment opportunities, frequent arbitrary detentions and demands for bribes by the police. Christian interlocutors mentioned that they experienced increased xenophobia from local Muslim Sudanese. Following the EU externalization of border controls to the Sudan, mass arrests and deportations of Ethiopian and Eritrean undocumented migrants and refugees who had moved illegally to the city were the order of the day when I was in Sudan in May 2015 and 2016. The police would suddenly round up migrants on the streets or raid their neighbourhoods at night, pile them into trucks, transport them to Kasala, a town on the Eritrean-Sudanese border, or other remote areas and offload them there.

In the face of social, economic, political and cultural exclusions, many of my informants felt that they were stuck: they could not return because of the social, political and economic challenges in their homeland, nor could they easily move forward. Staying in the Sudan was equally dangerous given the high probability of deportations. Similar to many refugees in other countries resettlement in a well-off third country through the support of the UNHCR was either inaccessible for many of the Eritrean asylum seekers or complicated and time-consuming in the Sudan for various reasons, including corruption (Hassanen, 2007; Treiber, 2013, 2014). Thus, the Sahara Desert becomes the only way out for migrants in order to keep moving.

As elaborated in the examples below, while they were in Khartoum, many migrants were also engaged in income-generating activities until they met a smuggler, found co-travellers and cultivated other necessary resources for the journey to cross the borders.

### ***Sharing and Reciprocity among Migrants in Khartoum***

The accounts of a female migrant, Samrawit, demonstrate how migrants in transit countries generate assistance and resources from former migrants who settled in Khartoum. When I met Samrawit, she was in her late 30s. Samrawit first moved from Asmara to Ethiopia with the help of 'pilots' and then to Khartoum by securing a tourist visa which was arranged by a *delala* (broker) in Addis Ababa for a fee of 18,000 Birr (about 750 USD). She lived clandestinely in Khartoum for four years, as her tourist visa had expired. She got a cleaning job informally at a private school with the help of her friends and families in the Sudan. When I was in Khartoum, she was accommodating three cousins and a woman named Semhal, a former neighbour and friend in Asmara. All four moved to Khartoum after living in the Shagarab refugee camp for three weeks. Smugglers arranged their clandestine trip from the camp to the city. Samrawit shared her rooms and food and provided information she assumed was helpful to survive in Khartoum. She told them how to move around, use public transport, meet *delala*, how to behave towards the police and how to bribe them when necessary. Samrawit asserted that it is her social duty to help her kin and fellow Eritrean migrants:

*It is my responsibility to help them as much as possible. When I arrived in Khartoum, others did the same for me. It is my turn now to help others [...] I have to do what I can do for them until they find ways to settle here or move to another country. Every Eritrean migrant does the same in every step of the journey ... in Ethiopia, in Sudan, in Libya, even in Italy.*

Samrawit's accounts reflect ethnic solidarity, kinship obligations and reciprocal relations developed along the transition spaces. These are important resources that configure the organization of contemporary irregular migratory journeys from the Horn of Africa towards the EU and beyond. Social ties *en route*, according to Samrawit's accounts, not only provide useful information and material support, but also generate hope of surviving the journey and keep migrants moving. Community ties are sources of knowledge on how to navigate between the labour market, strict border controls, smuggling services, the Sudanese migration or refugee regimes as well as police violence and brutality (cf. de Genova, 2002; Mengiste, 2017). Thus, it is an important element of migration facilitation infrastructure that is reproduced in transit locations via translocal social relations (Sørensen and Gammeltoft-Hansen, 2013; Xiang and Lindquist, 2014).

Before the EU tightened its migration policies and externalized border controls to African states, there was huge migratory mobility from Sub-Saharan African countries towards Libya via the Sudan without much difficulty (see Triulzi and Mackenzie, 2013). However, following the externalization, smugglers that facilitated migration through the Sahara Desert found out 'new' but dangerous and long routes along the Chad territory which in turn exposed migrants to environmental hazards and abuses by criminals (cf. Mengiste, 2017; Gaibazzi et al., 2017).

Thus, before their departure from Khartoum, migrants generate information from multiple sources, including former migrants who had settled *en route*, those who managed to arrive in Europe, smugglers, local people and failed migrants as the journeys traverse multiple locations and risk factors. Migrants constantly learn and differentiate between information that is valuable or not, in managing their journeys. Migrants *en route* establish intimate relations with co-travellers and smugglers to cultivate and maximize their individual and collective agency, survive violence, keep moving and cross borders. Even strategic spousal relations are used as a migration strategy through which male and female migrants help each other by generating, for example, money, charity and protection. The sharing practices and knowledge production in transit spaces become an important element of the migration facilitation infrastructure. It serves as a means for migrants to overcome immobility regimes resulting mainly from the diffusion of border controls from Europe to transit places in Africa. These transition practices further indicate that each step of transnational migration mediation encompasses multiple layers of social relations, values, imprints of the past and imaginations of the future.

### ***Preparing to Cross the Sahara: Meeting the Desert Smugglers***

When migrants decide to cross the Sahara Desert with the help of smugglers, they must gather the necessary information from their contacts in Khartoum and abroad. They try to talk to many people they assume have useful information at every possible occasion, for example, at the church and workplace, to minimize the perceived risks in the desert, Libya, the Mediterranean Sea and beyond, which indicates the unpredictability of the journey. Many of the migrants prefer to stay in the Sudan or move to other destinations such as the Middle East and South Africa, rather than crossing the desert.

After the Sudan introduced tough migration control policies partly due to the pressure from the EU to block east African migrants' transitions via the Sudan,

migrants and smugglers established underground ‘migration shops’ in Khartoum (cf. Mengiste, 2017). There were some Ethiopian and Eritrean electronic and clothing shops in the neighbourhood of Sahafa Sherig and surrounding areas in Khartoum. Those shops were also the places where the newly arriving and established migrants planning to move to other places met different brokers of Eritrean and Ethiopian origin, referred to as *semsari* in the Sudan. Some of the *semsari* are shop and other business owners but they work as connectors of migrants with the Sudanese and Libyan smugglers. Here, migrants negotiate prices with *semsari* to travel to Libya or buy passports with forged visas to enter Europe or other destinations and collect remittances transferred through *hawala*<sup>2</sup> money transfers and credit networks from families abroad. Remittance in foreign currency is exchanged on the black market. The shops connect migrants, smugglers and migrant families abroad or in the diaspora as well as employers in the Sudan and in other countries. This type of shop is an alternative liminal space carved out by migrants and their needs and thus, is truly a ‘migration shop’. I refer to such places in migration trails as ‘transition nodes’, which are places where newly arriving migrants meet former migrants, brokers, informal money transfer agents and other actors to gather information and resources to organize transitions and subsequent journeys. The police regularly raid these areas to corner and detain undocumented migrants, partly with the intention of collecting fines and bribes.

Choosing ‘good smugglers’ can be difficult, given the rumours of success and failure circulating in the migrant community. Some important questions raised by potential migrants include: Whose boat is it and how many entered Europe safely, traversing EU border control infrastructures in the Mediterranean Sea? Which *semsari* rescued migrants from criminal kidnappers in the desert and has wider contacts with the Sudanese and Libyan bigger smuggling rings? Which *semsari* has the ‘best *misras*’ (lit. safe houses) in the desert and in Libya? However, except the connectors, no one knows the exact whereabouts of the bigger smugglers (bosses). One of my informants in the Sudan said that *semsaris* are like winds – they are everywhere and nowhere. They go by different names and constantly change their names, phone numbers and other

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<sup>2</sup> *Hawala*: The American Heritage Dictionary of the English Language (5th ed.) defines *hawala* as an “informal system for transferring money, especially across borders, in which local agents disperse or collect money or goods on behalf of friends, relatives, or other agents without legal protection or supervision, trusting that all remaining obligations will be settled through future transactions.” From < <https://bit.ly/2DuC8Pz> > (retrieved 21 December 2018).

contact details. Former migrants *en route* and those who managed to enter destinations in Europe using the same route also guide prospective migrants and put them in contact with connectors and human smugglers. Migrants generally prefer a *semsari* from their own ethnic background or hometown. This increases their confidence and trust in the smuggler that he would be more humane to them during the journey. This indicates that migrants have voices in the smuggling processes and their relations with smugglers are diverse and complex (Van Liempt and Doomernik, 2006).

Mesi, a 28-year-old Eritrean migrant woman, was selling coffee on a street corner when I met her in Khartoum in 2015. She told me how she and other Eritrean migrants meet smugglers in Khartoum.

*We make and serve coffee in an Eritrean way, smoking Etan [lit. incense]. We also serve shisha together with coffee. All kinds of migrants, including brokers visit these coffee shops. It is a meeting ground for us to gather information about good brokers and how to contact them. It was here that I contacted the semsari, Kibrom. He was a popular semsari from Eritrea and has worked with a reputable delela, Abdirzak, in Libya. Kibrom became a friend and arranged my trip to Libya on discount. I am working until we depart in the summer.*

The Sudan also has other irregular transition opportunities for migrants and refugees stranded there. The highly corrupted state systems, mainly the security and the police, also engage in human smuggling, exploiting the poorly controlled but vast geographical borderlands the country shares with Eritrea, Ethiopia, Libya, Egypt and Chad, which makes it an ideal place for the overland human smuggling industry to flourish (cf. Triulzi and Mackenzie, 2013). However, the EU is trying its best to convince and collaborate with the Sudanese government to close the migration routes that pass through the Sudanese territory. The EU, with various agreements, including the Khartoum process and development aids, helps Sudan by funding the border infrastructure at 17 crossing points. The Sudanese government militia, the Rapid Support Force (RSF), is tasked with preventing border crossings. With EU support, the Sudan also increased joint-border management as already tried between Ethiopia, Djibouti and the Sudan. In addition, the EU money goes towards the financing of the border police in the Sudan, purchasing equipment for a training centre in Khartoum, and securing cars, cameras, and computers at crossing points (Stern, 2015; Mengiste, 2017). Border guards and security

people of the Sudan see these EU externalization measures as a support to strengthen the Sudanese internal security and also boost the importance of their task as border controllers (cf. Andersson, 2014).

The smugglers use their networks to design new and alternative mobility strategies. They gather and share information in reaction to the effects/impact of the EU externalization measures, including the changing situation at the border infrastructure, the legal infrastructure and the securitization context along the migration trail. As discussed below, smugglers and migrants also continuously update each other on the tightening of border control practices and collectively devise strategies to use new mobility routes and timings of the journey. According to my interlocutors, big Eritrean and Ethiopian smugglers (bosses) are often based in Libya and organize the migration remotely. However, after the EU externalization of border controls, they began to commute between Khartoum and Libya to gather migrants from Ethiopia and Eritrea through their intermediaries and collectors at various stages of the journey. Each smuggler has 10-15 brokers (intermediaries) in Khartoum, Matama (a border town between Ethiopia and the Sudan) and Kassala (a town along the Eritrean and Sudanese border) – even in refugee camps in northern Ethiopia, eastern Sudan as well as in towns and villages in Eritrea. Each smuggler has connections with other Sudanese, Libyan, Ethiopian and Eritrean smugglers *en route* and at destination points (cf. Newsweek, 2015). The major task of Ethiopian and Eritrean smugglers is generally to bring migrants and connect them to Sudanese and Libyan smugglers who transport them across the Sahara Desert. In Libya, both Eritrean and other Libyan or Sudanese smugglers host migrants in their *misrah* (lit. a safe house arranged by smugglers for migrants in order to guard migrants from border regimes) and arrange boats to cross the Mediterranean Sea.

These smuggling services are some of the key elements of the migration facilitation infrastructure that enable migrants to overcome barriers related to externalization measures and cross the harsh and vast desert as well as the Mediterranean waters. However, smugglers do not often work as full-time professionals or organize the entire journey. Many of them are stranded Eritrean and Sudanese migrants themselves along the migration route. They temporarily team up with brokers, transporters and informal money transfer agents and facilitate journeys to a certain location, namely from the Sudan to Libya. In Libya, migrants must find another group of facilitators to cross the Mediterranean Sea. This shows that migrants negotiate challenges and risks as well as opportunities of mobility by mobilizing information, economic and



social resources as well as psychological or emotional strengths through prayer in migrant churches/mosques in transit lands. These relations and practices exemplify how migrants keep moving along closed borders by navigating and negotiating various dimensions of migration infrastructures (cf. Xiang and Lindquist, 2014: 132).

### ***Crossing the Sahara Desert from Khartoum: Risks and Violence***

Informants mentioned that once the migrants and smugglers, including their connectors and transporters, complete the preparations, the journey commences when the time is right. In general, the journey begins in seasons when the heat is less harsh in the Sahara Desert and sea passages are assumed to be most favourable. On the day of the journey, connectors secretly move from door-to-door and pick up migrants in mini-buses and rickshaws, which transport them to hidden houses rented by the smugglers on the outskirts of Khartoum. My interlocutors said that 150-200 people are transported in one go. According to a connector in the Sudan, the Sudanese drivers and guides take migrants half-way and hand them over to the Libyans, or the next link in the trail, who then complete the rest of the journey to Libya. The 'safety' of the routes from robbers and border control agents on the Sudanese, Egyptian, Chad and Libyan territories are double-checked. Payment procedures and other matters with transporters, connectors and big smugglers in the Sudan and Libya are also properly settled. This is because smugglers' agents who drive the migrants across the desert have more power than their big bosses as they have custody of the migrants in the no-man's land of the Sahara Desert and they perpetrate sexual abuses. My informant, Meqdi, said, "We were intercepted by robbers when we were crossing the desert. Many of the girls travelling with us were raped by robbers. Later, our broker in Libya negotiated with the bandits and rescued us."

According to the interlocutors, the journey from the Sudan to Libya across the Sahara Desert is generally unpredictable and dangerous and everyone is vulnerable to forces beyond their control. The externalization of border controls effected through collaboration between the EU and the transit countries (Sudan and Libya), by intercepting migrants trying to cross the desert, forced migrants and smugglers to take longer and riskier routes of crossing the Chad territory where various types of criminals and armed groups engage in kidnapping refugees for ransom (see Mengiste, 2017). The major sources of the risks are robbers, human traffickers, natural phenomena, border guards and armed rebel groups. However, the level of migrants'

vulnerability varies depending on prevailing local realities along the routes and migrants' individual conditions, with some migrants being more vulnerable than others. Migrants' individual profiles such as gender, age and access to remittances are also crucial factors of vulnerability. This in turn indicates differentiated impacts of the externalizing of border controls by the EU on migrants on the move. The literature shows that women are likely to be subject to abuses including rapes on different occasions, and it is difficult for groups such as pregnant women, children and the elderly to survive dehydration and other challenges during long journeys across such a vast desert (see also Hamood, 2006; Triulzi and Mackenzie, 2013).

Many of those involved, including robbers, smugglers and security/border guards, take advantage of migrants because they are lucrative trade subjects. Migrants are often rescued from criminals and kidnappers in the desert by smugglers in Libya, but they have to generate money from their families and friends in their homeland or diasporic locations and pay a ransom, which could be transferred to the criminals through an informal money transfer system known as *hawala*. Some of the migrants, who have no families abroad to transfer ransom money (*hawalet*) to the bandits, are tortured by them. Thus, they often depend on support from co-travellers.

According to some narratives, Eritrean migrants become victims of a slave trade in the Sahara Desert and in the Libyan territory as they are sold time and again between brokers, detention guards and criminals (see Mengiste, 2017). Even some local Libyans buy migrants from the police and exploit their migrant labour. I met Hagos, a 29-year-old man from Eritrea, in Rome in May 2016. He told me that he had been sold by prison guards in Libya. Hagos also said that migrants with families and friends abroad who were willing to remit, could be rescued from prison or from the migrant slave trade between prison guards, *delaloch* and locals in Libya. Migrants could also negotiate a price to buy their freedom or bribe someone who could help them escape. Migrants in precarious conditions in transit spaces, therefore, establish multiple relations with actors ranging from smugglers, locals and fellow travellers, to families and friends back home and elsewhere, to survive the violent conditions and negotiate involuntary im/mobility.

However, migrants who cannot arrange for the ransom money, try their best to mobilize support from possible compassionate locals. Migrants also end up making friends with former migrants who settled in Libya or by finding partners who may help acquire financial and other resources for the next stage

of their journey. This is an important aspect of translocal connections that help refugees to generate resources of mobility *en route*. Hagos was accommodated and financed by his girlfriend, whom he met in Benghazi, Libya. This exemplifies how migrants get access to capital (money, information and logistics) through social networks with fellow travellers, those in the diaspora and smuggling services during the journey. Through these relations, they generate the specific capital needed to overcome barriers and specific risks they face *en route* and to keep moving. The above discussion shows that externalization has different effects on different migrants on the move and this in turn requires specific skills and networks to secure help *en route*. This is possible through translocal networks and practices of reciprocity, solidarity and the sharing of resources and knowledge along the migration trails.

### ***The Underlying Conditions of Violence and Survival***

The direct violence, as reported by informants, perpetrated by agents of the smugglers, drivers in the desert, other actors and criminals in the Libyan territory need to be viewed from a perspective of broader structural violence that produced inequality and powerlessness (cf. Holmes, 2013). Unlike the popular discourses, the suffering of migrants *en route* is not just due to smugglers' mercilessness. Migrants often associate smuggling practices with service to overcome border regimes and realize migration dreams (see Mengiste, 2018). There are a number of related structural conditions that expose migrants to violence, such as, restrictive migration control regimes depriving asylum seekers' formal mobility channels to file their applications directly in Europe; the security and protection vacuum mainly due to crises in Libya; and chaos and statelessness in the area. Thus, migrants are exposed to violent practices and natural obstacles (deserts) or geographic contexts in which mobility is organized. These conditions, together with the diffusion of border control from the EU to African transit countries, exacerbate migrants' vulnerability in the desert.

Faced with these harsh conditions, migrants desperately desire support to survive the violence and mediate barriers to keep moving. Diasporic remittances, practices of sharing among migrants/refugees during the journey, systems of informal money transfer networks (*hawala*) and the creation and sharing of important information and support of *semsari* are vital conditions in mediating involuntary mobility and immobility of asylum seekers and migrants along the Sudanese and Libyan borderlands.

In sum, the violence that migrants encounter in the Sudan, the Sahara Desert and Libya is an extension of the structural violence of global inequality that deprives the migrants of their mobility rights. The violence is also due to western intervention in African conflicts and crises as well as the externalization of European borders and migratory regimes (cf. Holmes, 2013; Albahari, 2015; Andersson, 2014). The EU's attempt to tighten its migration and border policies and the practice of externalization result in the production of this structural violence. To survive these predicaments and meet smugglers to organize their transitions and journeys, migrants and their communities mobilize the necessary resources such as finance and knowledge through their local and transnational social relations with former migrants who have settled *en route* and in the diaspora.

### **Conclusion**

Ethnographic research on the irregular journeys of migrants from the Horn of Africa indicates that the smuggling of migrants is far from being monolithically perceived as a criminal activity. Instead, it is a socially embedded collective practice emerging in the context of restricted mobility and migration-enforcement infrastructures and where cross-border social networks, communication technologies and brokering practices intersect. This study demonstrated how borders and immigration control systems produce different systems of migration facilitation infrastructures and the various ways in which migrants experience and cope with immobility regimes and suffering at the hands of criminals *en route*.

Migration systems originating in Eritrea towards Europe can be regarded as unpredictable assemblages of diverse actors operating at different scales and with different objectives that overlap or are in conflict. Their interactions shape the migration industry and infrastructure and are in a state of flux in response to changes in geopolitics and externalizing border control along the trail. The infrastructures such as interlinked technologies, institutions and actors that facilitate Eritrean transnational migration have evolved historically in relation to changing border regimes (Cf. Sørensen and Gammeltoft-Hansen, 2013). Migratory journeys thus involve designing new strategies to negotiate with changing migration facilitation actors, externalization practices and global inequalities that led to structural violence.

Migration from Eritrea does not imply a linear journey to Europe. Migration biographies reveal that the migration projects are fragmented, stepwise and unpredictable and can take anything between months and years. This

migration process requires choosing a good smuggler, engaging in an informal economy and continuously learning about the possibilities of mobility and surviving new challenges along the routes and transit lands. In the face of externalizing migration and border controls, migratory journeys are produced in complex social relations where different influences reinforce, complement and sometimes contradict each other. Externalizing border controls and global inequalities together with the authoritarian Eritrean regime that has criminalized migratory exits, have resulted in a system of complex smuggling practices that shape and are shaped by intra-migrant support networks and transnational social relations between migrants, those left behind and the ones settled in the diaspora. This in turn has affected the old established population movement patterns and directions in east Africa and the eastern Sahara. New migration facilitation industries have been built along the emerging clandestine migratory mobility routes that link Eritrea, the Sudan, the Sahara Desert, Libya and the Mediterranean Sea.

Social connections — translocal and transnational — between migrants, smugglers, helpful locals and former migrants along the trail or in the diaspora have become a transnational community. Relations are used to generate the necessary information, material and economic resources at a specific time and location during the journey. This has become an alternative mobility infrastructure for migrants who are immobilized due to restrictive migration controls and the externalization of borders and migratory controls from receiving countries (cf. Xiang and Lindquist, 2014; Gaibazzi et al., 2017). The borderlands and clandestine migration routes are not merely sites of border control where state power is exercised and violent practices of smugglers and criminals against the migrants are exhibited (see Andersson, 2014). They are also locations of knowledge production and the reconfiguration of social relations between mobile and non-mobile people in nearby and distant locations.

However, the externalization of borders and migration controls by the European Union has different effects on migrants on the move. Those who have some kind of capital in terms of finance and social networks in the diaspora could generate the necessary knowledge of migration to survive risks and accomplish their journey to Europe. However, those who do not have such resources are less likely to manage long journeys and endure the vulnerabilities along the migration trail, unless they mobilize support from local people and fellow travellers.

From the time that the EU tightened its migration policies and externalized border controls towards the migration routes in Africa, migratory mobility have become risky and complex. Migration facilitators have grown larger and routes have become longer and more dangerous. Several actors, including criminals, local people *en route* and smugglers started taking advantage of the migrants' immobility by perpetrating sexual, labour and physical abuses against migrants on the move (see also Andersson, 2014; Gaibazzi et al., 2017; UNHCR, 2018). In this context, the entanglement of transnational social relations, smuggling practices and the generation and flow of information and finance from the diaspora and other actors have become infrastructural moorings of migrant mobility. Specific resources and knowledge enable migrants to navigate impediments resulting from strict migration controls at various scales and locations and also the externalization of border control from Europe to transit countries in Africa.

Migration journeys should not be imagined as a line between two places but rather as a multifaceted space of mediation occupied by migration facilitators and intermediaries. These include actors such as smugglers, local people, migrants, former migrants and communication devices. This in turn constitutes the notion of the transnational knowledge community that is constituted by the phenomena described above. It takes into account the entanglement of social and smuggling networks in the migration facilitation industry. Smuggling migration journeys thrive as they are embedded in and function with diasporic transnational engagements and translocal networks. Migrants who have no transnational connections generate support from fellow travellers and former migrants settled in transit spaces. It is in these transnational and translocal social spaces that migration journeys acquire their particular forms and meanings. This collectively builds up migratory mobility infrastructure and protective mechanisms against structural violence, which are related to immobility regimes, global inequalities and externalization of migration and border controls.

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# ***The Value of Human Dignity in the Refugee Protection***

***Callixte Kavuro\****

## ***Abstract***

*This article seeks to illuminate the significance and importance of human dignity in the evolution of the legal protection of refugees and asylum-seekers at international, continental and national level. Human dignity – as a value and a right – plays an important role in the interpretation of the rights as outlined in the South African Bill of Rights and the various laws and policies that give effect to them. The article demonstrates how human dignity contributed (and still contributes) to the advancement of South Africa’s refugee regime, whose main objective is to ensure that refugees and asylum-seekers are afforded access to their constitutional rights. A further objective is ensuring that refugees and asylum-seekers are afforded the kind of treatment that is consistent with global and constitutional standards of dignity, which inform the ethics of refugee reception and treatment.*

**Keywords** Refugees, asylum-seekers, human dignity, fundamental rights, interpretation, realistic, idealistic.

## ***Introduction***

In South Africa, respect for and protection of dignity is a cornerstone of the country’s Constitution. The principle of dignity is at the heart of the Bill of the Rights, which is an integral part of the Constitution, and a human rights charter that protects the civil, political and socio-economic rights of all who live in South Africa (RSA, 1996). Dignity is placed at the centre of the jurisprudence of the Bill of Rights. Its value is reflected in the prominence it enjoys at the Constitutional Court, where it is regarded as one of the most fundamental moral norms, from which all rights derive (Currie and de Waal, 2005: 272-3). It therefore functions as an interpretive tool to give meaning, substance, content and scope to those rights contained in the Bill of Rights or to those fundamental rights which are not contained in the Bill of Rights, such as refugee rights. It is further serves to provide principled guidance to resolve constitutional value conflicts (Botha, 2009: 171). In this way, the highest court

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links dignity to socio-economic rights and benefits for all purposes of protection of vulnerable and poor people, including refugees and asylum-seekers. In other words, dignity has served as a vital part of the mediation of disputes related to refugees' and asylum-seekers' eligibility for the benefits of socio-economic programmes designed to respond to the material deprivation of their essential needs. Dignity is also an integral component of the economic development of the poor and vulnerable. Emphasizing dignity, the courts have insisted that South Africa should uphold its international, constitutional and legislative obligations to treat human beings with the appropriate respect, dignity, care, and concern (Kavuro, 2018: 27-28). This article demonstrates that this position is drawn from the idealistic approach to the ethics of international migration.

Against this background, this article explores the role and value of dignity in the protection of refugees and asylum-seekers. The primary focus is on the exploration of the links between human dignity, socio-economic rights and the rights of refugees, at international, continental and national levels. The centrality of dignity in the protection of the poor, marginalised and vulnerable is illuminated with a view to shedding light on the need to offer fair, decent and favourable treatment to recognised refugees and asylum-seekers. Accordingly, the article considers the importance of dignity in guiding the interpretation of specific socio-economic rights underpinning the protection of vulnerable groups. In this context, the article discusses the impact of dignity on the evolution of international refugee protection. It argues that after the reaffirmation of human dignity as a core tenet on which the international legal order should be grounded, international refugee law was revisited and re-engineered to meet the standards of dignified protection as contemplated in the 1945 Charter of the United Nations (UN) and the 1948 Universal Declaration of Human Rights (UDHR). It further argues that gaps in international refugee law can be closed by human rights texts, adopted to give effect to those rights contained in the UDHR (1948). The article then examines the treatment of refugees in South Africa during all the political eras of this country – prior to the formation of the Union; pre-apartheid; apartheid; and post-apartheid. The article shows that there was no refugee legislation until the inception of democracy in 1994. This would afford refugees and asylum-seekers the dignity, which they were denied by previous regimes. This article takes into account the fact that this dignity – as a constitutional value – is given precedence by the Constitutional Court over the values of equality and freedom, as ensconced in the Bill of Rights. Related rights include socio-

economic rights, which are granted to refugees and asylum-seekers in terms of the Constitution (RSA, 1996) and the Refugees Act 130 of 1998 (RSA, 1998), which affords them humane and dignified treatment. The article further examines the question of favourable treatment, as enshrined in international refugee treaty, through realistic and idealistic approaches to the ethics of the treatment of non-citizens, in general and refugees, in particular. The concluding section stresses the value of human dignity and emphasises the centrality of its role in the recognition of the rights of refugees and asylum-seekers, by having rights extended to them, not only to this country's citizens.

### ***The Impact of Dignity on International Refugee Protection***

#### ***Dignified treatment under the United Nations (UN) Refugee Convention (1951)***

The need for the protection of human dignity led the international community to revisit international refugee treaty, which was revised in 1951, to ensure that refugees and asylum-seekers are afforded fair, decent and favourable treatment. This radical move to create a universal standard of treatment of refugees cannot be separated from the recognition of human dignity as reaffirmed by the Charter of the UN (1945). The importance of human dignity is principally reflected in and underpins the UDHR (1948) as well as subsequent human rights treaties. These important human rights decisions, which inform the current international legal order, elevated the protection of the moral worth of human beings to the centre of the protection of humanity as a whole. This approach is anchored in the moral philosophy of Immanuel Kant, who observed that the protection of dignity of the person implies that the person should be given liberties that will allow such person to live his or her life in accordance with ends that he or she freely chose. By enjoying all liberties, an individual can be an autonomous agent with the ability to define his or her own destiny independently. To get here, an individual must enjoy all fundamental rights and freedoms, which the state must desist from threatening or violating. Any human being – citizens and non-citizens alike – should not be treated as mere objects or as means to an end. Despite the territorial boundaries or sovereignty of any nation, all individuals must be treated as ends in themselves who act for their own sake and are capable of autonomous choice (Kant, 1785: 8-31).

Universal fundamental rights and freedoms as well as fundamental refugee rights were developed with a view of furthering the Kantian philosophy. The idealistic approach to the ethics of the treatment of persons would dictate that

all people should be entitled to all universal rights, regardless of their nationality (Ugur, 2007: 7). Within this view, Jacques Maritain, one of the drafters of the UDHR, asserts that human beings are bearers of fundamental human rights and freedoms because of the very fact that they are persons and masters of themselves and of their acts. Consequently, the state cannot treat human beings merely as means to an end. A person is “an end, which must be treated as such” (Maritain and Anson, 1949: 65). What this view tells us, is that the dignity of a person cannot be respected and protected if there is no recognition of fundamental rights and freedoms that equally apply to all people, irrespective of their gender, economic status or nationality. This is the rationale behind the recognition of universal human rights and universal refugee rights. It is therefore clear why dignity, as a vital and vibrant precept, led heads of state and governments to consider the place of refugees within international legal systems with a particular focus on how the plight of refugees and asylum-seekers can humanely, favourably and effectively be protected.

It is crucial to point out that international refugee treaty was adopted in the 1920s. However, in 1951 international refugee treaty was reformed in a manner that incorporated most liberal elements in terms of civil, political, economic, social and cultural rights. As a result, the 1951 Convention Relating to the Status of Refugees (the UN Refugee Convention) was adopted and thus grounded the protection of refugees in the theories of equality in rights and dignity. In fact, the UN Refugee Convention (1951) introduced a number of strategies intended to provide for favourable standards of treatment with respect to access to socio-economic rights and benefits that were exclusively enjoyed by citizens. Prior to the adoption of the UN Refugee Convention (1951), legal obligations to respond to socio-economic needs of refugees and asylum-seekers were non-existent. Issues related to socio-economic problems were largely addressed by charity organisations or non-state agents. The grounding of international refugee protection in equality, rights and dignity has the potential of creating a positive legal obligation on the state, which requires the national government to act positively. This would subsequently create and secure humane conditions under which refugees’ essential needs will be responded to in accordance with the resources available, and through international cooperation. Securing humane conditions can be achieved through the entitlement of socio-economic rights and benefits and through being included as beneficiaries of socio-economic schemes as well as other public goods and services. Inadequate national resources do not absolve the

host state from extending social welfare to refugees. Hence, the host state may seek financial assistance from other nations on the basis of international cooperation and burden sharing. It follows that the positive legal obligations – imposed on the host state – to protect refugees and asylum-seekers' dignity and moral worth should require the establishment of social justice, which allows them to regain self-respect and self-esteem through access to socio-economic programmes and labour opportunities. Such access must be facilitated in a fair, dignified and favourable manner.

The analysis of fair and unbiased protection may not overlook the fact that political realism can provide an ethical basis for exclusion of refugees from certain entitlements. As a sovereign state, a host country is obliged to take into consideration the relevant internationally recognised standards. However, nothing stops the host country from adopting immigration or refugee measures which it morally views as not posing a threat to the ways of life of its citizens, but whose outcome may generate restrictive immigration policies. Proponents of fair and dignified treatment will, in this regard, advocate for the right to work for all refugees as such entitlement will contribute to the increase of the state's resources. The promotion of self-reliance is the threshold requirement, as entrenched in the UN Refugee Convention (1951), whose aim is to ensure the restoration of hope and dignity in the lives of people who live in exile. The restoration of the self-esteem and self-reliance of refugees and asylum-seekers is not only grounded in the accessibility of social welfare, but also in the active participation in the economy of the host country.

The 1951 revision of international refugee treaty set out certain strategies towards, if implemented, the protection of the dignity, health and well-being of refugees and asylum-seekers. Worth citing are the following strategies:

- (i) Both refugees and asylum-seekers must be recognised as human beings endowed with certain inalienable rights. By recognising the necessity to protect them as humans, a host state must observe the demands made under the Charter of the UN (1945), the UDHR (1948), the refugee convention and human rights treaties (Preamble to the UN Refugee Convention, 1951).
- (ii) All nations or states that are party to the UN Refugee Convention (1951) have to extend fundamental rights and benefits traditionally associated with citizenship, to refugees and asylum-seekers in a manner that promotes, at national level, the widest possible exercise of refugees' rights and benefits contained in the UN

Refugee Convention (Preamble to the UN Refugee Convention, 1951).

- (iii) Owing to the special vulnerabilities of refugees, their fundamental rights and freedoms (and their entitlements thereof) must be conceived and understood in social and humanitarian terms. Entitlements and accessibility of rights and benefits must be accorded to refugees and asylum-seekers on a favourable basis (Preamble to the UN Refugee Convention, 1951).
- (iv) Offering the differentiated treatment to refugees (or asylum-seekers) with respect to socio-economic rights must be prioritised. The prioritisation of access to the existing social welfare system at national level can be drawn from the mandate given to the UNHCR to promote the admission of asylum-seekers regardless of their socio-economic status (Article 8(d) of the Statute of the UNHCR (UN, 1950)).

In light of the above strategies, the protection of refugees and asylum-seekers in a humane and equitable manner is of fundamental importance. At the heart of the UN Refugee Convention lays moral and legal obligations to protect refugees and asylum-seekers from humiliation, degradation, deprivation and poverty. Within this view, a host state must, in practice, play a major role in ensuring that refugees retain feelings of self-worth and self-esteem and move toward self-reliance. At national level, it is imperative for the host state – as a sovereign nation – to adopt its own refugee regime in light of the principles of international refugee law and in light of the principles underpinning its Constitution. In situations where the national refugee regime falls short of the international refugee protection, refugees should have a legal recourse to approach the court for resolution of disputes. The court has the mandate to determine whether the state conforms to refugee norms, principles and standards and to interpret the rights of refugees in a way that promotes freedom from human suffering caused by war, political persecution or caused by other reasons such as physical deprivation or discrimination.

Although human dignity is at the centre of the protection of the plight of refugees and asylum-seekers, there is no right to human dignity expressly protected under the UN Refugee Convention (1951). Rather, the idea of protection of human dignity is implicitly reflected in the positive and negative nature of refugee rights. Whilst the negative nature of certain rights imposes a duty on the state and others not to interfere with refugees' or asylum-seekers'



rights and liberties, the positive nature of certain rights requires that refugees or asylum-seekers should live in conditions in which the basic necessities of life will be provided. In emergency situations, they must be provided with public relief and assistance. For the purpose of restoration of normalcy to their lives, they must have favourable access to public goods and services that seek to improve the quality of life of citizens. In other words, where refugees or asylum-seekers lack the material means to do so, the state must avail the resources required to enhance their ability to arrange their lives in accordance with their choices. It is evident that the underlying purpose of the provision of dignified and favourable treatment is to create spaces in which refugees can favourably enjoy access to the state's social welfare system. This would facilitate and promote the effective local integration into socio-economic development programmes.

### ***Dignified Treatment under the African Union (AU) Refugee Convention***

In 1969, the Organisation of African Unity (OAU), and currently the African Union (AU) adopted the Convention Governing the Specific Aspects of Refugee Problems in Africa (AU Refugee Convention, 1969). The OAU committed African states and governments to the alleviation of refugees' and asylum-seekers' misery and suffering by means of offering them socio-economic opportunities to achieve a better life and future. Like the UN Refugee Convention (1951), the AU Refugee Convention (1969) does not expressly protect the right to human dignity. Unlike the UN Refugee Convention (1951), the AU Refugee Convention (1969) does not expressly guarantee socio-economic rights and benefits of refugees. Nonetheless, the convention imposes a positive obligation on African states to create and secure humane conditions under which refugees' essential socio-economic problems will be responded to on a humanitarian basis and on the basis of the spirit of African solidarity or in the African context (Articles 2(2), 2(4) and para 8 of the Preamble, AU Refugee Convention, 1969). It is within the African humanitarian context that the principle of favourable treatment should apply to refugees and asylum-seekers. It follows that the AU Refugee Convention (1969) closes gaps in the UN Refugee Convention (1951) in such a way that those rights which are not contained in the latter convention should be interpreted in terms of the furtherance of the spirit of African solidarity (Article 2(4), AU Refugee Convention, 1969). The AU Refugee Convention (1969) stresses that the admission, reception and treatment of asylum-seekers (or refugees) should be viewed as a peaceful and humanitarian act (Article 2(2), AU Refugee Convention, 1969). Poor African countries cannot object to admitting and

receiving asylum-seekers on the ground of poverty as such objection will be inconsistent with the African spirit of protecting all humanity or the notion of African compassion towards other human beings. African compassion towards the protection of all humans, is imbedded in the collective or communitarian efforts to alleviate the suffering of others. It is not morally right to sit idly and watch when another human being is suffering or in danger. One must act. This is what the spirit of African solidarity implies at individual level. At national level, the state must morally adhere to and apply those moral norms, ethics and rules established by its political community for the humane treatment of another human being. Such African approach to the treatment of human beings must, in principle, be reinforced by the principle of *non-refoulement*, which prohibits the return of refugees or asylum-seekers to a place where their lives would be exposed to danger (Article 2(3), AU Refugee Convention, 1969).

In light of these views, African countries are therefore obliged to make the best efforts to adopt their own asylum regimes that are in line with the spirit, purports and objectives of the AU Refugee Convention. Once a national asylum law has been developed and adopted, each and every African government is required to make its best efforts consistent with its own asylum law and societal norms to receive refugees and to secure their full local integration, or in terms of sharing burdens, to secure their resettlement in the third countries (Article 2(1), AU Refugee Convention, 1969). In other words, in the event that the protection of refugees becomes a burden, an African country enjoys the discretion to appeal to other African countries through the AU to take appropriate measures to lighten such burden in the spirit of African solidarity and international cooperation (Article 2, AU Refugee Convention, 1969).

The humanitarian approach, however, places an emphasis on the need to create conditions in which a better life and future can be achieved by refugees (Paragraph 1 of the Preamble, AU Refugee Convention, 1969). A better standard of life – comparable to that of citizens – cannot be achieved without access to socio-economic rights and benefits as well as other public service delivery programmes. Accessibility must be informed by African morals, norms and values that are ingrained in the most recognised African ethics of

*ubuntu*<sup>1</sup>. The ethics of the treatment of persons is grounded in the notion of equal treatment, equality in dignity, mutual respect, mutual concern, and in the idea that a person enjoys humanity through others (Kavuro, 2015: 188-189). The African ethics should permeate and inform any measure taken for the protection of refugees. That measure should aim at the restoration of the dignity that refugees or asylum-seekers had lost, as this will rebuild their confidence, hope and vision. Hope for a better future can be restored through social and economic empowerment. The protection of human dignity is linked to access to resources, to enable refugees and asylum-seekers to pursue their happiness or dreams. This approach to the ethics of the protection of refugees defeats the argument that national resources should be reserved and preserved for the benefit of citizens only. This article demonstrates that the said approach does not sit well with the realistic approach to the ethics of the protection of non-citizens.

### ***Dignified Treatment under Human Rights Treaties***

The emphasis on the protection of humanity engenders the morality for host states to adopt refugee management measures that are not only consistent with international refugee treaties, but also consistent with human rights law. A human rights-based approach to the treatment of human beings is conceptually grounded in equality in rights and dignity. A human rights-based approach has to supplement the international refugee protection. Rights contained in the human rights texts can be invoked by refugees or asylum-seekers to claim dignified treatment in the situations where the UN Refugee Convention (1951) does not provide a favourable approach to certain rights. From a realistic view, the host state cannot fall short of some supposed moral

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<sup>1</sup> *Ubuntu* is described by Mokgoro J in *S v Makwanyane* 1995 (3) SA 391 (CC) para 308 as follows: *Generally, ubuntu translates as 'humaneness'. In its most fundamental sense it translates as personhood and 'morality'. Metaphorically, it expresses itself in umuntu ngumuntu ngabantu, describing the significance of group solidarity on survival issues so central to the survival of communities. While it envelops the key values of group solidarity, compassion, respect, human dignity, conformity to basic norms and collective unity, in its fundamental sense it denotes humanity and morality. Its spirit emphasises a respect for human dignity, marking a shift from confrontation to conciliation. In South Africa ubuntu has become a notion with particular resonance in the building of a democracy. It is part of our rainbow heritage, though it might have operated and still operates differently in diverse community settings. In the Western cultural heritage, respect and the value for life, manifested in the all-embracing concepts of 'humanity' and 'menswaardigheid', are also highly prized. It is values like these that [section 39(1)(a) of the South African Constitution] requires to be promoted.* They give meaning and texture to the principles of a society based on freedom and equality.

duties entrenched in international human rights. This article recognises the shortcomings of the UN Refugee Convention (1951). Firstly, it does not require a favourable approach to entitlement to rights and benefits which do not find expression in it. Secondly, it does not recognise the special vulnerabilities of refugees. Furthermore, the AU Refugee Convention (1969) is of no help with regard to the manner in which a particular right should be accorded to a particular individual. It applies an ambiguous approach when it seeks to afford all rights to refugees and asylum-seekers on the basis of an African spirit and philosophy.

Accordingly, the main concern is that both international refugee conventions do not clearly specify the treatment that could be afforded vulnerable groups of refugees, such as women, children, disabled people, elderly people or persons with serious illnesses. These lacunae in international refugee law could possibly be filled by relying on dignified standards of treatment as set forth under, for example, the UDHR, the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR), the 1966 International Covenant on Civil and Political Rights (ICCPR), the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the 1980 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 1981 African Charter on Human and Peoples' Rights (ACHPR), the 1989 Convention on the Rights of the Child (CRC), the 1990 African Charter on the Rights and Welfare of the Child (ACRWC) and the 2006 Convention on the Rights of Persons with Disabilities (CRPD). The list of human rights texts is non-exhaustive, as there are a number of other human rights texts designed to protect certain specific interests of certain categories of people.

Generally, the basic human rights standards play a significant role, not only in the fight against discrimination against vulnerable groups, including refugees and asylum-seekers, but also in the struggles of the needy and vulnerable, to demand positive state measures that would allow them to live a life of dignity (VeneKlasen et al., 2004: 4). Observance and promotion of human rights norms and standards is regarded as bases of the alleviation of social vulnerabilities and other types of marginalisation. Hence, human rights principles require individuals' active participation in economic development and democratic processes. The human rights-based protection is a principled and viable tool that can be invoked by refugees and asylum-seekers to claim basic human rights and to promote active participation in human, social, political and economic development of the host country. Integral to effective

human rights protection is the understanding that poor, vulnerable, marginalised individuals' desire for the enjoyment of a sense of dignity and for the satisfaction of their basic needs would be realised only if they have access to human rights entitlements (Chapman, 2005: 4).

According to Beracochea et al. (2011: 5), the human rights-based approach provides an alternative response to challenges to receive an effective human rights protection, because:

*Deep within [its] essence is the knowledge that ordinary people have the capacity to manage their own lives and society quite well using knowledge and resources that [the international community] have developed that must be shared freely.*

For refugees and asylum-seekers to manage their own lives, they must be allowed to have access to those rights that the domestic distributive justice system provides. In fact, the domestic distributive justice system makes national resources to be shared freely among its own citizens. The human rights-based approach challenges this approach based on the principle of citizenship, as this approach deprives certain individuals of national protection. In refugee protection domains, a human rights-based approach can support and strengthen asylum laws in restoring a sense of normality to the lives of victims of persecutions and reviving their participation in social and economic activities. It can be invoked with respect to defining special treatment that should be accorded to certain individuals, such as women, pregnant women, young girls, infants, children (separated or unaccompanied), elderly people, disabled people and victims of rape or human trafficking. In understanding these differences in treatment, the rights of refugees must be incorporated into national laws, policies and strategies, in a manner which gives effect to special treatment accorded to different categories of refugees. This approach to the treatment of refugees should be what the favourable treatment of refugees entails or what the modern human rights protection entails. The protection of dignity varies and this is dependent on the situation of the person.

The need for human rights protection to reinforce or supplement the refugee rights protection is very important because, as Eide (1996: 25) posits, human rights law inter-relates the promotion of human rights norms and standards with the advancement of socio-economic development. Socio-economic development is seen as a vehicle to the progressive realisation of socio-economic rights or better standards of life. The observance of human rights

norms plays a crucial role in the alleviation of deprivation and poverty and is seen as a primary goal of social protection and social progress, thereby contributing to positive national economic growth (Eide, 1996: 25). Of concern is that, by its very nature, refugee rights are not viewed as tenets of socio-economic development but as tenets of the humanitarian protection in the host community. More often, refugee rights are understood in the context of humanitarian terms and not in the context of development terms. Given the fact that the refugees' situation is not a matter that is likely to be resolved in the foreseeable future, it is widely argued that refugees should therefore be integrated into the host society, including integration into economic and ultimately political participation. The inclusion of refugees in the democratic processes would allow them to voice their views on how the economy could be sustained and grown at individual, community and national levels. This article argues that refugee scholars have not given adequate attention to the issue of political participation by refugees and asylum-seekers.

The protection of human rights has not been linked to economic development until very recently. Human rights principles and economic development were, prior to 1990, viewed as separate disciplines that were aimed at increasing human freedom and individual autonomy. This article argues that not enough has been done in the analysis of the role of human rights norms in the protection of refugees, following the recent merger of these two disciplines that gave birth to the human rights-based approach. This approach is regarded as a tool that provides solutions to poverty or deprivation "through the establishment and enforcement of the rights that entitle the poor and marginalised people to a fair share of society's resources" (Chapman 2005: 16).

This suggests that refugees' socio-economic rights should be recognised in terms of their right to development and empowerment, in order to conceptualise those rights in a concrete way that responds to the position of refugees in a globalised economy. In a globalised economy, refugees and asylum-seekers should be given opportunities to restore their freedom to use their talents and skills or to develop their abilities with a view of achieving better and dignified standards of life. In this context, the idea of social empowerment and economic development should, according to Chapman (2005: 4), be understood as:

*[...] Increasing people's possibility and capacity to make the most of their potential to live as full creative human beings and to come together to*

*build caring, supporting, and accountable society [and]... responding to people's basic needs for survival and aspirations for human dignity and respect.*

This denotes that the capabilities of different categories of refugees (i.e. men, women, children and people with disabilities) should be developed logically and rationally. Although there is a tendency to associate the concept of development with citizenship and analyse it in that context, human fulfilment, active participation and development should not be denied to refugees or asylum-seekers on the ground of nationality. Because socio-economic development is integral to the advancement of better standards of dignified treatment, the right to socio-economic development is an inalienable right, as explicitly stated by the 1986 Declaration on the Right to Development. The preamble of the Declaration (UN, 1986) defines the concept of development as:

*[...] A comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the distribution of benefits resulting therefrom.*

In this light, all humans are afforded the right to participate in, contribute to and enjoy socio-economic development, including cultural and political progress. It is within this context that refugee rights should be construed at the national level. This argument is supported by the fact that the right to human dignity would imply favourable treatment in labour, social, cultural, economic and political domains. Together with the right to life, the right to human dignity or dignified treatment is viewed as a pillar of social empowerment, social transformation and economic development. As demonstrated, dignified treatment requires the state to make social programmes available to the poor and to ensure that they enjoy unlimited access to those programmes. There is consensus among human rights scholars that a constant improvement of the well-being of individuals will not be possible in circumstances in which people are stuck in poverty, entirely deprived of basic rights or are not accorded special treatment tailored to meet their special needs (Liebenberg, 2008: 154; Pieterse, 2007: 796-822; Sen, 1999: 38; Nussbaum, 2000: 34). The same applies in situations where nothing is done by the state to improve the conditions of the poor. Poverty or deprivation makes it harder for vulnerable people such as refugees, asylum-

seekers and needy citizens to benefit from a range of rights. Access to socio-economic rights is central to the full realisation of human and refugee rights, as well as fundamental freedoms. Integral to human and societal development is the accessibility of socio-economic rights and benefits. Upholding refugee rights should involve more than the protection of physical safety. It needs to include a comprehensive process by which refugees should be integrated into the basic socio-economic strata of society and certain levels of socio-economic development.

Sen, who views rights and freedoms as development, maintains that equitable social transformation will be achieved if every human being has access to those basic rights that increase or enhance human freedom which, in turn, enables a person to achieve his or her life goals (Sen, 1999:38). In the view of Nussbaum (2000: 34), the pain, suffering, humiliation or degradation associated with social inequality or physical deprivation can be eradicated through the accessibility of socio-economic rights, which she views as a principled and nuanced mechanism to empower vulnerable, poor individuals to realise their potential.

The main question is whether socio-economic rights are refugee rights or human rights or both, prior to analysing their role in the protection of the right to the economic development of refugees. The human rights-based approach presumes that human rights are universal and inalienable. They inhere in everyone. They cannot be given by a state or taken away by it. Secondly, all human rights are indivisible. Whether of a positive or negative nature, human rights are derived from the concept of human dignity and seek to protect the intrinsic worth of the human being. Thirdly, human rights are interdependent and interrelated. The realisation of socio-economic rights presupposes the observance of core civil and political rights such as the right to equality, human dignity and freedom from arbitrary treatment. These rights are a cornerstone of social transformation and economic empowerment in South Africa, hence their foundational constitutional value. Fourthly, all individuals are equal in dignity and rights. All human beings are entitled to fundamental human rights and freedoms without discrimination of any kind. This cosmopolitan approach informs South Africa's Bill of Rights which, in turn, underpins the provisions of the Refugees Act (RSA, 1998), relating to the rights of refugees and asylum-seekers (S 27(b) of the Refugees Act). In this respect, the government of South Africa has to adhere to the norms and standards of the treatment, as expressed in regional and international texts relating to the treatment of refugees and enshrining refugee and human rights. In sum, the connection between refugee



rights and socio-economic development/empowerment is expressed in terms of the norms of equality and dignity which engender the favourable treatment of refugees at the national level through the requirement that certain human rights, norms and standards be observed when admitting and protecting refugees in the country. The following sections illustrate that the significance of human dignity has shaped South Africa's legal protection and has engendered the dignity-based jurisprudence invoked by the court to ensure the effective protection of refugees and asylum-seekers in terms of law and policy.

## ***Development of Refugee Law in South Africa***

### ***Historical Background***

The post-apartheid immigration and refugee law seeks to distance itself from the apartheid practices which denied black South Africans and their fellow black Africans dignified treatment. The current law also distances itself from the previous practices conducted prior to the installation of the apartheid government in 1948. Prior to 1900, the movement of refugees from Europe was understood as white people migrating to and settling in South Africa, whereas other races were forced to migrate as slaves or to work as cheap labourers (Lazerson, 1994: 82-99). After 1900, immigration became an issue of legal concern. There was a need to control and manage immigration on a legal basis. The first immigration law was adopted in 1913 under the Immigrants Regulations Act 22 of 1913, and was aimed at excluding Indian immigrants (Klotz, 2014: 10-11). In 1930, the immigration law was revised under the Immigration Quota Act 8 of 1930 with a view to excluding those migrants classified as 'undesirable'. Based on this exclusionary approach, more restrictive immigration measures were imposed under the Aliens Act 1 of 1937 and the Aliens Registration Act 26 of 1939, with a view of restricting "an influx of European refugees prior to World War II" (Comaroff and Comaroff, 2001: 249). Later, discriminatory immigration measures were directed at the exclusion of African black people and this approach remained operational until the 1990s (Comaroff and Comaroff, 2001). Exclusion, which gives rise to unfair discrimination, lies at the heart of denying people their respect and dignity. Unfair discrimination always sends a message to victims that they are individuals of lesser moral worth, as compared to others. For that reason, unfair discrimination is not compatible with equality in rights and dignity.

Klotz (2014: 10) illustrates how the immigration laws and policies adopted by the apartheid regime were firmly underpinned by segregation, whereby a sharp ontological line between white and non-white was developed. The roots of the contemporary exclusionary approach and xenophobic sentiments (or violence) can be traced to the past immigration laws. For instance, between 1913 and 1986, African black people, whether refugees or not, were, in principle, not allowed to enter South Africa and could only stay in South Africa as 'illegal migrants' and, if employed, as 'illegal migrant workers' (Adepoju, 2003: 4). Consequently, refugees and asylum-seekers resided in South Africa illegally and had to do their best to support themselves (Polzer, 2008: 480; Handmaker, 2001: 92). They could not claim the dignified standards of treatment, contemplated either in the international refugee law or human rights law. The tension between this long history of an exclusionary approach and the post-apartheid commitment to the protection of dignity of every human person can still be seen in contemporary political approaches to the question of whether refugees and asylum-seekers should, on either an equal basis or a favourable basis, enjoy socio-economic protection.

The question of the favourable protection of refugees can be understood better if two approaches to the ethics of international migration are explored. These two approaches are realistic and idealistic. The morality of the realistic approach is based on the moral standards of protection offered to members of a political community (i.e. citizens) as opposed to non-members or outsiders (i.e. non-citizens), who are viewed as a threat to the political community (Ugur, 2007: 5-6). The realistic theory posits immigration as posing a threat to national interests and the ways of life of citizens and their association as well as their economic development or empowerment. Within this understanding, politicians and policymakers support and adopt socio-economic laws that confine the distribution of national resources to citizens to the exclusion of non-citizens. Put plainly, citizenship becomes the moral ground on which national resources and opportunities can primarily be distributed. In this way, immigration laws, policies and procedures are reformed with a view of decreasing the overall levels of immigration (Ugur, 2007: 5-6). New criteria for admission into the country or for accessing the labour market are introduced, including changes in refugee determination procedures. The shortcomings of the realistic approach are based on the state placing greater weight on the protection of the interests of citizens than on the interests of outsiders seeking to join its political community. In doing so, little attention is given to meeting the moral standards of protection that take root in equality in rights and

dignity, espoused under human rights law (Carens, 1996: 164). The disregard of international moral standards is ethically justified on the basis of the sovereignty of the nation and its moral primary obligation to protect its citizens. However, Carens (1996) asserts that every human being belongs to a particular political community, who enjoys the protection of the government of that community, even if he or she is in another country. The reality is that refugees are the only human beings who do not enjoy the protection of the governments of their own political communities, from which they fled.

In contrast to the realistic approach, the idealistic approach justifies the protection of all human beings (citizens and non-citizens alike) on the basis of humanity and thus applies an egalitarian principle to the protection of international migration. The egalitarian principle derives from and is constructed on the natural law theories on which the ethics of human rights standards are based. The idealistic approach assumes that human rights apply to all human beings irrespective of their nationalities. It purports that people should move freely around the globe and that people should seek asylum in another country. It advocates for a just and fair distribution of wealth among all people within given territorial boundaries. Politicians view this approach as a danger to the preservation of their state's national resources. Hence, the idealistic approach overlooks the sovereignty of the nation and its territorial power to choose who to admit into the country and to decide on the protection to be afforded to that person (Ugur, 2007: 6-7; Carens, 1996: 167). In light of the above, this article analyses the question of the protection of refugees and asylum-seekers in the post-apartheid constitutional order, in the context of the realistic and the idealistic approaches.

The primary point of departure is that the South African Constitution is informed by the natural law theories and thus guarantees certain fundamental rights in the Bill of Rights to all, without distinction of any kind. These rights include socio-economic rights, which are seen as a vehicle to the protection of the human dignity of the poor and vulnerable. The idealistic approach adopted by the Constitution makes the question of protection of the dignity of refugees and asylum-seekers very interesting. Why? Because the post-apartheid government has constitutionally committed itself to upholding the principle of equality in rights and dignity of all people living in the country. Does the idealistic approach apply to immigration law and distributive law? This question will be responded to through the analysis of the current immigration law. In principle, the application of the idealistic approach is partially underscored in the 1997 Green Paper on International Migration. This Green

Paper (RSA, 1997) pointed to the need to extend special protection to refugees and asylum-seekers in a sensible and humane manner. The shift from the discriminatory practices to the dignified protection practices resulted in the adoption of the Refugees Act, 1998. The Act firstly domesticates the UN Refugee Convention (1951) and the AU Refugee Convention (1969). Secondly, it recognises the human rights law as an interpretative tool to be employed when defining the treatment of refugees and asylum-seekers with respect to a disputed or impugned right. Thirdly, the Act gives effect to basic fundamental rights and freedoms contained in the Bill of Rights that apply to everyone. In a nutshell, the Act recognises the equal dignity and moral worth of refugees and asylum-seekers. It thus rests on a rejection of South Africa's racist history, in which black people – citizens and non-citizens alike – were subjected to humiliation and degradation.

Holistically, the Refugees Act (1998) is conceived in cosmopolitan and positive terms. It underscores the idealistic theories. The cosmopolitan terms imply that refugees and asylum-seekers are entitled to all fundamental rights and freedoms, save for those rights the Constitution ascribes to citizens. The positive terms imply that South Africa should act positively to ensure that (a) their needs are met; (b) they have adequate resources; and (c) they are afforded opportunities to advance themselves. People cannot have their dignity respected by the state if they are not afforded socio-economic rights and benefits, whose access is a key to the development of a society in which every individual can pursue his or her dream for the fulfilment of his or her potential. It is within this context that the Refugees Act (1998) is designed to alleviate the desperation and destitution suffered by refugees and asylum-seekers prior to and after arriving in South Africa through the facilitation of equal access to subsidised public service delivery. Despite these promises, the implementation of the refugee law highlights the tension between the protection of human rights and inherited inclinations to treat non-citizens, in particular African black people, as a threat to national security and economic growth (Klotz, 2014: 171).

### ***Human Dignity as an Interpretive Tool***

As a foundational value, human dignity is employed to interpret the rights contained in the Bill of Rights. Owing to the idealistic approach to the ethics of the protection of refugees and asylum-seekers, most of the constitutional rights in the Bill of Rights accrue to refugees and asylum-seekers. Firstly, they accrue to them on account of their cosmopolitan or universal nature. Secondly,

the cosmopolitan rights accrue to them by virtue of the Refugees Act (1998). These cosmopolitan rights include the socio-economic rights. The cosmopolitan nature of socio-economic rights is not of concern to this article. The article is more concerned about the fact that it has become a norm that socio-economic rights (and other rights in the Bill of Rights) must be interpreted to promote the values that underlie an open and democratic society based on human dignity, equality and freedom. It is understood that the equal respect of human dignity has the potential of promoting the individual autonomy and liberty. In this respect, the founding value of human dignity must essentially inform the interpretation of both the constitutional rights of refugees and of distributive law (i.e. socio-economic legislation) that recognises, circumscribes or limits their rights. The human dignity-based jurisprudence is given precedence in the interpretation of the rights guaranteed by the Refugees Act. The reason is that human dignity – as a value – has been used to develop socio-economic laws in a manner that gives more protection to poor and vulnerable individuals. In refugee realms, it has, so far, been relied on to extend the right to study, work and engage in economic activities to asylum-seekers.

Unlike the refugee law, distributive or socio-economic laws are framed within the realistic context. The realism about the exclusion of refugees and asylum-seekers starts with the recognition that the primary obligation of the state is to protect and advance its citizens, in particular the previously disadvantaged people. In the pursuit of an egalitarian society, the moral worth of refugees and asylum-seekers are usually recognised when the court is ceased with scrutinising a distributive law, conferring socio-economic benefits to ascertain whether such distributive law is in compliance with the constitutional aim, value and standard of dignity. In scrutinising the distributive law, certain factors are taken into consideration. Consideration is given to:

- (i) The impact of socio-economic measures on the conditions of individuals, groups or communities, when determining whether such measures facilitate, promote, and expedite the eradication of deep-seated or inherited inequality (cf. *Abahlali Basemjondolo Movement SA v Premier of the Province of Kwazulu-Natal 2010 2 BCLR 99 (CC) para 18*).
- (ii) The reasonableness of positive measures to protect the interests of marginalised groups effectively (cf. *Government of the Republic of South Africa v Grootboom 2000 11 BCLR 1169 (CC) paras 31, 36*).

- (iii) The need to redress historical, structural and systemic forms of marginalisation, discrimination, indignity or humiliation experienced by millions of black people (cf. *Bato Star Fishing (Pty) Ltd v Minister of Environmental Affairs 2004 4 SA 490 (CC) para 91*).

These considerations are meant to ground the interpretation and adjudication of socio-economic rights in contextual, historical, comparative and purposive methods (de Ville, 2000: 144). As noted, the dignity-based jurisprudence has been elevated to the number one position when it comes to giving meaning, content and substance to socio-economic rights of citizens on the one hand and of refugees on the other in practical situations or in resolving constitutional disputes.

In this way, human dignity was central to the reasoning of the Supreme Court of Appeal (SCA) in *Minister of Home Affairs v Watchenuka 2004 1 SA 21 (SCA)*. In this case, the Minister of Home Affairs prohibited asylum-seekers from taking up employment and from studying within the first six months. Although the state as sovereign body has the power to describe the conditions for non-citizens as it deems desirable, the SCA stated that the absolute deprivation of access to education and livelihood opportunities during the first six months violated the human dignity of asylum-seekers (para 24). Viewing work as an important component of living in dignity, the SCA explained that the freedom to engage in productive work ensured, at least, the minimum conditions for asylum-seekers' dignified life (para 27). In justifying its reasoning, the SCA went on to state that human dignity inheres in all people regardless of their nationality and that "self-esteem and a sense of self-worth – the fulfilment of what it is to be human – is most often bound up with being accepted as socially useful" (para 27). The SCA's remarks were primarily based on the idealistic approach to the protection of the intrinsic worth of a human being. Because human dignity must be protected in every situation, the right to human dignity outweighed distributive laws which fundamentally impair the human dignity of refugees. In the context of asylum-seeking, the protection of dignity requires mechanisms that would enable asylum-seekers to survive and live a better life. Access to the labour market and education is among those mechanisms. The SCA, in *Somali Association of South Africa v Limpopo, Department of Economic Development, Environment and Tourism, 2015 1 SA 151 (SCA)*, also invoked the value of human dignity to determine the scope and ambit of the right to seek employment contained in the Refugees Act. The court noted that the right to seek employment was wide enough to include the right to self-employment

guaranteed by article 18 of the UN Refugee Convention. The Supreme Court of Appeal (para 43) stated that:

*[...] If, because of circumstances, a refugee or asylum-seeker is unable to obtain wage-earning employment and is on the brink of starvation, which brings with it humiliation and degradation, and that person can only sustain him- or herself by engaging in trade, that such a person ought to be able to rely on the constitutional right to dignity in order to advance a case for the granting of a licence to trade.*

The SCA stated that since certain constitutional rights, such as the right to freely choose a trade, occupation or profession, are reserved for citizens, it cannot be invoked by the state to condemn refugees or asylum-seekers to a life of humiliation and degradation (para 43). This illustrates that certain rights constitutionally afforded to citizens, can be extended to refugees or asylum-seekers. Proceeding from this analysis, new restrictive changes to the Refugees Act, which came into force in terms of the Refugees Amendment Act 11 of 2017 (RSA, 2017), and which were aimed at limiting asylum-seekers' right to work, fall short of the dignified standards of treatment. Under the current revised regime, asylum-seekers must be allowed to work by the Standing Committee for Refugee Affairs and on the basis of conditions determined by the Standing Committee. Accordingly, asylum-seekers are subjected to assessment to determine their abilities to sustain themselves and their dependants – with or without the assistance of family or friends. Those who are unable to sustain themselves must be assisted by humanitarian organisations or be allowed to work. This new dimension of protection of asylum-seekers is inconsistent with the judgements of the SCA handed down in the two aforementioned cases and is in conflict with obligations imposed on South Africa by international refugee law to offer them humanitarian assistance or protection.

### ***Conclusion***

The idea of human dignity has shifted from a moral value to a legal norm on which the current international legal order is based. As a legal norm, the idea has gradually shaped the international refugee protection at global, continental and national level to the extent that restores the moral worth of refugees and asylum-seekers. It challenges the realistic approach which is grounded in essential elements of sovereignty. In the South African context, the idea has greatly contributed to a more liberal constitutional, statutory, or judicial protection of refugees and asylum-seekers. Normatively, human

dignity has engendered the dignity-based jurisprudence, which is a powerful tool that is used, not only to give effect to refugees' rights, but also to extend some of the rights traditionally attached to citizenship to refugees or asylum-seekers for the protection of their welfare. It holistically connects and brings all refugee, human and constitutional rights together for all purposes of social progress. It problematises the traditional distinctions between the rights of citizens and the rights of non-citizens and between needy citizens and needy refugees.

The dignity-based jurisprudence employed by the courts is significant for the interpretation and protection of refugee rights for several reasons. Firstly, the value of dignity demands that no-one should be reduced to a mere object of state power, or be left without the resources needed to live a dignified life or be deprived of autonomous choice and abilities to meet their own ends. Secondly, dignity has no boundaries and for that reason, it cannot be confined to citizens only. Thirdly, dignity, read together with the value of *ubuntu*, requires all persons to be treated humanely and demands equal treatment consistent with and infused by values of group solidarity, compassion, respect, human dignity, conformity to basic norms and collective unity. Fourthly, measures based on the immigration law principle of self-sufficiency, in cases involving destitute refugees, would not be constitutionally justified in circumstances where they have the effect of degrading refugees by compelling them to resort to crime, prostitution, stealing, or begging. Fifthly, discrimination against this vulnerable group would amount to unfair discrimination if it has a stigmatising effect by sending out a message that this group of people is in some ways inferior to citizens or less worthy as human persons. The value of human dignity has played an important role in the recognition of the rights of refugees and asylum-seekers and the extension of rights to them. It is still applied to mediate a number of legal disputes, including administrative disputes or criminal matters involving refugees and asylum-seekers.

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# ***The Migration Processes in Ghana: The Case of Northern Migrants***

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## ***Abstract***

Over the past four decades, Accra has witnessed an increasing influx of young women who migrate to the city with the sole aim of carrying goods. This paper examines the migration processes of these young women, who mostly migrate from the northern part of Ghana to Accra, in the South. A sample of 216 female porters were selected for the study. A survey, personal interviews, and focus group discussions were the main tools for data collection. The reasons for their migration, the parties involved in the decision to migrate, and how their migration was financed were explored. The study revealed that the migration process of female porters is enabled by social networks; the women have varying levels of social capital, which facilitates movement and settlement. These social networks increase the social asset base of female porters and provide safety nets for them. It is found that the reasons for their migration are related to the declining importance of agriculture and the non-availability of jobs at their origin, which can be blamed on the liberalisation of the Ghanaian economy. It is also found that mothers are deeply involved in their daughters' migration decisions.

**Keywords** Migration, processes, female porters, social network, Ghana.

## ***Introduction***

Migration is a common phenomenon in Ghana, with at least one internal or international migrant living in 43% of all households in 2005/2006 (Ackah and Medvedev, 2010). It is estimated that approximately 50% of the Ghanaian population is comprised of internal migrants (Awumbila, 2015). What this means is that half of the Ghanaian population migrated to settle in cities other than those in which they were born. The pattern of internal migration in Ghana has been one of continual movement of people from the less-developed North

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(which includes the Northern, Savannah, North East, Upper East, and Upper West Regions) to the well-developed South (Central, Western, Ashanti, and Greater Accra regions). This study focuses on the migration of people to the Greater Accra Region from the five regions that form the Northern part of Ghana. Internal migration has resulted from a spatial dichotomy of an underdeveloped North and a relatively developed South (Anarfi and Kwankye 2005; Kwankye, & Anarfi 2006). This spatial dichotomy is due to pre-colonial and post-colonial policies that made the North a labour reserve for the South (Saaka, 2002). The establishment of infrastructures in the South to the neglect of the North also increased this dichotomy (Stephen, 2006). However, the desire to travel is often times facilitated by the existing social networks that have been established.

Head porters are highly networked in both the source communities and the destination communities. In the networking process, head porters relate to one another from network positions that both constrain and facilitates their interactions, while the networks provide some stability to the broader social structure. According to Rahman and Lee (2005), social networks play a crucial role in reducing the risks of migration. The decision by the individual to migrate is largely influenced by existing social networks and kinship capital (Stark and Bloom, 1985), with the networks in the destination acting as a form of social insurance (Kuhn, 2003). A strong and viable network reduces the level of uncertainty in finding jobs and enables migrant head porters to secure work (in kiosks and storefronts) and accommodation prior to moving (Afsar, 2000; Rakib and Islam, 2009). Through this social network, migrants at the destination community affect the labour market outcomes of newly arriving migrants at these destinations, thereby reducing migration costs and consequently influencing the selection patterns of migrants ( McKenzie and Rapoport, 2012; Munshi, 2015). Other researchers, like Mishra (2007), have observed an interplay between migration and inequality in the source community, as the network in the destination community can reduce inequality through regular remittances to the country of origin.

According to Van der Geest (2011), female migration in Ghana is a common response to unfavourable cultural and social issues and is a survival strategy to cope with economic inequality. According to Action Aid (2012), female migration in Ghana is attributed to livelihood insecurity. Until recently, the North-South migration in Ghana used to be the preserve of men for economic and social reasons. However, this pattern has changed and today the dominant migration stream from North to South is of young women moving

independently of their families towards the cities of Accra and Kumasi (Iddrisu, 2001; Litchfield and Weddington, 2003; Whitehead and Hashim, 2007; GSS, 2012). Due to the enormous benefits associated with remittances, families (mostly mothers) consciously support their daughters' migration by aiding their decision-making process and funding the migration (Awumbila, Owusu, and Teye, 2014; Awumbila, 1997).

The movement has brought about spatial imbalances in levels of development and has contributed to the North having the highest incidence of poverty (GSS/GHS, 2009). Consequently, the northern part of Ghana has been the major supplier of labour to the industries and the cocoa farms in the South, and this has contributed to high migration rates from the North to the large towns and the cocoa growing areas in the South.

For several years, there has been an increase in the number of unskilled and uneducated women, and young girls who have dropped out of school to migrate to the market centres in Southern Ghana. The high school dropout rates of the female porters is not as a result of parents' inability to pay school fees; rather it is largely due to cultural practices, such as early marriage and the desire of young girls to migrate to earn money to prepare themselves for marriage. These young women migrate to the South to engage exclusively in work as porters, carrying luggage on their heads for a negotiable fee. Any woman who engages in such trade is called a 'Kayayoo'. In the Hausa language, 'kaya' means 'load' or 'goods'. In the Ga language, the language of the indigenous people of Accra, 'yoo' means 'woman'. Therefore, 'Kayayoo' refers to any woman or young girl who carries a load on her head for a fee. The plural form of 'yoo' is 'yei'; hence, 'Kayayei' are female head porters in the market centres in Ghana, especially in Accra and Kumasi.

### ***Materials and Methods***

This study draws on a wide range of data collection and analysis methods. According to Bryman (2008), the use of triangulation helps to capture different dimensions, that is, the choice of different methods provides this synergy in data capture. Therefore, the research employed the mixed method approach (qualitative and quantitative). The tools employed in the data collection included a survey, focus group discussions, key informant interviews, and individual interviews. About 216 respondents were selected from 4 locations in Accra. The areas selected for the survey were Agbogloshie, Tema Lorry Station, Mallam Attah Market and the Cocoa Marketing Board Market (CMB). These areas were purposively selected because they are noted

to be the major areas in Accra where migrant female porters reside and work. A convenient sampling technique was used to select the respondents. This was deemed appropriate as the porters are always moving, depending on where they are tasked to carry their loads. Because the concentration of porters in these four locations varied, the selection of respondents was made in proportion to the concentration.

Focus group discussions and in-depth interviews were employed to capture the wide range of experiences of the *Kayayei*, which are useful in complementing the data collected through the survey (Johnson & Onwuegbuzie, 2004). A questionnaire was used to elicit information for the quantitative arm of the study. Two analytical procedures were used that contribute to the mixed-method approach employed. The quantitative data analysis followed the conventional variable identification, entry, and manipulation using the SPSS software (Version 20), while the qualitative data analysis used manual coding procedures. First, the qualitative data were analysed using thematic and content analysis approaches. Second, the survey data were analysed by means of univariate, bivariate, and multivariate analytic techniques.

## ***Results and Discussion***

### ***Socio-Demographic Characteristics***

The study selected a total of 213 respondents from the 4 locations. From the results, the majority (44.4%) of the respondents were within the ages 15–19 years, 25.4% were within 20–24 years, and 21.5% were 25 years and over. This ties in well with the findings of Zaami (2010) and Baah-Ennumh et al. (2012), who claim that more teenage girls than matured women develop an interest in migration. In terms of ethnicity, 41.7% were Mamprusi, 35.6% were Dagombas, and 22% were Tamplinsi. The majority of the respondents were not married (59.1%), 15.9% were married, and 5.6% were divorced. In terms of the education levels of respondents, 54.5% of them had a primary level of education, 25.4% had no formal education, and only 2.8% had SHS/Vocational education (see Table 1). From the results, those with primary education all dropped out due to lack of interest, and those with junior and senior high levels of education left school due to failure.

<b>Table 1: Socio-Demographic Characteristics of Respondents</b>				
<b>SN</b>	<b>Variables</b>		<b>Frequency</b>	<b>Percent</b>
1	Age Group			
		10–14 years	27	12.7
		15–19 years	86	40.4
		20–24 years	54	25.4
		25+ years	46	21.5
		Total	213	100
2	Ethnicity			
		Dagomba	76	35.6
		Mamprusi	89	41.7
		Tamplinsi	47	22.0
		Other	4	1.8
		Total	213	100
3	Marital Status			
		Single	126	59.1
		Married	34	15.9
		Co-habiting	42	19.7
		Divorced	11	5.6
		Total	213	100
4	Educational Level			
		No formal education	54	25.4
		Primary education	116	54.5
		JHS	37	17.4
		SHS/Vocational	6	2.8



	Total	213	100
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Source: *Field survey, 2017.*

### ***The Migration Process and Experience***

Until recently, analysis of the migration process as a whole has received very little attention (Schapendonk, 2012); rather, there has been a focus on migration in different areas, particularly relating to the causes and consequences of migration. The actual process, involving the reasons, the nature of movement, and the arrival and settling of the migrant, has been either viewed separately or ignored. This has led to suggestions that to obtain a nuanced understanding of people’s migration, it is imperative to consider the entire process as a whole. These processes relate to push and pull factors from the source to the destination communities.

### ***Reasons for Migration***

From the results, different reasons were provided to explain why the porters migrate. These include water crisis, forced marriage, lack of jobs, quest for wealth or ‘looking for money’, and high poverty rates in the North. A little over two-thirds of the female head porters (68.4%) reported that they travelled to Accra to look for money. Similarly, 13.9% of the respondents reported that they migrated to Accra due to poverty. About 4.8% reported water crisis in their places of origin as the reason for their migration. A small percentage (1.0%) attributed their migration to forced marriage, while about 3.3% mentioned lack of jobs at the source communities as the reason for the migration. Across all the age groups, the most significant reason for migration was to look for money or, relatedly, to escape from poverty. In all, 73.3% of the respondents aged 15–19 years migrated to look for money, while those aged 10–14 years had the highest percentage (27%) migrating as a result of poverty. Those who migrated as a result of forced marriage were in the 15–19 years and 20–24 years age groups. There was also a significant proportion of respondents in the age group of 25 years and above who migrated for other reasons, such as escaping conflicts, joining a partner, and family pressure at the place of origin (see Table 2).

Reason for migrating	Age groups				
	10-14 (N=27)	15-19 (N=86)	20-24 (N=54)	25+ (N=43)	Total (N=209)
Water shortage/crisis	3.8	4.7	3.7	7.0	4.8
Forced marriage	3.8	1.2	0.0	0.0	1.0
Lack of jobs	0.0	3.5	5.6	2.3	3.3
Quest for wealth	61.5	73.3	72.2	58.1	68.4
Poverty	26.9	8.1	13.0	18.6	13.9
Lack of social amenities	3.8	9.3	5.6	14.0	8.6

Source: Field survey 2017

Respondents provided different accounts to explain why they moved from the northern part of Ghana to Accra. Though they did not indicate this in the survey, it appears that some of them travel because of the perceived success of their colleagues returning to their origin communities.

*My friends came from Accra the previous year with a lot of things (assets) so I also wanted to go and see what I could get. I harvested groundnuts from people's farms and was given my share which amounted to four bags. So I borrowed money from a woman under the pretext of buying a nice cloth a friend had brought from Accra. We took a vehicle to the Tamale town from our village where we boarded a bigger bus to Accra (Abiba, 16-year-old Kayayoo).*

Others gave account of how the journey was embarked upon and who was given prior notice of the impending trip.

*I migrated to Accra from Zian in the Savelegu-Naton District. The very day I left the house, a friend I had already planned to travel with came to my house with the intention that we were going to the river to fetch water. I took some of my important things along with me. I did not inform*

*my father, it was only my mother that I informed about my trip which she agreed to, but advised me not to inform my father. It was my mother who assisted me with transportation cost and some monies for my upkeep on the way. When we got to the river, I left my container there and joined my boy lover on a motor bike to Tamale to join a car to Accra (Salma, 20-year-old kayayoo).*

As illustrated by the cases of Abiba and Salma, some women provide assistance to their daughters to migrate, since they share in the aspirations to migrate. Additionally, the case of Abiba shows that boyfriends of some girls provided their initial transport and other related travel costs. This is understandable as the items bought by these girls form the basis for subsequent marriage. Unless a female partner has accumulated basic 'feminine' assets, such as cooking utensils and cloths, a marriage cannot be consummated.

These findings support those of Abdulai (2010) who argued that mothers are the main propellers of their daughters' migration, while fathers often oppose the process. Additionally, the findings support those of Awumbila et al. (2014) who found that family relations tend to provide financial and moral support for rural migrants leaving for cities. Lack of social amenities that are important in sustainable livelihoods, especially water and good roads, are critical push factors associated with the porters' migration. This is because women and girls are responsible for fetching water and carting produce from the farm to the home and to the market. The poor roads and long distances to water sources increases the drudgery women suffer in their daily activities.

This finding resonates with the findings of Awumbila and Ardayfio-Schandorf (2008) that the reasons for migration from the rural North to the urban South include not only the limited economic opportunities but also the poor social amenities and cultural restrictions that partly account for female poverty. While socio-economic and cultural factors act as push factors for female migration from the North, relatively favourable factors act as pull factors in various destinations in the South. For example, Awumbila et al. (2014) argues that the pattern of internal migration in Ghana has also been influenced by the stark differences in the levels of poverty between the North and the South. Employment opportunities resulting from the growth of industries in urban areas like Accra have contributed to the rise in the movement of young people from the North to the South (Yaro, 2004; Van der Geest, 2011).

### ***The Decision to Migrate***

The percentage distribution of the main person involved in each female porter’s decision to migrate to Accra is shown in Table 3. Most of the female porters (68.4%) made their independent decision to move to Accra. In addition, 21.2% were influenced by their mothers. Siblings (1.9%), aunts (2.4%), and friends/boy lovers (4.7%) also had some influence. The fewest number of porters (1.4%) listed recruiting agents as their main influence.

<b>Table 3: Percentage Distribution of Persons Involved in Decision to Migrate to Accra</b>		
<b>Person involved in the decision to migrate</b>	<b>Frequency</b>	<b>Percent</b>
Self only	145	68.4
Mother	45	21.2
Siblings	4	1.9
Aunt	5	2.4
Friends/boyfriend	10	4.7
Recruitment agent	3	1.4
Total	212	100

*Source: Field survey, 2017.*

The decision-making process, however, is more complex than what the quantitative data depicts. The quantitative data only depicts the main sources of influence in the decision to migrate and does not convey how the interaction of various sources impact the decision. How is the role of other people or intermediaries in the decision to migrate played out? Focus group discussions suggest that aunts and sisters play substantial roles in the decision-making process.

*Based on what I saw from those girls in our community who had come to Accra and returned home, I also wanted to come to Accra. So I talked to my mother and my father. My father strongly disagreed and it was a very difficult thing for me. It was my mother who agreed that I should go and even supported me with GH¢ 30 for transport. When I finally got here I had the phone call from my father that if I fail to return to the village within 3 days he will disown me and that I should look for my father. I had to get an elder in our village to talk to my father on my behalf and*

*the first thing I did to make my father happy was to buy him a bicycle within my first month of working as a Kayayoo. In the third month I sent to him an amount of GH¢ 100 to enable him buy fertilizer for his farm. All these I was doing for him to forgive me and also to know that my being here is not to misbehave but rather to look for money to support the family and to prepare myself for marriage (Azara, 19 year-old Kayayoo).*

As shown by the case of Azara, most fathers in rural Ghana are not in support of the migration of their daughters to the city to work as *Kayayei*. This finding resonates well with Abdulai (2010) who argues that the reasons why most fathers oppose the migration of their daughters to the city is that it tarnishes their image and reputation, especially when the girl is given out in marriage.

*The Kayayei is good, but girls of today can do anything to disgrace the parents. I don't support it because I am a victim because my first daughter was given to a man to marry we collected the bride price and she requested to go to Accra to work and get money for the marriage. Hmm! After 4 months I was told that a different man in Accra has put my daughter in the family way. It was a big disappointment and disgrace to the entire family. Since then I do not encourage any girl in my house to go to Accra for Kayayei (Mba Alidu, an elder).*

Another parent in Kasulyili in the Tolon District whose 17-year-old daughter had migrated to Accra explained:

*If I had the means in providing her all what she need to prepare her to join her husband, or if I could send her to learn a profession or provide her with capital to do business, then she would not go. But because we can't provide her any of these, she has to go.*

This quotation, similar to that of Salma presented earlier in this study, demonstrates the position of many in the focus group discussions: that most women provide assistance to their daughters to migrate as they share in their daughters' aspirations to migrate. The findings support those of Awumbila et al. (2014) who found that family relations tend to provide financial and moral support to rural migrants leaving for cities.

Other factors emerged from the in-depth interviews with parents in the porters' origin communities. These include the influence of peers, with peers acting not only as a major source of information about the destination areas, but also as persuasive agents who ask their colleagues to come along to see

and enjoy the city life. According to some of the parents, when young girls see their peers returning home from cities with items like clothing, cooking utensils, and cell phones, they also yearn to go in order to acquire these items. During a focus group discussion, one parent whose daughter migrated without her knowledge corroborated this when he said:

*Their peers go and come back with clothes and home utensils, so if they see these, they also feel the urge to migrate to Accra so that they can also come with those items. When the returned porters ask them to go with them to the city, they just jump high in sky and go along, they hide away usually in the morning or late in the evening when we thought they have gone to search for water at the river (Mba Salifu, a 51-year-old parent).*

### **Recruiting Agents**

Although the results of the data analysis show that recruiting agents play a smaller role in the decision to migrate, their influence seems to be on the rise. Focus groups and interviews with the female head porters in Accra showed that the experienced *Kayayei* who have established strong social networks with potential employers now act as job brokers to recruiting agents. These experienced female porters return to their home villages and surrounding villages to recruit more young girls to the city to work as porters, as is reported by this porter:

*I was in my village when a woman from the nearby village who works in Accra came and told me that she wants to pick me to Accra to help her in her work. I agreed but when we got here I ended up working for her because I pay a commission of 10 cedis every day to her.*

Besides the experienced *Kayayei*, family members and friends also recruit people from the origin communities, as a female porter explained:

*One of the market women in Accra told me to bring someone I trusted, someone like me, to assist her in her work. So I quickly called my brother's daughter who had failed her JHS exams and was just sitting in the house doing nothing. She was happy and I sent her money to come the following week to help the woman in her shop" (Amina, 30-year-old Kayayoo).*

The focus groups suggested that the form of recruitment depicted in the narration of Amina was becoming rather common. This is said to be facilitated by telephone communication, as the messages and discussions can be

communicated more quickly by phone than by passing them through returnees. Recruitment in the migration industry is increasingly becoming an important factor in the migration of females worldwide. However, empirical works on this topic have been limited in the case of internal migration (Adepoju, 2010, 2004, 2002). Several emerging studies accounting for the processes that facilitate the international migration of women show that recruitment agencies, both formal and informal, are increasingly recruiting women, particularly from Asia, to work in the service industry in Europe.

### ***Financing the Migration***

This section examines how the female porters' journeys to Accra were financed. Here, the study tried to analyse the various mechanisms the female porters adopted in financing their journeys to Accra. The percentage distribution of how their trips were financed is shown in Table 4. The highest percentage of (46.7%) said that they used their savings to make their journeys. In addition, about one-quarter (24.8%) of the respondents obtained money for their travel through sale of assets. Others reported that their journeys were funded through borrowing from family members (8.4%). Some migrants used other means (12.1%), while 4.2% said their travel did not involve any cost. Those who reported that their journey did not involve any cost were those who were assisted by recruiting agents. Lastly, those who took a loan (usually from a friend or relative) constituted the least proportion (3.7%).

<b>Means of financing travel to Accra</b>	<b>Frequency</b>	<b>Percent</b>
No cost	9	4.2
Savings	100	46.7
Sale of assets	53	24.8
Loan from friends	8	3.7
Borrowing from family members	18	8.4
Other	26	12.1
Total	214	100

*Source: Field survey, 2017.*

Some migrants secure loans for their travel by presenting an asset to the lender as collateral. This, according to several focus group discussions, is a new way of sourcing loans. One of the respondents explained as follows:

*I sold all my farm produce to enable me to finance my trip to Accra. The money I got was not enough so I had to give some of my cloths to a friend that enabled me to take some monies from her. I thank God because I had enough that I can pay and collect my cloths and I return to the North (Amama, 19-year-old Kayayoo).*

The practice of offering collateral is said to have evolved as a result of the failure of migrants or returnees to honour their debts. This finding supports the argument by Stephen (2006) that the female porters use their assets at their origins as a collateral to obtain the funds necessary to travel to the city to work as head porters. There are various means of financing the trip to Accra.

*My coming here was supported by an agent. She came to our village and requested the service of young girls she will send to Accra to assist her in her business. My aunty handed me over to her. She paid for my transportation. I cannot even say the amount she paid in transporting me here. Even when we were coming, she bought food for me and when we got to Accra she took a taxi cab that brought us to our present location. For this reason I did not pay anything in coming here (Amama, 17-year-old Kayayoo).*

Amama was one of the respondents who reported that they did not spend any money of their own in travelling to Accra. These findings support those of Abdulai (2010) that most of the migrations of female porters are financed by agents who come to the rural areas, recruit young girls, and transport them to the South to work for them for a fee.

While some migrant female porters went directly to Accra from their villages, others had to stop temporarily in towns along the route before eventually arriving in Accra several months or years later, depending on the intervening circumstances. The places in which they stopped on their way to Accra included Tamale, Kintampo, Techiman, and Kumasi. Far less than one tenth (6.6%) of them stopped somewhere before arriving in their current place of residence in Accra, while the majority (93.4%) did not have any stop. Of those who migrated to Accra from another place rather than directly from their home village, the majority (64.2%) had intentions to eventually migrate to Accra, while a smaller proportion (35.7%) continued to Accra after their initial



destinations were perceived to be unfavourable or less beneficial. Thus, 64.2% embarked on stepwise migration.

According to the focus group discussions and interviews, the main reasons for stepwise migration include the lack of capital to reach Accra, as depicted in Asana's situation narrated earlier, and the need to garner information from friends and relations about the location of other friends and relatives in Accra. Some of the migrants explained that they had to stop in places 'to look for money' that would enable them pay for their transport to Accra.

*It is important to stay over for a few days so that they can teach you a few things about Accra before you enter that city. (A 16-year-old porter in Agbogloshie Market)*

When asked whether learning about Accra was the reason for her stepwise migration, she answered in the affirmative. She further explained:

*I was not the only one who stopped over for fear of just coming to Accra without knowing someone; this one sitting here also did the same.*

A 30 year-old-woman and mother of two, Mariama, was the one referred to by the above respondent. Mariama echoed the story of the earlier respondent when she stated:

*That place (Accra) is not home and most of these people living on the way to Accra has worked in Accra before and has tasted the life in Accra before, so they know what it is. They know people in Accra who could help you, they will also not let you just go like that, some want you to stay and work with them, others want you to return home, but you want to go on the road and also to see things for yourself (Mariama, 30-year-old Kayayoo).*

One could then say that the friends and relations who are located on the way to Accra enable the process of migration by acting as 'information brokers' and by offering migrants a place to stay, jobs, moral support, and advice. Thus, the need to earn enough money for the journey to Accra and the fear of migrating to Accra without the necessary networks is an important factor for stepwise migration among female porters. Stepwise migration enables female porter's access to important information and establishes networks at the destination, which helps in 'settling down'. Paul has already noted the relevance of stepwise migration. He noted that this was crucial for migrants as it enabled them to make enough money and find out enough about the

advantages of the next destination. Stepwise migration could result from intervening obstacles or deliberate stop overs (Ravenstein, 1867; Paul, 2011).

### ***The Journey to Accra***

This section explains the strategies that young girls from the North adopted when preparing to migrate to Accra to work as *Kayayei*. The study revealed that some of the young girls leave their houses without saying goodbye to their parents or guardians. The following quotation illustrates some of the strategies they employed when planning to migrate to Accra.

*Before coming here I made a stop in Tamale to work in a chop bar for 14 days, which enabled me to get money to transport myself to Accra. I would have wished to continue working in Tamale but the daily wage was very small [...] My people in the village always knew that I was in Accra but about a week after I arrived in Tamale I called my mother on phone and told her I was in Tamale. Although I didn't tell anybody I was going to Tamale or Accra they guessed that I had run away to Accra to look for money to buy nice things. I had planned to go to Accra but the money I took from my mother was not enough. I didn't even have time to count the money, I just run to the station and waited for a bus, but I realized that if my mum looked for the money and didn't see it she would immediately look for me, so I joined a tricycle and left to Walewale where I then boarded a big car. It was when I was going to pay the collector that I saw that the money couldn't take me to Accra [...]. What did I do? I could go back home of course, would you have? So I paid the bus collector to drop at Tamale and looked for work to get money to continue my trip to Accra (Asana, 21-year-old Kayayoo).*

Two key issues are depicted in Salmas's and Asan's narrations: migration capital (financial capital and network capital), and the nature of the journey (i.e., whether it is made in one go or in a stepwise manner). This section has explored how potential female migrants finance and begin their journeys and arrive at their intended destinations.

### ***Social Capital and Social Networks of Female Porters***

Social network is a resource upon which migrant female porters rely. It entails a network of support and reciprocity that exists between individual porters within communities (Derham and Gzirishvili, 1998; Moser, 1998; Meikle et al., 2001). According to Carney (1998), such social support can be grouped into two categories: personal social resources and public good social capital. The

public good social capital allows other resources to be utilised in a community. These include community-based organisations capable of negotiating on behalf of poor people. The personal resources, on the other hand, include personal loans, child-care support, and sharing of food, accommodation, and information. The value of the social networks of migrant female porters are demonstrated by their ability to migrate from their origins in the North to Accra. The study revealed that the female porters rely heavily on their personalised social networks in Accra.

In a focus group discussion with female porters in Mallam Atta Market in Accra, the porters mentioned that they always get information about Accra, the *Kayayei* work, and other economic activities in the city before making a decision to migrate. Such information was obtained from friends, family members, and young women in their villages that had already been to Accra and survived there as *Kayayei* (Beuachemin, 2000; Tanle, 2003). During the migration process, the women are usually escorted to Accra by friends, sisters, and other girls from their villages who have already been to Accra to work as porters.

In situations where an individual had to travel alone to Accra, word was sent out to friends and relatives or other acquaintances of the woman to meet her at the bus station upon arrival. Communication technologies allow the travelling woman to call her host at intervals to provide updates on the progress of her travel.

*Before coming to Accra, I had never been here before. So the day I was to leave I called Amina who is working here as a Kayayei on phone for her to assist me to come. She asked me to go to Tamale and ask of Imperial Bus Station. When I got to Tamale I went to the station and had my ticket ready for the journey to unknown Accra. Amina had already told me to arrive at the last stop. So when we got to Accra in the morning by 4am, my friend was there to receive me. She picked me to her sleeping place and there I saw about ten young girls from my village. Amina took me through the work for almost two weeks just to introduce me to the Kayayei work. The first day she gave me a head pan and led me to the market. Hmmm friendship is good (Damata, 17-year-old Kayayoo).*

Reliance on social network goes beyond information-sharing to include care, financial assistance, and the sharing of food and tools for work between old and new arrivals in the *Kayayei* business. According to the migrant female porters, when one does not have money to travel to the city, one relies on

friends in Accra to lend money which is repaid after the woman has arrived and worked for some days.

*Before coming here I called my friend Amina who has been working here for four month to help me with transportation cost and also share information with me about my new destination. She agreed and sent down to me one hundred Ghana cedis (GHS 100) through mobile money transfer. She also told me which car to take and how to get to the station. She directed me to a young man in Tamale called Abukari who is a loading boy at the Tamale station who always assists new Kayayei to get to Accra. When I got to Tamale, Abukari handed me to the driver of the Benz bus and instructed him that my friend Amina would be at the station to receive me. With this assistance it was easy for me to find my way to Accra to join my friend for Kayayei business (Zalia, a 20-year-old Kayayoo).*

The statement above was confirmed by a driver in Tamale who indicated the role drivers play in the migration processes of the female porters who often join their vehicles to Accra and Kumasi. He narrated the following:

*Most of the young girls who migrate from the North to the South, especially Accra, do not know their way to their destination. What we do is that those who are there direct them to come to us at the station in Tamale. So when they come, their friends will call us on phone and plead with us to bring them to Accra. Because they are to depend on us till we hand them over to their friends in Accra, their lorry fare is different. We charge them additional ten Ghana cedis (GHS 10) because we have to make series of phone calls before we hand them over to their friends and also the risk involve in carrying them (Haruna, 38-year-old bus driver in Tamale).*

The findings here support the argument by Awumbila (2010) that migrant female porters are usually aided by transport owners and drivers to get to Accra. They are assisted by their social networks of their friends from their home villages who are already working in Accra as porters and domestic workers.

### ***Conclusions and Policy Recommendations***

Migration is seen by the female porters as a means to gain autonomy in their lives, a means of livelihood diversification, or as an alternative livelihood source. Migration has always been an alternative or additional source of

livelihood for rural people, especially in times of crisis (Ellis, 2000; Ellis, 2003). The rapid urbanisation of Ghana, with Accra playing a primary role, accounts for its magnetic attraction. This finding is in line with those of several other researchers who argue that structural and economic reform policies have great effects on livelihoods, thereby contributing to rural-urban migration, especially of women to cities to work as head porters (Adepoju, 2010, 2004, 2002; Kwankye, Anarfi, Tagoe, & Castaldo, 2009). The migration process of female porters is enabled by their mothers and social networks, including boy lovers, friends, and family in the origin communities, along the way, and at the destination. The study recommends that the government, through the Northern Development Authority which seeks to bridge the gap between the North and the South, should make funds available for the young women in the North, so as to engage them in economic activities that will prevent them from migrating to the South to work as *Kayayei*. In particular, the policy of revamping the shea nut industry should target the young women.

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