**Free Movement and the Movement's Forgotten Freedoms:
South African Representation of Undocumented Migrants**

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ABSTRACT

This paper studies the South African media's representation of undocumented migrants from 1998 to 2005. Recent literature that deals with media discourse on migration has focused on concepts of 'nation-building' and the emergence of a 'risk society'. This work builds on these themes by examining the relationship between the media's legitimation of state immigration control and South Africa's unique historical tradition of struggle. Contemporary journalists often encounter evidence of similarities between citizens' experiences of segregation during the Apartheid era and the government's recent treatment of undocumented migrants. However, reports tend to deny the moral and practical relevance of this uncomfortable likeness by representing contemporary undocumented migration as a new and subversive threat. The paper suggests that anti-Apartheid sentiments constitute a vital, albeit hidden, discursive resource for critics of contemporary immigration controls.

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Introduction

The 'illegal immigrant' is a prominent figure in contemporary political debate. Even though a wide variety of people migrate without official authorisation, public discourse commonly features relatively stable understandings of who 'illegal immigrants' are and what they do. At a minimum, these people are generally assumed to originate in less developed countries, work in low paying or menial employment, and experience hardship of some kind, whether in their place of origin or *en route* to their new homes. More contentiously, 'illegals' are identified as being involved in criminal activity and as being racially or ethnically different to (and in many cases lesser than) their host populations.

One of the reasons why the figure of the 'illegal immigrant' continually resurfaces in popular discourse is that states are compelled to reiterate and reinforce their prerogative to exclude certain groups that have come to reside within their borders. The idea that certain forms of cross-border movement and settlement can be precisely and meaningfully divided into 'legal' and 'illegal' categories is a historical product of the modern state's immigration control mentality and regime. While remaining largely agnostic to the different categories of *internal* movement that have arguably had more lasting and dramatic impacts on the political landscape, twentieth century states have increasingly declared certain forms of *international* movement and settlement to be illegal, and developed legal and bureaucratic mechanisms to deter and prevent unwanted migration. The often extreme forms of suffering and subjugation of those deemed to be 'illegal migrants', the majority of whom seem to move merely in search of better work and living conditions, has in recent years attracted widespread concern and advocacy.

Those seeking to challenge official approaches to undocumented migration have had few discursive resources at their disposal. Migrant advocates, critical scholars, and migrants themselves have formulated a sustained counter-attack on the concept of 'illegal immigration'. The relative success of their efforts may be seen in the widespread usage of the term 'undocumented migrant': commonly conceived as an individual who has been subjected to persecution or harassment, primarily on the basis of arbitrary or unfair decisions to deny them migration papers or status. However, migrants' own voices, stories and experiences have yet to unsettle popularly accepted images of 'illegal migrants'. Basic consequences of their identity and legal condition militate against such an outcome. The realm of high politics tends to be closed to non-nationals generally, let alone those regarded as *personae non gratae*. The status of illegality, which forces one to maintain a low public profile, and denies one basic political rights, also stymies grassroots mobilisation, and limits these migrants' capacity to reclaim/renounce the manner in which they have been discursively constructed (cf. Kraidy 2002; Kosnick 2004; Silverstone and Georgiou 2005).

In this context, other actors have been powerfully positioned to influence public understanding of undocumented migration. Newspapers are a significant means by which the otherwise clandestine experiences of undocumented migrants are recurrently brought into public view. Several recent studies have explored the distorted caricatures of undocumented migrants regularly reproduced in newspapers. They have tended to interpret these images as part of the ongoing process of (re)producing the nation's identity and mobilising the citizenry in support of state sovereignty. However, this literature has been less attentive to the historical dimensions of this representative process. This is problematic because it tends to blind research to important sources of immanent policy critique. The current study of the construction of the 'illegal immigrant' in South Africa exposes the

media's efforts to justify the harsh treatment of undocumented migrants within a political climate characterised by strong suspicion of the state's regulation of popular movement. In the post-Apartheid era undocumented migration and the xenophobic public responses to this phenomenon have emerged as prominent blemishes on the nation's developmental and non-discriminatory post-Apartheid agenda. The resurgence of the nation's core economic zones, combined with economic and political turmoil in surrounding countries, has given new life to regional migrant networks. While it is difficult to judge how many undocumented migrants are in the country – particularly given the circular and seasonal nature of migration – the government's regular reports of 'repatriating' or removing over 150,000 'illegal foreigners' each year since the transition to democracy indicate that the state's *response* to this problem has been substantial (See Table 1). Undocumented migration has become a highly charged political issue, connected at various times to the nation's stalled developmental agenda, as well as its failures to live up to its liberal constitutional ideals.

Table 1: **South African repatriations/removals of illegal foreigners[1]**

	Number of repatriations/removals			
	Country of Origin			
Year	Mozambique	Zimbabwe	Lesotho	Total
1990	42330	5363		53418
1991	47074	7174	4440	61345
1992	61210	12033	6235	82575
1993	80926	10861	3090	96600
1994	71279	12931	4073	90692
1995	131689	17549	4087	157084
1996	157425	14651	3344	180713
1997	146285	21673	4077	176351
1998	141506	28548	4900	181286
1999	123961	42769	6003	183861
2000	84738	45922	5871	145575
2001	94404	47697	5977	156123
2002	83695	38118	5278	151653
2003	82067	55753	7447	164294
2004	81619	72112	7468	209988

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[1] Source: Department of Home Affairs Annual Reports.

While the South African media has, much like newspapers in other contexts, represented illegal immigration as a large and pernicious threat, it has also had to grapple with an underlying suspicion of such ideas that originates in the anti-Apartheid struggle. The nation's recent political transformation has spawned both: a) a national ideology that says it is wrong to forcibly prevent poor, disenfranchised people from moving to earn a living; and b) a public consciousness that is deeply attuned to the prevalence of malfeasance and lawlessness within the immigration bureaucracy. This does not mean that South African reporting has been particularly pro-migrant. Indeed, it has often tended towards the same control-oriented conclusions as its North American and European counterparts. However, the media has at least been compelled to encounter and confront the uncomfortable rhetorical obstacles created by the nation's 'struggle' ideology. The key dynamic revealed by this study is one of historical distancing: the legitimation of contemporary state practices through the construction of a temporal divide between the devious contemporary undocumented *im*migrant and the heroic undocumented South African of the nation's past. By revealing this process of collective memory and forgetting, this study opens up previously silenced lines of critique, not only of contemporary South African immigration policy, but of the global regime of migration control.

This paper contains three sections. The first reviews the literature on public discourse on undocumented migrants, building the case for both an attempt to interpret what ostensibly familiar images of migrants might mean when published in Southern Africa. Section two briefly outlines the Cambridge School interpretative approach, arguing that a method that was originally designed to add texture and nuance to the history of ideas can be help us refine our analyses of the political content of more recent media reporting. The third section sets out the principal research findings. This discussion shows that the South African press has been conscious of the deep linkages between Apartheid era and contemporary migration controls. However, by repeatedly representing undocumented migrants as a new and subversive threat, they have paved the way for an uncritical validation of recent efforts to enforce immigration laws. A concluding section sums up the arguments and reflects on their significance for the study of migration discourses. I argue that a genuine respect for the achievements of the anti-Apartheid struggle must begin with a more thorough investigation of the 'struggle's' free movement ideals.

The Media, Nationalism and Immigration Crises

Most scholars have interpreted the media's representation of migrants as a by-product of the nation-building process. Nationalist discourse is built upon a set of binary distinctions between an idealised, unified and geographically located political 'self' and a variety of excluded 'others' (Doty 1996). While individual political leaders, and to a lesser extent 'thinkers', help to produce new ideas regarding the contours of political community, more diffuse and banal discursive processes such as those embodied in the newspaper media tend to determine which of these ideas are disseminated and popularised (Billig 1995). By regularly reinforcing distinctions between the citizenry and non-national groups, newspapers help to differentiate the polity from outsiders, define the political community, and delimit the extent of moral community and public responsibility (Linklater 1982).

Scholars have tended to interpret the more abrasive and volatile representation of *undocumented* migrants in the media as a product of the late-modern transition to a 'risk society'. According to this line of argument, contemporary national identities are produced through the creative construction of unpredictable and disorderly phenomena (terror, crime,

drugs and sexual licentiousness) and the concomitant legitimation of unified purpose and collective action as panacea to such threats. In contrast to other migrant groups, undocumented migrants are ripe targets for this sort of imaginative objectification: their lack of formal residency rights, informal livelihood strategies, and undetected movements can be relatively easily conflated with a criminal, subversive and phantom-like presence. While ostensibly responding objectively to news events 'out there' in the 'real world', reporters have commonly, often through the uncritical use of sources and unconscious appeal to official narratives, helped to create and sustain the illusory notion that the nation is experiencing an illegal immigration crisis. For example, Sean Hier and Joshua Greenberg attributed direct responsibility to the Canadian press for disseminating 'highly idealised and often fabricated notions of racialised illegality, objectified identities, amplified migration patterns, health risks and criminality' (2002, p.506). Most work on undocumented migrants in the media has attributed primary causal significance to 'nation-building' and 'identity-construction' dynamics. Thus, Karmen Erjavec asserts 'the heightened concern about the foreigners threatening national security is *always* connected with one's own identity' (2003, p.84).[2] Sheila Croucher's (1998) work on the emergence of an early post-Apartheid exclusionary discourse in South African political rhetoric, citizen grumblings and newspaper editorials endorses this line of argument. She suggested that illegal migration has been represented as a crisis in order to accentuate boundaries between 'self' and 'other'.

The fact that Croucher comes to similar conclusions as her North American and European counterparts is not particularly surprising. The post-Apartheid news media sustains a similar set of derogatory images to its Northern counterparts, commonly presenting undocumented migrants as a destitute, self-interested and criminally prone human 'tide'. However, this is not all that can be said about the publication of such images in the very different historical context of Southern Africa. Of crucial importance in assessing the meaning and relevance of these images is the vastly different character of migration governance in this region. Unlike in Northern contexts, where one finds long-standing, comparatively well-organised, and deeply embedded territorial states, in sub-Saharan Africa states have historically struggled to achieve what John Torpey (1996) has called, the 'monopolisation of the legitimate means of movement'. Instead, studies of migration governance in this region tend to emphasise the 'capture' of territorial prerogatives and practices by non-state actors and criminalised networks (Bayart, Ellis and Hibou 1999; Hughes 1999; Landau 2005). Officials posted at many of the continent's borders commonly subvert their positions of authority and depart from their official mandate in order to pursue inter-personal extortion and extraction agendas (Coplan 2001). Thus, whereas the notion of an 'illegal immigration crisis' in a place like Canada may be taken to refer to the spurious concoction of threats to an otherwise secure and stable nation-state, in Southern Africa similar constructs may refer back to problems of fragmentation and lawlessness within the state itself.

Unfortunately, recent work on South African media representations of migrants has also avoided issues of historical context (Danso and McDonald 2001; McDonald and Jacobs 2005; Bird and Mtwana 2006). The main purpose of research published after Croucher's piece has been to *monitor* the media's performance on migration issues; measuring the degree to which reporting has been biased against migrants. These works shut out historical concerns on an *a priori* basis. They judge each news article through reference to an pre-

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[2] Other works have argued that the legitimation of state sovereignty is also an important dynamic in this process (Bauder 2005; Demo 2005)

defined set of criteria about what constitutes 'anti-migrant' reporting. It is only once the monitors have reached an 'objective' evaluation of the newspapers' collective levels of propriety and probity that they reflect upon how 'external' factors might help to explain promising or worrying trends. The deep linkages between historical context and the precise meaning of the texts in question are at best, rendered irrelevant, and at worst, entirely obscured from view.

Interpreting Content Against Context

Analysis

This study draws from the Cambridge School of historiographical research to generate an interpretative method that is devoid of these shortcomings. The Cambridge School's 'contextualist' approach was pioneered by the works of Quentin Skinner, who outlined the principal limitations of political theorists' common tendencies to (1) detach past works from the historical and intellectual milieu within which they were situated; and (2) (re)conceptualise them according to contemporary categories, concepts and chronologies.[3] These habits, most clearly evident in the practice of speculating about what a thinker like Machiavelli, Locke or Mill would say about a contemporary political issue or dynamic, tend to produce interpretations that afford primacy to the ideas that were generated through the reader's *own* reflective engagement with the text over those ideas that the authors were originally trying to convey. Skinner's critique centres around a recognition that all 'speech acts' whether they be in the form of written text, symbols or artwork, generate meaning through complex and often subtle engagements with a specific discursive and material milieu. Put simply, beyond basic grammatical and definitional content, the meaning and import of a given text stems from a) what it says about the events its audience observes; and b) how it reinforces or challenges its audience's basic assumptions about how the world is, or ought to be. In order to engage with this discursive content, Skinner espoused the methodological necessity of both situating ideas in their appropriate historical and intellectual context, and exploring the specific issues and events to which various figures were responding.

It may seem somewhat inappropriate to suggest that an approach designed for the analysis of the giants of pre-modern political theory can improve the analysis of contemporary mass media. The first problem is that the 'added value' of a contextualist approach lies primarily in the vast differences between contemporary political ideas and events and those of the long-past historical contexts in which its objects of analysis were produced. There does not appear, at least on the surface, to be as radical a divorce between immigration norms and dynamics in North America and South Africa as there may be between the historical context of a Hobbes and a Habermas. Hence, it may appear that there is less to be gained by calling for detailed reflection on the context in which South African newspapers have been produced.

Second, most of the works studied by the Cambridge School were explicitly intended to engage with other theorists, or influence the course of a specific decision-making processes. In contrast, opinion and editorial pieces aside, most newspaper articles are written by journalists who proclaim to only present the 'facts' and to provide a balanced hearing of all relevant viewpoints. Thus, reporting appears, at least on the surface, to be less

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[3] For a useful collection of Skinner's early works see: Tully (1988).

engaged with the process of transforming political context as were the subjects of the Cambridge School's revisionist historiography. This problem is mitigated somewhat when we shift our level of analysis from the individual text and its author to the *process* of reporting. Newspaper reporting is not simply a series of individual texts, which each may or may not reflect the views or position of a specific individual, source or newspaper. It is also a form of social narrative whereby the nation reiterates and validates its basic assumptions and moral commitments, and also critically and reflectively engages with its political agenda. Although, as Bauder notes, '[t]he press rarely speaks with a single voice' (2005, p.45), and therefore does not offer a series of propositions from which anything resembling a *political theory* might be deduced, it does sustain a relatively consistent set of images and analogues from which a plausible range of political theories can be fashioned. In this sense, while each individual reporter may attempt to adhere to proscribed standards of objectivity and probity, the cumulative production of newspaper reports ineluctably regenerates the taken-for-granted aspects of social discourse, and delineates the parameters of public discussion and debate.

Sources and the Sample

In order to develop a portrait of media representation of undocumented migrants, the study sampled English language newspapers that are electronically accessible through the *SA Media* web-based search engine. *SA Media* is a comprehensive press cutting service run by the University of the Free State. The service's materials are presented in a database containing more than three million newspaper reports. Articles, editorials and letters to the editor reviews were selected on the basis of a search under the subject: 'illegal immigrants'. The cut-off dates were chosen to correspond with the formulation of post-Apartheid South Africa's first legislative phase, beginning with the launch of the 'Draft Green Paper on International Migration' in 1998 and concluding with the ANC decision to prepare amendments to the Immigration Act (no. 13 of 2002) in 2005. Table 2 (overleaf) depicts the sample profile.

This sample is not representative of relevant journalistic outputs for the whole of South Africa. The main limitations are a lack of attention to Afrikaans-language papers such as *Beeld* and *Volksblad*, and populist publications aimed at black South Africans such as *You*.[4] This problem would be prohibitive for a work that was attempting, as are many of the monitoring works mentioned earlier, to generalise about the character or quality of migrant reporting across South Africa. It does not necessarily undermine the specific objective of the current study, which is to utilise newspapers as a 'site' where widely (but not necessarily universally) held assumptions about and images of undocumented migrants are articulated. The main aim here is to use the sample to glean those '…units of discourse which are fundamental to all thinking and doing (Walzer 1967, p.197)' about undocumented migration. While it was important to not afford too much importance to any portrayal or characterisation that was not consistently reproduced, it was also not necessary to show that these ideas reappeared in the same form in each branch of the South African media.

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[4] The author thanks Chris De Wet for noting these limitations in the sample.

Table 2: *Newspapers included in the search by number of articles*

Year				No. of Articles					
	1998	1999	2000	2001	2002	2003	2004	2005	Total
Source									
Argus	7	2	6	3	4	5	1	3	31
Business Day	3	3	6	4	4	4	4	3	31
Cape Times	3	2	5	1	2	1	1	1	16
Citizen	24	11	21	10	15	16	8	3	108
City Press	13	8	9	2	7	4	4	7	54
Daily Dispatch	0	0	0	0	4	1	1	0	6
Daily News	3	2	2	1	3	5	3	1	20
Diamond Fields Advertiser	0	0	0	0	2	0	0	1	3
Eastern Province Herald	3	4	1	4	1	2	3	3	21
Financial Mail	1	1	1	0	0	0	0	0	3
Independent	5	2	11	0	4	2	5	0	29
Mail and Guardian	3	3	8	5	1	3	5	1	29
Natal Witness	6	2	2	2	2	2	4	2	22
Pretoria News	9	9	8	11	19	21	5	3	85
Sowetan	8	10	47	21	29	7	10	0	132
Star	14	19	27	25	27	15	23	13	163
Sunday Tribune	1	2	1	0	3	3	1	5	16
Sunday World	0	1	2	0	0	0	0	0	3
Sunday Times	4	8	1	1	1	0	1	1	17
This Day	0	0	0	0	0	2	7	0	9
Total	107	89	158	90	128	93	86	47	798

In order to generate an understanding of the unique discursive and material context that these ideas were responding to, the study drew upon a wide range of material on government discourse and policy. In addition to the scholarly literature, this included: Hansard; minutes of Parliamentary Committee Meetings; Departmental Annual Reports; and a variety of material obtained using the document request mechanism formed under the parameters of the Promotion of Access to Information Act (no. 2 of 2000). The work also drew upon a series of 2006 interviews with senior government officials and other actors

involved in the policy-making process. These sources were used to identify the main contours of South African immigration policy thinking, and the practical policy mechanisms used to manage undocumented migration. The images appearing in the media were then 'read' against this evidentiary backdrop.

South African Images of Undocumented Migrants

Employing a contextually embedded approach leads to a substantially different reading of the South African media. Instead of seeing the standard process of nation building or risk-construction, South Africa's unique discursive engagement with its collective memories and predilections comes into view. Modern political communities are, at least in part, sustained by grand historical narratives about their past. These narratives often portray a timeless and heroic message, but are in practice repeatedly reconstituted in line with the shifting political agendas of actors in the present. As Eric Hobsbawm and Terence Ranger's famous work shows, political traditions appearing to have a lineage stretching back to bygone era are often the product of conscious efforts to imbue more recent inventions and innovations with the imprimatur of historical legacy (1983). In a related vein, sub-altern scholars have focused their attention on the distortions and silences generated through this recessive manipulation of history, arguing that they reinforce hegemonies and silence dissent in the present (Cooper and Stoler 1997).

There is a potential danger to this critical understanding of national historiography. One must be cautious, in moving away from a position where one blindly accepts the pedigree of nationalist traditions, to not succumb to the equally misleading assumption that the historical record is a proverbial 'blank sheet', that is completely pliant to the wishes of whoever is in power. One of the reasons why political leaders invest time and energy in 'memorialising' the nation in line with their preferred ideals of national progress is that, when successful, these efforts can have concrete implications for present and future actors, constraining our understanding of what types of people may be included within the national community, and what types of state behaviour is legitimate. Daniel Levy and Natan Sznaider emphasise this point in their study of how the interrogation of human rights abuses in several (ostensibly) heroic national pasts have led to concrete changes in the character and content of sovereign power, particularly as regards obligations to those normally regarded as 'outside' the national community (2006).

Similar sorts of engagements with historical memory can be found in the South African media's discussion of undocumented migrants. In post-Apartheid discourse, four of the widely maligned aspects of the former *status quo* are (1) the pervasive spread of racial classification and discrimination across culture and society; (2) the racially-biased system of economic inequality and worker exploitation; (3) the brutal enforcement of segregation policies; and (4) the generally arbitrary character of political power. Reporting of migrant suffering tended to feed directly into this discourse, devoting particular attention to a) the widespread nature of xenophobia, which has in some cases translated into instances of black-on-black violence; b) the (mainly white) farm owners' exploitation of (mainly black) foreign farm workers (Makele 2001; Seria 2003, cf. Grobler 2003); c) dramatic incidents of police abuse of their powers of arrest and detention;[5] and d) the procedurally and materially

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[5] More than two-fifths of reporting on police abuses of power were reports and follow-ups of a particularly graphic incident of South African Police Service (SAPS) officers using undocumented migrants as substitutes for assailants in dog-training exercises. The television images of this incident were particularly disturbing

inadequate detention of migrants at the infamous, privately-owned Lindela centre (Bhengu 2000; Gifford 2000; Matsena and Mkhwanazi 2002; Ancer 2004). These images have troubled the conscience of South African citizens, establishing a strong intuitive linkage between the suffering of contemporary migrants and the Apartheid experiences of the black citizenry in particular. These cognitive associations have been made more palpable in the widespread coverage of cases where South African citizens have been wrongfully arrested or detained due to the over-zealous enforcement of immigration laws (Marx 1998; Gophe 2000; *The Citizen* 2003).

Awareness of correlations between the past experiences of South African citizens and the current experiences of undocumented migrants also coloured the reporting on document mismanagement and fraud. Reports scrutinised the bureaucratic and criminal networks responsible for the distribution of these documents, with particular attention afforded to the Department of Home Affairs (DHA). In addition to immigration control, the DHA has been responsible for the management of South Africa's identification system. Since 1986, when the government began to do away with its multiple racially and ethnically defined citizenships, the DHA has struggled to distribute identity documents, crucial to voting rights, social grants and a range of other government services, to the entire population. It is widely believed that this failure is a result of DHA's mismanagement, incompetence, corruption, and more worryingly, arbitrary or racist suspicion of the verity of many black citizens' status claims. Newspaper reporting of the irregular provision of documents to undocumented migrants has tended to compound the generally disparaging accounts of the DHA's attitude towards the citizenry. While in some cases, a degree of leniency, characteristic of much post-Apartheid reporting on corruption, was extended to the Department's woefully ineffective efforts to 'clean up' its act (Sepotokele 2002), reports have more commonly lambasted DHA corruption and mismanagement on the identity management front (Marud 1998; Sunday Times 1999; Pretoria News 1999; The Citizen 2001; Schoeman 2002). These reports have been particularly sensitive to instances where the rights of South Africans have been infringed, emphasising emotive cases such as where the DHA contributed to the 'selling' of women to foreign husbands (Franiere 2004), denial of support grants to children (Maphumulo 2004), and/or the abuse of the good faith of citizens (Ismail 2002a; 2002b).

It seems plausible to suggest, on the basis of the above evidence, that there are strong intuitive linkages in public discourse between the experience of contemporary undocumented migrants and both the memories and continuing legacies of Apartheid. A handful of reports have identified this linkage explicitly, referring directly to 'similarities' between the current treatment dished out to undocumented migrants and the practices of Apartheid (Sello 1998; Worsnip 1998; Groenink 2002; Williams 2002; Moya 2003). However, this has not implied acceptance of a shared identity between undocumented migrants and South Africans, in terms of their common experience of being arbitrarily classified as 'illegal migrants' (cf. Friedman 2000). While in some cases the media appeared to go out of its way to emphasise DHA culpability over and above that of foreigners, they also focussed attention on migrant willingness to exploit South African laws. The act of obfuscating the distinction between undocumented migrant and South African citizen was of particular concern, with cases of undocumented migrants fraudulently working their way into high-profile positions, or passing themselves off as

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because of their similarities to Apartheid era practices. For a small selection of examples see: *Cape Times* (2000); Misbach (2000); *The Sowetan* (2000b).

spouses of South Africans attracting significant attention and moral opprobrium (*Mail and Guardian* 1998d; Cull 2001; Maluleke 2002; Otto 2003). Importantly, such was the distaste for this instance of migrant opportunism that newspapers seemed relatively inattentive to the practical inconsistency of referring to a problem widely accepted to stem from DHA breakdown, while hailing Departmental efforts to 'crack down' on migrant frauds (Otto 2003; Pather 2004).[6] Thus, while some of the prerequisites for a historically-informed process of incorporating contemporary immigrants within the historical consciousness of national struggle are in place, this has not been translated into an argument that questions the state's expression of sovereign authority over its borders and its population.

These limitations can be accounted for by the emergence of a highly contestable tendency to represent undocumented migration as chronologically distinct from Apartheid-era acts of migratory suffering. During the Apartheid era, large numbers of black South Africans were considered non-nationals of the Republic and regarded as illegal residents in realms designated for 'white' habitation. While white 'illegal aliens' were subject to a relatively lenient enforcement regime, located within the Department of Interior and Internal Affairs, the movement and residence of South African 'illegal migrants' and black foreigners was regulated by the euphemistically titled, and characteristically draconian Department of Cooperation and Development. This agency, and the security forces that were responsible for street-level policing, made little distinction in practice between, on the one hand, pass laws and the process of forcibly removing black South Africans to the homelands, and on the other, the arrest and deportation of illegal *im*migrants.[7] During the negotiations leading to South Africa's new immigration legislation (1998-2002), government officials and critics of post-Apartheid migration policing both noted these deep institutional linkages between segregation and immigration regimes.[8] Yet, newspaper reporting has created a cognitive separation between citizens' and non-nationals' common experience of suffering at the hands of the state by representing 'illegal migration' as a purely post-Apartheid phenomenon. This claim appears based upon the assumption that the poor peoples of surrounding countries only began coming to South Africa *en masse* once the Apartheid regime had disappeared (Maluleke 2003).[9] By creating this chronological divide between pre- and post-Apartheid forms of undocumented migration, reporting directly combats the notion that foreign migrants' efforts to evade law enforcement represent a continuation of the anti-Apartheid tradition of non-cooperation with arbitrary movement controls.

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[6] One reporter's apparent preoccupation with the DHA's pursuit of a woman who fraudulently entered the country 26 years previously is emblematic of this tendency to intuitively align with law enforcement agencies (Maponya 2002a, 2002b; 2003). One article went so far as to describe Home Affairs' policing initiatives as 'mercilessly efficient' (Arendse 2001).

[7] Senior immigration officials responsible for transforming the migration control bureaucracy recognise that their prerogatives, tasks and challenges vis-à-vis undocumented migration remain substantially the same since the transition to democracy. (Schrevasande, C., 2006, pers. comm., 21 June; Vorster, W., 2006, pers. comm., 7 July).

[8] See for example, the comments of the Minister of Home Affairs, Director General of Home Affairs, Institute for Security Studies, Southern African Migration Project, Lawyers for Human Rights and Congress of South African Trade Unions on the need for new legislation in Minutes of the Portfolio Committee on Home Affairs Parliamentary Monitoring Group, 7 March 2000, 19 March 2002, 18 April 2002 & 23 April 2002.

[9] See also the comments of the former Home Affairs Director General, Dr. K. Z Mbatha and the Chair, Mr. A.D. Mokoena in Minutes of the Portfolio Committee on Home Affairs Parliamentary Monitoring Group, 26 October 1999 & 17 May 2000.

Representations of undocumented migration as a 'new' phenomenon not only separate the contemporary 'illegal migrant' in time from a history of struggle, they also tend to situate this identity in direct opposition to the resistance, by characterising migrants as motivated by an unwelcome and unconscionable desire to capitalise on the movement's new successes. Reports suggest that this new wave of migration has been fostered by perceptions that post-Apartheid South Africa is a 'land of milk and honey' (The Citizen 1998a; Murphy 2001; Munusamy 2004), or the 'rainbow nation of the continent' (Bawden 2004). These general depictions of migrant intention are further entrenched through reports of migrants undermining the largesse of the post-Apartheid regime. Under the terms of the 1955 Freedom Charter, the ruling ANC committed itself to an expansive process of social and political transformation, including free education and healthcare, unemployment benefits and housing for all. After the political transition to democracy under a constitution that embodied the ideals of the Freedom Charter, the Reconstruction and Development Programme (RDP) was designated as the policy platform that would fulfil the social end of this bargain, and has subsequently come to be viewed as the main symbol of the realisation of resistance era ideals. In this context, the scattered and speculative reporting of undocumented migrants 'stealing' RDP housing or social services intended for South African citizens (Feris 2001; Pather 2004) has exacerbated the logical separation between the contemporary undocumented migrant and the Apartheid victim, presenting the former individual as intentionally and illicitly engaged in denying 'real' South Africans the fruits of past hardship and struggle.

This image of 'new' and 'exploitative' arrivals has been exacerbated by media publication of myths that undocumented migrants come in frighteningly large numbers. An ominous picture of South Africa's future has been developed through repeated reference to large and unsubstantiated estimates of the number of arrivals in the country. A variety of reports utilise evocative words, often in eye-catching headlines, to create the image of an impending 'alien horde' (Sawyer 1998), 'human tide' (Granelli 2002), 'flood' (City Press 2000), or 'swarm' (Maluleke 2003) of illegals, that is about to overwhelm the fledgling democracy. The issue here is less whether or not there are large numbers of undocumented migrants in South Africa, but about the fact that the representation of vast quantities has been relatively divorced from the most basic reporting requirement to check sources. This dynamic was in evidence in the reporting, in 1998, of Human Sciences Research Council (HSRC) estimates suggesting that there were between 2.5 and 4.1 million illegal foreigners in the country (Minnaar and Hough 1996). These figures were generated through a deeply flawed methodology that was immediately contested by other scholars (Crush 1997; 2001) and eventually formally questioned by the HSRC itself in a January 1998 press release that was picked up and published by *The Citizen* (1998a). Nevertheless, on three separate occasions in the same year, the same paper uncritically reproduced the original figures (Stuart 1998; *The Citizen* 1998b; 1998c).[10] Intuitive affiliations to the government's control agenda appear to have influenced this defiance of basic reporting prudence. Each report was a direct response to an official press release, bemoaning the lack of state resources and

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[10] More recently, the issue of numbers has become almost entirely speculative, with reporters freely citing 'estimates' without revealing the source of their data (Murphy 2001; Maluleke 2002; Saunderson-Meyer 2004; *The Sowetan* 2003; Maharaj 1998; Molefe 2000). At times this practice has bordered on the comical. For example, one report used a DHA source to suggest that "for every illegal immigrant deported, 100 or more were likely to be registered in home affairs files as South Africans". This would give us an approximate figure of 15 million illegals or one third of the South African population (Maluleke 2002).

capacity for policing undocumented migration, and seeking to incite fears regarding the impact of such large quantities of migrants on the RDP.

In this context of a discourse that has successfully separated undocumented migrants from the politics of 'struggle' and identified them as a potential threat to these ideals, reporting has also adopted a relatively uncritical stance towards the problems inherent in immigration policing.[11] South Africa is currently beset by a) high volumes of criminal activity; b) crime that is violent in nature; and c) violent crimes that are acutely disturbing to the moral and social fabric of society. While HIV/AIDS, desegregation and poverty alleviation arguably compete for attention and scarce public resources, the issue of 'crime' dominates South African public discourse and, particularly in the large cities and townships, tends to exert constant pressure upon the public consciousness. In South Africa, the vast majority of immigration law enforcement occurs in a relatively indirect fashion, as police officers, ostensibly engaged in their primary function of crime fighting, discover and arrest undocumented migrants. The vast majority of enforcement takes place on the beat, as police officers depart from their ordinary policing duties to arrest undocumented migrants (Vigneswaran 2006), extort them for bribes, or victimise them in other ways (Landau 2005). On other occasions, arrests occur in large-scale operational policing, where South African Police Service (SAPS), sometimes working in coordination with local government, the DHA and the Army, set up road blocks, conduct street sweeps and enter specific buildings in an effort to (re)take control of high-crime areas (Klaaren 2001). While rarely investigating ordinary arrest procedures, newspapers have devoted significant attention to operational policing, and represented it from an almost unflinchingly law enforcement perspective (cf. Business Day 2000c; Ismail 2000; Makoe 2000; Mboyane 2004). Most of these reports read much like SAPS press releases, with little reflection on the views of migrant advocates, Human Rights NGOs, or migrants themselves. Several took the further step of explicitly congratulating the police for 'restoring the community's faith in law and order' (*The Sowetan* 2000a), showing 'no mercy' (*Pretoria News* 2002), or for the 'huge success' (Matavire 2003) of their 'clean sweep' (Chetty 2004) of criminal areas, despite the fact that these operations constituted a significant diversion of resources away from the task of dealing with South Africa's more pressing problems of violent crime. Underlying all of these reports was a strong tendency to assume that illegals' presence in high-crime areas was tantamount to evidence of their involvement in other forms of criminal activity, and therefore, that 'emptying' these areas of this population was key to the restoration and preservation of order. The consequence of this reporting strategy was to sanction the highly problematic way in which the police have come to enforce the nation's criminal law.

Summary and Conclusion

This work has gone beyond previous research in an effort to generate new insights into the meaning of the media's representation of undocumented migrants in South Africa. By interpreting these reports against a backdrop of the unique political ideals and policy frameworks of the post-Apartheid era, the discussion has revealed an uncomfortable

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[11] This analysis found that reporting of undocumented migrants' involvement in criminal activity was relatively measured. Newspaper reporting rarely untruthfully exacerbated widespread beliefs about migrant criminality (Madondo 2002; Zeilhofer 2004), usually only referring to correlations between undocumented migration and crime when these had already been identified by research and/or international organisations (The Star 2000; Hosken and Oliphant 2003). Their main failing was to utilise, often on a speculative basis, the migrant status of an individual as an identifier in crime stories, regardless of whether this was pertinent to the investigation or character of the crime.

engagement with this nation's relatively nascent political traditions. This analysis sustained the assessment of 'nation-building' and 'risk-society' theorists: that the representation of undocumented migrants as a large and threatening 'other' helps to foster uncritical acceptance of various expressions of contemporary state sovereignty. Evidence that the South African media appeared unperturbed by the diversion of police resources towards migrant 'cleansing' and away from the detection and prevention of violent crime was a good example of the relative *carte blanche* the state now possesses in addressing this 'risk' to the nation. However, the more intriguing contribution of this study was its identification of a) the unique conceptual obstacles the South African media confronted in reaching the conclusion that undocumented migration presented a massive threat to national development; and b) the specific steps made to confront/dissolve these obstacles. Collective historical consciousness provided a bridge between the undocumented migrant and national identity, compelling South Africans to question the moral relevance of political and spatial distinctions between migrant communities. In other contexts it may have been safe to presume why undocumented migrants constitute an 'other'. In South Africa this argument had to be formally made, or at least, strongly intuitively suggested. The crucial step in this legitimating process was to represent contemporary undocumented migration as 'new'. This paved the way for this group to be understood in categorically different terms to the members of the struggle: as motivated by different intentions; and as capitalising on national achievements. With these kernels of the argument in place, South Africa could move comfortably in the same direction as most other immigration control discourses, smoothing over uncomfortable questions posed by the various forms of poor treatment meted out to these people, and consoling itself about evident problems within its security apparatus.

For many observers this may seem to be a relatively unproblematic outcome. All successful modern political movements, stretching back to the French and American revolutions of the eighteenth century, have experienced a process whereby appeals to universal brotherhood and equal rights have been gradually reconsidered in favour of a more circumscribed assessment of national belonging and realistic acquiescence to state sovereignty. Those who study post-1994 South African political discourse might suggest that what is happening in the realm of immigration policy simply reflects the multiple conservative backlashes the ANC has undergone in the transition from revolutionary movement to ruling party. In response to these arguments, the author suggests that the unique and compelling aspect of the evolving ideology in South Africa is that it is one of the few cases where a 'free movement' ideology has constituted a core principle of the revolutionary movement's ideals, and that it is one of the few sites where we see, in open public discourse, a genuine questioning of the assumptions of difference upon which the modern immigration regime is built, and the condition of 'illegality' sustained. Movement controls were, along with the formation of separate homelands, core features of the Apartheid state, and key objects of resistance, struggle and critique, for the ANC and its allies and for the large international audience that gradually came to view the *status quo* in South Africa as illegitimate and intolerable. South Africa stands out from European and North American nations, not so much in that its efforts to control unwanted migration are any more or less legitimate, but in that its historical consciousness so evidently challenges the legitimacy of such policies.

This leads us ultimately to a need to question what the end of Apartheid *means* for the politics and discourse of international migration. For most this moment ranks, along with the collapse of the Berlin Wall, as a powerful symbol of achievement in human rights and

politics. There have been a variety of attempts to capitalise on this symbolism in contemporary global discourse, from the film industry's repeated use of Apartheid history to dramatise the message of humanity's simultaneous potential for both gross injustice and stubborn defense of cosmopolitan ideals, to South African President Thabo Mbeki's campaign to illustrate the pervasiveness of global power imbalances through reference to the concept of a 'Global Apartheid'. However, with the exception of cases like Hong Kong/China and Israel/Palestine, where there is a clear case to be made regarding the moral and practical significance of specifically *internal* movement controls, there have been few attempts to draw linkages between the problems inherent in Apartheid and the inconsistencies and injustices of contemporary immigration controls. What is lacking, amidst the welter of collective back-slapping that continues to occur around this historic achievement, is an attempt to engage, at anything other beyond a superficial level, with the issue of whether anti-Apartheid affiliation (the preserve of moral conservatives and liberal cosmopolitans alike), impose obligations on us to question the exposure of migrant peoples to the most brutal edges of state power: surveillance, arrest, detention and forced removal. This paper has suggested that, at the very least, the South African media seems to regard this argument as compelling if not necessarily convincing.

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