

**Citizenship and identity, brain drain and
forced migration:
The case of Zimbabwe**

Kirby Ranchod

Policy: issues & actors

Vol 18 no 5

Citizenship and identity, brain drain and forced migration:

The Zimbabwe case

Kirty Ranchod

Centre for Policy Studies

Johannesburg

July 2005

The Centre for Policy Studies is an independent research institution,
incorporated as an association not for gain under Section 21 of the
Companies Act.

Centre for Policy Studies
1st Floor
9 Wellington Road
Parktown
Johannesburg, South Africa

P O Box 16488
Doornfontein 2028
Johannesburg, South Africa

Tel (011) 642-9820
Fax (011) 643-4654
e-mail: portia@cps.org.za

www.cps.org.za

This paper is part of a Ford Foundation Special Initiative For Africa-sponsored project on
Regional Citizenship and Identity

ISBN - 1-920030-30-1

TABLE OF CONTENTS

1.	INTRODUCTION	1
2.	CITIZENSHIP AND IDENTITY	1
3.	DEMOCRATIC GOVERNANCE CRISIS IN ZIMBABWE	5
4.	ECONOMIC DEVELOPMENT	6
5.	BRAIN DRAIN	8
6.	MIGRATION AND CONFLICT	12
7.	SOUTH AFRICA: DESTINATION OF CHOICE	14
8.	RECOMMENDATIONS: WHAT ARE THE CHANCES OF BUILDING REGIONAL CITIZENSHIP AND IDENTITY?	18
9.	CONCLUSION	18

1. INTRODUCTION

This paper deals with issues of citizenship and identity, with specific reference to Zimbabwe and the brain drain triggered mainly by the crisis in that country. The paper will provide an overall presentation of the southern African regional perspective on the free movement of people, citizenship rights and identity. It will consider the implications of the Zimbabwe crisis in attempts to construct a common southern African citizenship and identity. The paper will conceptualise citizenship and identity, consider how it is viewed and promoted in southern Africa and how the Zimbabwean crisis impacts on these issues. Personal interviews were conducted with skilled Zimbabweans living in Johannesburg, South Africa, in order to ascertain their perspectives on these issues.

All over the world people are leaving their homes and their countries in search of jobs, higher salaries and better opportunities. Even more people are forced to move because of war and economic instability. The 'brain drain' is the movement of skilled people vital to the core functioning of an economy. A skilled person is usually defined as someone with specialised or technical skills that are used in professional occupations. Without such individuals the development of the economy would be severely hindered.¹

In order to understand the brain drain in Zimbabwe, it is important to discuss certain conceptual issues. A number of factors help explain the issue of the brain drain and forced migration. These include the notion of citizenship and identity, democracy and economic development. These issues are interlinked and will provide the lens through which citizenship and identity will be analysed.

The crisis that has gripped Zimbabwe has resulted in the mass exodus of people, estimated at almost a quarter of the country's population. Many have fled to neighbouring countries, particularly South Africa, in search of a better life. What has happened in the past years to cause such a large migration of Zimbabweans? What are the forces behind this mass movement of people and what are the chances of building a common citizenship and identity.

2. CITIZENSHIP AND IDENTITY

Adejumobi explains that the word citizenship was originally used for inhabitants of cities. Citizenship was an urban phenomenon, due to the fact that most of the nation states in medieval and ancient periods were city states and urban in nature. He states that, the rise of the modern nation state saw the appropriation of the concept 'citizen' to demarcate those who belong to a political formation or community and those who do not. Citizenship is,

¹ Mattes R, Richmond W. 'Brain Drain: What do skilled South Africans think?' *Africa Insight* 2000; 30(2): 11.

therefore, an instrument whereby the state lays claim to and defines its sovereignty, authority, legitimacy and identity. The identity of a citizen in the global context is in turn defined by the state. The institution of citizenship is the political artefact through which the state constitutes and perpetually renews itself as a form of social organisation. It is the means through which the modern state, made of various nationalities seeks to forge a common identity and collective experience for its people.²

What this means is that the state and citizens have a mutually beneficial relationship, where the state provides the platform for a normal and satisfying life and citizens develop a common identity that defines them as citizens of the state.

Citizenship is a regime of rights, privileges and duties. TH Marshall classifies those rights into three categories: the civil, political and social. These rights include freedom of speech, association, due process, equality before the law, franchise and social welfare. The citizen also has certain duties and obligations and these include the payment of tax, the use of franchise and social welfare, conscription to the military, if necessary, and the offering of loyalty and allegiance to the state.³

In Zimbabwe these conditions are not being met by the state. Freedom of speech is curtailed and those who speak out against the government are described as enemies. Association with opposition parties often leads to persecution and unlawful arrest. Instead of engaging the opposition in order to create a fully functioning and open democracy that values the opinion of its nationals, the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) intimidates and persecutes its citizens. Adejumobi says that "The flux in the flow of population, migration, birth and residency are de-emphasised in the politics of citizenship within rigidified state systems... because of elite vested interest imposing and maintaining narrowly based ethnic power".⁴

The Zimbabwean government, in 2001, tightened its citizenship laws and this has particularly affected whites of British descent. The Citizenship Amendment Act of 2001 was aimed at closing the loopholes the government felt was being exploited in order to retain dual citizenship.⁵ Citizens who want to retain Zimbabwean citizenship will now have to renounce their foreign citizenship.

ZANU-PF believes that those people who hold dual citizenship are behind efforts to discredit the government. Citizens who retain their Zimbabwean citizenship are likely to face human rights abuses and unfair treatment. The other option is to forfeit Zimbabwean

² Fayemi K (ed). Deepening the Culture of Constitutionalism: Regional Institutions & Constitutional Development in Africa. 2001: 202.

³ Ibid.

⁴ Fayemi 201.

⁵ Chinaka Chris. 'Zimbabwe tightens ban on Dual Citizenship.' 18 February 2001. Accessed on 30 June 2005 at

<http://www.globalpolicy.org/nations/citizen/zimbabwe.htm>

citizenship and leave the country, exactly what Mugabe wants. The Zimbabwean government also denies those of the Diaspora the right to cast their votes through postal voting, limiting this to those on official government duties.⁶ The government has also cut the length of time a citizen could spend outside of the country (with certain exceptions) before losing Zimbabwean citizenship. That members of the Zimbabwean diaspora value their participation in elections is demonstrated by a mock election held in South Africa, as quoted below:

*'Mock elections were held in Pretoria in March 2005 and we had over a thousand people come and cast their vote. This shows that they still want to participate in the political dispensation of their country, but the Zimbabwean government doesn't allow nationals outside the country to exercise their vote.'*⁷

Farm workers, on the other hand, have always been marginalised. They are regarded with mistrust by both the government and other citizens, chiefly because of the history of labour migration and the form of administration they fall under. This has often meant that workers were foreign born and closely linked to white farmers. Marginalisation of farm workers and discrimination against them reached an all time high after the fast track land reform programme. Anyone with a different ethnic or racial identity to those who held authority was assumed to be a potential threat to that power. Mistreatment of farm workers became justified with certain labels: opposition (Movement for Democratic Change ((MDC)) supporter), betrayal (sell-outs) or foreigners (outsiders).⁸

The Citizenship Amendment Act denies citizenship not only to whites of British descent, but also to an estimated two million second- and third-generation Zimbabweans. These people are descendants of immigrants who, prior to 2002, enjoyed full citizenship. Many of them have no ties to the country of their ancestral origin and cannot even claim citizenship there. As a result, these people have become stateless. In 2003 the government of Zimbabwe amended the Citizenship Amendment Act to exclude those persons originating from the Southern African Development Community (SADC). However, many Zimbabweans who originate from outside of SADC remain stateless as the process of renunciation is laborious and expensive, and in some cases there is no basis for renunciation. As a result, the legal citizenship of many Zimbabweans has become murky and this has important implications for their civic and legal rights.⁹

Booth says the aspect of identity that makes us believe that some are the same as us and others are different, is inseparable from the society in which these distinctions are made.

⁶ Solidarity Peace Trust. 'Out for the count: Democracy in Zimbabwe.' Zimbabwe Parliamentary Elections fact finding mission by South African church and civil leaders. 2005: 38.

⁷ Personal Interviews conducted with skilled persons from Johannesburg, South Africa in June 2005.

⁸ West AR, Rutherford B. 'Zimbabwe's new clothes: Identity and power among displaced farm workers.' *Sarai Reader Bare Acts* 2005: 399-401.

⁹ Muzondidya James, Alexander Karin. 'The ghost voters, the exiles, the non citizens: an election of exclusion.' 31 March 2005. Accessed on 30 July 2005 at www.ijr.org.za/publications/media/citizensm05/download

This is an important point in a region that he argues exhibits extreme levels of xenophobia and racism.¹⁰ African people often describe themselves according to the tribal and religious groups they belong to, rather than promoting nationalism. This has resulted in much political unrest on the continent, with groups fighting for recognition and an identity. Citizenship along ethnic lines can be a dangerous idea if it is exploited by leaders, which has happened on many occasions in Africa and elsewhere in the world. In Zimbabwe, this is easily illustrated by the killing of thousands of people in Matabeleland in the eighties:

*'There are two major ethnic groups in Zimbabwe, Shona and Ndebele (from Matabeleland, but originally migrated from South Africa). It would appear to me that Shona Zimbabweans see themselves as first and foremost Zimbabwean. The Ndebele see themselves as regional citizens...maybe Zimbabwean or South African citizens. They have been marginalised by Shona since independence so they are more willing or more prepared to view themselves as foremost South African citizens.'*¹¹

Based on such a situation, unless the current crisis is halted and a negotiated settlement reached, one should not rule out Zimbabwe being plunged into civil war. This type of conflict is often preceded by discriminatory practices, abuse of human rights and general disregard for the rule of law: this is exactly what is occurring in Zimbabwe right now. In a worst-case scenario, victims will resort to violence and become the perpetrators, as was seen in Rwanda.

ZANU-PF does not rule much differently from the colonial powers. Today it is common practice that only elites benefit from opportunities provided by the state, nepotism and clientelism are the order of the day, freedom of speech is denied, people are openly discriminated against and the rule of law does not apply. Instead of promoting nationalism through acceptance of all Zimbabwean people, ZANU-PF has created a narrow definition of what constitutes a Zimbabwean citizen, based on ethnic and racist lines. This deviates entirely from the creation of a common regional citizenship and identity, as citizens are unable to express their identities or experience the benefits of their citizenship within Zimbabwe itself. "When large sectors of society are mere subjects, not citizens and when citizenship has essentially male, elite and sectarian attributes (as countless African scholars have highlighted) democracy, peace and development have virtually no anchors."¹²

Raftopoulos says that, "a particularly damaging feature of the ruling party's response to the crisis in Zimbabwe has been the state's overwhelming, overarching articulation of an

¹⁰ Nana P. *Security and Development in Southern Africa Westport*. Praeger, 2001: 166.

¹¹ Personal interviews.

¹² Special Initiative on Africa (SIA) Conference on Citizenship and Identity in Africa. Addis Ababa, Ethiopia, 9-12 June 2003.

intolerant selective and racialised national discourse”.¹³ He argues therefore, that the ruling party has conducted a saturated ideological attack on a range of internal enemies as part of a sustained project of de-legitimising opposition politics. The Zimbabwean government is demonising certain sectors of the population by arguing that these people are not true citizens of Zimbabwe and that they are attempting to overthrow the state in order to motivate and justify violence against them.

3. DEMOCRATIC GOVERNANCE CRISIS IN ZIMBABWE

Democracy, in the simplest sense, is a system of government whereby the people (the citizenry) have a major stake and say in the exercise of power, typically through elected representatives who act on behalf of the people. It is also characterised by protected individual rights and liberties that guard against government interference, equality under the law, free, fair and competitive elections, majority rule and respect for minority concerns. Most political scientists agree that free, fair and competitive elections that determine who governs is a necessary, albeit not sufficient ingredient, in a properly functioning democracy.¹⁴

Based on this definition, Zimbabwe as currently constituted, cannot be called a democracy; indeed, what was once a role model of democracy, has backslid in recent years. Neither the 2000, 2002 or the recent elections of March 2005 can be considered free, fair or competitive. In the run up to the 2000 elections, many civil and human rights were revoked. This indicated the backward slide into a state that was no longer going to pursue democratic principles or promote the consolidation thereof, but rather had turned to intimidation and violence in order to maintain power. Many Zimbabweans have lost the right to participate freely and fairly in elections, to make their own choice and even the right to stand for election.

Citizenship is based on democracy, and democracy is imperative to the protection of human rights and survival of identities. Democratic governance ensures resources are distributed fairly and evenly between all citizens and that conflict over this is minimised. This means that politics in Zimbabwe has failed because democratic governance is not pursued and violence is encouraged. Citizenship is based on the idea that individual rights are recognised and entrenched. However, group interests are maintained through sharing of resources.

The majority rule in Zimbabwe has now become a means to repress ideas through intimidation and violence. Citizens no longer have the opportunity to openly and freely

¹³ Raftopoulos B. 'Unreconciled differences: the limits of reconciliation politics in Zimbabwe.' South African Regional Poverty Network, 2004. www.sarpn.org.za/documents/d0001146/P1266intro_24_Jan_Zimbabwe.pdf9.

¹⁴ Lipset S (ed). *Encyclopaedia of Democracy*. Congressional Quarterly Inc, 1995; 1.

express their views because the government controls the electronic media and manipulates access to it.

Many repressive laws, including the state of emergency, were retained by ZANU-PF after independence. In order to maintain the status quo, to ensure ZANU-PF's continued existence and to be able to deal with those the ruling party viewed as enemies (like the people of Matabeleland), these laws were kept.¹⁵

Indications of ethnic intolerance surfaced early on in the Zimbabwean democracy. In the mid eighties, the regime killed between 10 000-20 000 people in Matabeleland, when Mugabe accused Zimbabwean African People's Union (ZAPU) of collaborating with South Africa. Partially for ethnic reasons, the army caused people to flee their homes and countless injuries. Ethnic conflict, however, has lessened with the merger of ZANU and ZAPU to form ZANU-PF.

The lesson for Zimbabwe is that in a democracy there are many mechanisms designed to ensure liberty. One such mechanism is a pluralist civil society with a wide range of religious, economic and cultural groups. In Zimbabwe, civic organisations have been intimidated and their leaders persecuted for their outspoken views on the government. Restrictive laws such as the Public Order and Security Act and the Right to Information and Privacy Act have been used to hinder the progress of civic organisations.

The Zimbabwean government has also attempted to suppress NGOs through the drafting of the Non-Governmental Organisations Bill. The bill attempts to prohibit organisations from obtaining foreign funding and prohibits foreign NGOs from operating in the country. The bill was passed by Parliament on the 5 May 2005, but had yet to be promulgated or signed into law at the time of writing. Mugabe had decided that there were still certain issues that needed to be addressed. Just recently, Mugabe admitted to United Nations officials that Zimbabwe was in need of food aid and this may be the reason that the bill had been put on the backburner. Let us now deal with some economic considerations.

4. ECONOMIC DEVELOPMENT

Colonial economies evolved based on the exploitation of primary forms of production (such as mining and agriculture) for the export market in a manner that did not require the total transformation of the communities or their absorption into productive activities. Minimal manufacturing and service sectors grew in the process. (Zimbabwe eventually embarked on import substitution strategies that helped their non-primary sectors, but this was primarily to service the needs of the minority.) Formal economies evolved that had a narrow economic

¹⁵ Lipset 47.

base.¹⁶ Economic policies pursued at independence in many countries of the sub-region failed to transform this inherited legacy and merely reinforced it; Rhodesia (currently Zimbabwe) was In many developing nations, economic power and political power are generally concentrated in the hands of a small number of people. The state is usually the most important source of capital, income, power and status. State allocation of resources and opportunities makes corruption a major problem of governance. Kibble questions what happens to the traditional definition of security, which has been viewed as firmly rooted in the nation state as the source of identity, when weaker nations are less able to control their policies and power shifts to global social formations and markets dominated by (northern) transnational corporations, multilateral finance and trading institutions.¹⁷

Brian Raftopoulos, president of the Crisis Zimbabwe Committee, provides an answer to this question. He says, on the one hand you have the global super power, espousing liberal democratic values, while policing an economic agenda, producing widespread global impoverishment. On the other hand, this system of global impoverishment is breeding authoritarian nationalism in countries like Zimbabwe, where the regime demands uncritical solidarity without a place for national state accountability. The state therefore has none or very little regard for its citizens and they are sidelined in favour of elite interests.

A perfect example of this kind of behaviour was displayed in February 2000, when Zimbabweans voted against the expropriation of selected farms for redistribution to former war veterans, without compensating the current owner. Despite the no-vote, the ruling party responded by occupying 20 % of Zimbabwe's commercial farms. This was a major turning point for the Zimbabwean economy and its politics and spoke of the complete disregard for the wishes of its citizens.

The increasing international isolation of Zimbabwe and its economic decline has led to significant protest on the ground. In 2002, ZANU-PF imposed legal restrictions on the media, NGOs and public assemblies in general and foreign financing of civil society. ZANU-PF also increased the use of force (such as arrests and tortures), highlighting a crisis of state civil-society relations expressed in the degradation of key civic and political (human) rights.¹⁸ This influenced people to leave the country.

People needed money. The government was not listening to them, so they started joining the opposition. In 2000 the government began using violence and people felt they could not cope with the situation. So you find that nurses left and the health system failed. Because of economic suffering there is a change in

¹⁶ Landsberg C, Mackay S. South Africa Post-Apartheid? The search for Democratic Governance. Idasa, 2004: 67.

¹⁷ Kibble S. 'Zimbabwe: Identity, Security and Conflict.' 2003.

¹⁸ Moyo S. Unpublished paper, 2005.

*political opinion... people are politically persecuted and thus they leave the country.*¹⁹

Zimbabwe has experienced a general decline in all productive sectors of the economy: foreign exchange shortages, exceptionally high levels of inflation, increasing unemployment and poverty levels and a general lack of business confidence. By 2001, unemployment already stood at 60 % and this rate continued to worsen as the economy contracted. At the time of writing it was speculated that unemployment stood at 80 %. Foreign exchange equals only one day's exports and domestic debt is pegged at R 28.8 million. Zimbabwe is experiencing massive food and fuel shortages.²⁰ As a result the country is unable to provide for the needs of its citizens and many Zimbabweans have decided to leave the country.

Many writers have noted the correlation between economic development and the presence of democratic institutions. According to Robertson, three separate and extreme crises are affecting Zimbabwe economically: food scarcities, fuel delivery shortages and electricity load shedding.²¹ He also links the current problem to the redistribution of land. The end of almost all commercial farming is the main cause of worsening shortages. Subsequent price increases for industrial materials have been driven mainly by the growing scarcity of foreign exchange.

Lahiff says the influx of Zimbabweans to the border areas of South Africa has been accelerating for some years now, driven not by land redistribution, but economic conditions at home.²² What this indicates is that if citizen's basic needs are not met they will look for better opportunities elsewhere. This coupled with the violence and intimidation experienced by many people, is what prompted the mass population movement out of the country.

5. BRAIN DRAIN

The Zimbabwean government is a threat to citizenship and identity, creating conditions that are counter-productive to the aims thereof. Because the rule of law no longer exists, it has had a devastating effect on both the economy and the legitimacy of democratic institutions. As a result, people have fled in large numbers. The exodus of skilled workers in particular has effectively served to deepen the crisis as economic revival or sustenance is tantamount to availability of skills.

¹⁹ Personal interviews.

²⁰ Moore C. 'Zanu-Pf: Portrait of the Liberation Movement as a political party'. Centre for Policy Studies, 2004.

²¹ Cornwall R. 'Zimbabwe's Turmoil: Problems and Prospects.' Institute for Security Studies, 2003; Monograph no 87: 41-59.

²² www.iss.co.za/pubs/Monographs/No87/Chap5.htm

According to recently published estimates, 25 -30 % of Zimbabwe's population have left the country. Of that number, more than two million are said to be residing in South Africa. This may be upwards of 60 -70 % of productive adults; out of a potential 5 million productive adults, 3.4 million live in the Diaspora. This has had major economic and social implications for Zimbabwe. Skilled people who leave for better prospects, often don't want to return unless economic and political conditions improve and will most likely take up permanent residency in their host country. Many of the emigrants' children will most probably gain citizenship in the new country and this will make them disinclined to return to their home country. Zimbabwe will ultimately lose a lot of citizens, particularly to states outside of Africa.

According to McDonald and Crush, the loss of a country's skilled workers is not only a loss of human resources but also a general indicator of whether a country is a desirable place to live.²³ They argue that a skilled exodus usually heralds tougher times to come, as social and financial capital moves with skilled nationals. Mattes and Richmond say that the idea of a brain drain implies a depletion of skilled people who are vital to the functional core of the economy.²⁴ The African Capacity Building Foundation has estimated that Africa loses an average of 20 000 skilled personnel a year to developed countries.²⁵

A 1998 International Labour Organisation study, estimated that 60 000 migrants were working in South Africa in professional positions.²⁶ According to the South African High Commission in Harare, about 75 000 Zimbabweans are believed to be living in South Africa illegally after the expiry of their temporary residence permits (1997), while an unknown additional number have entered without legal documentation. The Zimbabwean High Commission in South Africa estimated the number as far greater (400 000, including legal and illegal migrants).²⁷ The South African government has responded by trying to impose stricter controls for entry into the country, especially for unskilled workers. Only those with skills and capital for investment are selectively allowed entry.

Director-General of Home Affairs, Mzukile Jeff Maquetuka, stated recently that the draft protocol on the free movement of people should be finalised by the end of 2005.²⁸ He said that the government acknowledged the fact that migration is a global phenomenon and that they don't expect the flow of migrants into South Africa to slow down. New regulations that take into account South Africa's need to encourage the inflow of exceptional skills are also

²³ McDonald DA, Crush J. *Destinations unknown: Perspectives on the Brain Drain in Southern Africa*. Africa Institute of South Africa, African Century Publications Series no 5, 2002: 1.

²⁴ Mattes R, Richmond W. 'The Brain Drain: What do skilled South Africans think?' *Africa Insight* 2000; 30(2): 10.

²⁵ 'Our Common Interest.' Report of the Commission for Africa. March 2005.

²⁶ ILO Study 1998.

²⁷ Tevera DS, Crush J. 'The New Brain Drain from Zimbabwe.' Southern African Migration Project. Migration Policy Series no.29, 2003: 20.

²⁸ 'SA No land of milk and honey.' *Business Day*. 7 June 2005.

expected to come into effect in July 2005. However, if the law only favours skilled people, then the protocol will not benefit those in the lower socio-economic groupings and they will continue to be disenfranchised and marginalized.

“The Immigration Act aims at setting in place a new system of immigration control which ensures that ... [the needs and aspirations of the age of globalisation are respected and the provisions and the spirit of the General Agreement on Trade in Services is complied with] economic growth is promoted through the employment of needed foreign labour, foreign investments is facilitated and the entry of exceptionally skilled or qualified people is enabled, skilled human resources are increased, academic exchanges within the Southern African development community is facilitated and tourism is promoted.”²⁹

People applying for entry visas into South Africa are required to produce proof of confirmed and paid hotel accommodation or a letter of invitation from a business associate, friend or relative legally residing in South Africa. The letter should include the following information: the person’s address and identity number and length of the intended stay. Zimbabwean visitors also have to provide proof (with bank statements and traveller’s cheques) that they are able to sustain themselves or produce a letter from their employer that they will return when they have finished their business. For unemployed persons, proof of marriage in Zimbabwe or an affidavit from a spouse is necessary.³⁰

The Southern African Migration Project (SAMP) conducted three surveys between 1997 and 2001 in order to provide an insight into the attitudes of ordinary Zimbabweans on issues surrounding migration. Most female respondents said the purpose of their visit was to buy and sell goods.³¹ Males, on the other hand, said that they had gone to South Africa for informal trading or to look for work. Over 60 % of the respondents saw race, religion and language as being very important or important in the way they see themselves. A large majority considered being Zimbabwean as an important part of their personal identity, with only 6 % feeling that nationality was unimportant in the way they viewed themselves.³²

This implies that even though obtaining employment and conducting business made it necessary for them to seek opportunities in other countries, most Zimbabweans retained their sense of nationality. The protocol on the free movement of people would, therefore, encourage increased movement of skills and goods but not necessarily permanent settlement, as most Zimbabweans valued their nationality and would probably return eventually.

²⁹ Immigration Amendment Act. Act no 19. 2004: 4.

³⁰ Tevera DS, Zinyama L 31.

³¹ Tevera DS, Zinyama L 39.

³² Tevera DS, Zinyama L 50.

When asked about the rights and privileges that migrants should be entitled to, 40 % felt that undocumented migrants should be entitled to full access to social services. It emerged that most respondents were ignorant of the rights of foreigners and the fact that foreigners have human rights that they are entitled to, no matter where they go.³³ It becomes important then that governments within the region actively seek to educate their citizens on the rights they are entitled to. In order to construct a common identity and citizenship, individuals need to be familiar with their rights.

“Zimbabwean nationals are mainly demanding to be treated fairly, ...don’t think there are any privileges we are requesting.”³⁴ “Right to be free, from harassment from the police...right to be allowed to work, to get asylum documents and the right to education...basic human rights.”³⁵

The SAMP study revealed that high levels of taxation, coupled with high levels of inflation were the main economic reasons for leaving and the feeling was that this was likely to increase even further. Besides economic and political reasons for leaving, respondents in the SAMP study included dissatisfaction over medical services, education and a viable future for their children. The majority also expressed pessimism over the future and saw their personal economic circumstances getting worse. “Even if you are earning a good salary, it will mean nothing in Zimbabwe... this is because, you cannot educate your children properly and be satisfied they will have a good future. The education system has deteriorated because skilled people are leaving.”³⁶

The findings of the study indicate that most Zimbabweans surveyed were not willing to cut their financial and property links with the country and would retain their citizenship.³⁷ This indicates a strong desire to eventually return to Zimbabwe and a strong sense of Zimbabwean identity.

*“Zimbabweans are a proud nation, and are happier at home. Everyone in the Diaspora maintains contact with Zimbabwe, but mostly family contact. Those in the Diaspora keep updated with news, Internet...still have a sense of belonging. If things were changed, I’m sure every Zimbabwe will want to return and participate in the revival of their country.”*³⁸

Of course they will definitely return...come the holidays, what happens at Beit Bridge? People are going home. You are working here but most of the time you are sending money to Zimbabwe. People are buying houses there, even though

³³ Tevera DS, Zinyama L 66.

³⁴ Personal interviews.

³⁵ Personal interviews.

³⁶ Personal interviews.

³⁷ Tevera DS, Crush J 32-33.

³⁸ Personal interviews.

*they don't stay there. In Zimbabwe right now, beautiful houses are being developed and you find that the owner is overseas.*³⁹

The important question here is whether the migration of skilled people is really such a loss if they eventually return with new, more refined skills and can pass these skills on. Also many migrants still have families in their home countries, and may send remittances regularly. In the case of Zimbabwe, remittances sent through the proper channels are heavily taxed and the government is able to make money out of migrants living abroad.

Over the years a number of initiatives have been launched to link members of the African Diaspora to one another and to their country of origin in order, to enable the exchange of learning and skills. African intellectuals are strengthening their ties to their native countries, stressing their dual identity of being both African and intellectuals in contact with western culture.⁴⁰ South Africa is creating agencies both in Europe and the United States to gather information on the professional profiles of South Africans living abroad. The qualifications of expatriates in the sectors of the new technologies and research are particularly sought for they may be directly applied to South Africa's new development programmes.

Honore states that there are some common reasons given why professionals do not want to return to their home countries. The first relates to the social and political situation in Africa that has existed for some time. The other reason most commonly cited, is whether they will be able to access the job market and whether they will be able to apply their skills. The third reason is the attraction to the host country, and in my opinion, also attachment to the host country after residing there for a number of years. A survey carried out in London found that two-thirds of all the black people living in London would return to their homes in Africa if the economic and social situation improved there.⁴¹

6. MIGRATION AND CONFLICT

Migration is the consequence of economic and socio-economic conditions existing in a society. Conflicts are an obstacle to ensuring respect for human rights, peace and security in Africa; in conditions of war, the rule of law and normal citizen rights and human rights are sidelined. What results is a devastation of people's lives, where they are uprooted from their homes, in some cases lose their entire family and basically suffer from a loss of identity and sense of belonging. It has been argued that:

³⁹ Personal interviews.

⁴⁰ McDonald DA, Crush J. *Destinations unknown: Perspectives on the Brain Drain in Southern Africa*. Africa Institute of South Africa. African Century Publications Series no 5, 2002: 1.

⁴¹ Honore AY. 'Diasporas, Brain drain and the return' 2002. http://www.africansocieties.org/eng_giugno2002/eng_brain.htm.

*Zimbabweans feel the region has betrayed them, because the region refuses to acknowledge there is a crisis there... feel neglected...see themselves as socially, politically and economically destitute. What Zimbabweans are doing is just seizing every available opportunity that exists and making the best of it. And they are doing it under strenuous conditions. Zimbabweans are not enjoying being out of their country. Zimbabweans have only left because they need to make money to send it back home. They are over-working themselves in their host countries.*⁴²

The spread of HIV/AIDS has been linked to the migration of people, with those affected worst being women and young girls, who are often sexually abused and taken advantage of in times of economic hardship. According to the South African Humanitarian Information Network for a coordinated disaster response: "In many parts of Africa, HIV/AIDS is now the main threat to human survival...War breaks up families and communities, creating millions of refugees and placing women and children in great peril of sexual attack or systematic rape, which is often used to terrorise opposing forces."⁴³

The threat this poses to the region is massive, especially to South Africa and Botswana, which will have to deal with a mass influx of political and economic refugees. In the worst case, where Zimbabwe might plunge into internal violence, South Africa and neighbouring states may be forced to respond with a more direct form of intervention; for now however, this seems remote.

The United Nations' Department of Economic and Social Affairs has identified three categories of international migrants: the privileged, the victims, and the "average" international migrants.⁴⁴ Privileged migrants are often wealthy and educated and could provide a positive influence on the perception of migrants. It is also argued that the "average" migrant does not have the benefits of the privileged migrant and are often in the lowest socio-occupational group, are on the bottom of the wage scale and are subject to the worst working conditions in their host countries.⁴⁵

It is important then that governments of southern African states agree to regulate the movement of people so that issues of labour standards and minimum wages can be standardised and be applied to migrants. It may help to curb xenophobia if people feel they all have equal opportunities and also discourage employers to abuse and exploit migrants.

At most of these private schools you will find a Zimbabwean teacher, not one, a lot of them. They are not treated very well, they are abused, paid R 800-R 1

⁴² Personal interviews.

⁴³ www.iss.co.za/AF/current/2005/050228food.pdf

⁴⁴ 'SA is revolving door to desperate Zimbabweans.' 24 March 2005. Accessed 30 June 2005. http://www.mg.co.za/articlePage.aspx?articleid=200245&area=breaking_news/breaking.htm

⁴⁵ Ibid.

*200... I have a case of three teachers who were not paid for 6 months...because of xenophobia, and they have temporary asylum. We have Zimbabwean teachers on the street, selling tomatoes, someone with a bachelors degree...We want the right to employment, to be accepted.*⁴⁶

The third category of migrants are known as victims or refugees, and includes individuals who emigrate from their country in order to escape poverty, environmental disaster, persecution or political chaos, and are most at risk to have their human rights violated.

7. SOUTH AFRICA: DESTINATION OF CHOICE

South Africa continues to be the destination of choice for illegal migrants from Zimbabwe, who now number as many as two million, according to unofficial estimates. The government admits that it is fighting a losing battle against the influx of Zimbabweans fleeing poverty and repression in their homeland, with many deportees returning to South Africa within weeks. South Africa deports between 600 and 6 000 Zimbabweans every week from a repatriation centre called Lindela.⁴⁷

One of the initial goals of the SADC was to develop a common policy on the movement of people, called the 'SADC Protocol on the Free Movement of People'. The policy was to facilitate the movement of the citizens of member countries. It was proposed that people be able to enter the territory of another state without visa for a period of three months, be able to reside in the territory of another member country and be able to establish themselves, working in another country. Despite Zimbabwe's support for the proposal, it has never been ratified, mainly because of opposition from South Africa and Botswana.⁴⁸ The quotes below, from interviews with Zimbabweans living in South Africa, express some of their views on the subject.

*"Maybe to South Africa the endorsement of that protocol would allow for a mass exodus of Zimbabweans coming into neighbouring countries, claiming those rights (refugee status). It might possibly overstrain infrastructure."*⁴⁹

"... people will be flocking to South Africa and I don't think South Africa will be willing to open up its borders to the free movement of SADC nationals. I think as a Zimbabwean national, I would like to see the movement of people within the SADC region and opening up of borders, because we have restrictions when it

⁴⁶ Personal interviews.

⁴⁷ 'SA is revolving door to desperate Zimbabweans.' 24 March 2005. Accessed 30 June 2005. http://www.mg.co.za/articlePage.aspx?articleid=200245&area=breaking_news/breaking.htm

⁴⁸ Tevera DS, Zinyama L 24.

⁴⁹ Personal interviews.

comes to African citizens who want to gain access to South Africa in particular."⁵⁰

*"Maybe some of the regional states are not willing to open up borders because they are not in a position to deal with the load of population and the inflow into their economies. South Africa is economically sound, this is why Zimbabweans and Africans want to come to South Africa. Not signing this treaty is restricting movement at a time when there is talk of a global village...we should also open up our regional borders,so that we may be able to enter the global arena as a region. But I don't see this happening."*⁵¹

*"...there is no benefit to being a SADC citizen when you cannot move freely within SADC."*⁵²

There are also concerns that the protocol on the free movement of people will lead to an increase in racism and xenophobia. Zinyama states that migrants have become the target of extreme hostility from South Africans and all Zimbabweans have become stereotyped as a social, economic and criminal threat to South Africans.⁵³ This makes the prospects of a regional citizenship and identity very unlikely in the short term as many of the issues are complex:

*"The unskilled are treated from bad to worse, taken advantage of, work conditions are horrendous, they are abused and not well paid. For the unskilled it is really bad...these are the people that are arrested every day. Most skilled Zimbabweans are a threat to skilled people here who feel that Zimbabweans are more educated and they should go back and work in their own country."*⁵⁴

South Africa limits the number of immigrants it allows each year to protect the work opportunities for unskilled and semi-skilled workers, which is in line with international trends. This limits skilled and semi-skilled workers from getting work permits. The South African government says that those who wish to immigrate should be willing to share their skills and expertise and settle permanently in the country; otherwise it would not be in South Africa's interest to grant permanent residence status.⁵⁵ However, this raises serious questions about South Africa's own commitment to the challenges of migration. A deportation regime merely puts bandages on a complex issue, rather than addressing the root causes.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Tevera DS, Zinyama L. 'Zimbabweans that move: Perspectives on international migration in Zimbabwe.' Southern African Migration Project. Migration Policy Series no 25, 2002: 5.

⁵⁴ Personal interviews.

⁵⁵ 'Rainbow Immigration.' 5 November 2005. Accessed 30 July 2005. http://www.safrika.info/public_services/foreigners/immigration/immigration-trends.htm

Unauthorised migrants from Zimbabweans fall into two categories. The first being Zimbabweans who enter the country legally, through official exits, but who often overstay after their visas have expired. The second category includes those who leave without valid travel documentation and do not use official exit ports. Some of the methods used by those coming into the country without travel documents are described in the extracts from interviews below.

“Most of them come illegally because it is very difficult to obtain work permits or asylum documents. The Johannesburg refugee offices for new arrivals are closed due to health hazards. People would spend five days there without any facilities.”⁵⁶

“Most Zimbabweans don’t use passport documents. Many Zimbabweans pay people to transport them illegally from Zimbabwe to South Africa.”⁵⁷

“Most illegals come over the river Limpopo, many also bribe South African officials ...taxi transporting people from Zimbabwe to South Africa have established contacts with Home Affairs at the border.”⁵⁸

“The majority of Zimbabweans come to South Africa illegally. Once here they seek political asylum and refugee status, which is very difficult to obtain, so they end up buying South African documents.”⁵⁹

It is clear from the above, that most Zimbabweans enter South Africa along established routes, through taxis and other forms of transport working in cahoots with border officials. So, despite the reluctance of South Africa and others to sign up to the protocol, Zimbabweans and others (such as Mozambique nationals) are beginning to use these underground routes to enter South Africa and other Southern African countries. If we accept the estimate that some two million Zimbabweans have come into this country illegally, then this is a measure of how successfully this unofficial regional citizenship is beginning to assert itself, at least as far as Zimbabwe and South Africa are concerned. Large numbers of Zimbabweans appear to be crossing into South Africa without the required documentation and despite a restrictive immigration regime. Once they have illegally obtained identity documents they are able to apply for child care grants, RDP housing, healthcare, etc. the same as any South African citizen.

It is difficult for countries like South Africa to open up borders and ratify the protocol on the free movement of people because of the uneven nature of economies in the region. If all governments in the region were at least pursuing the same democratic principles there would

⁵⁶ Personal interviews.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

automatically have been greater confidence in their economies, conditions would improve and the protocol would be equally opportune for all countries.

It is difficult to provide an answer to the question of how host countries should treat migrants. Should they be given the same rights and privileges as the host country's citizens? Should their children be given citizenship? Should they have equal access to opportunities, in particular employment? The answer may lie in the question of whether immigrants are of benefit to the economy. If they are and have become assimilated into the host country's lifestyle then they should be entitled to rights and privileges similar to the host's citizens.

In the case of unskilled workers, the reasons for their leaving their home country should be fully explored. Zimbabweans who have migrated are the result of economic meltdown in the country and as a result South Africa refuses to grant these persons asylum. The South African government regards a refugee as someone whose life is in danger.

Starvation, having no home and freezing to death on the streets is not an issue that is addressed within this definition. Despite the fact that these problems speak directly to the threat of human security and are top priorities in the African Union/NEPAD agenda, in practice the elimination of these problems is not pursued vigorously enough. The 1992 United Nations Development Programme (UNDP) Human Development Report defines human security as, "first, safety from such chronic threats such as hunger, disease and repression. And second, it means protection from sudden and hurtful disruptions in the patterns of daily life, whether in home, in jobs or in communities."⁶⁰

Even though they have escaped the dire circumstances in Zimbabwe, many Zimbabweans are not finding their lives in South Africa to be a 'bed of roses', with many complaining about the difficulties the experience in their host country - especially as illegal immigrants.

"In my opinion, for someone to leave their home country and seek political asylum or refugee status, means that there is a problem where the person comes from. Zimbabweans are really suffering here [in South Africa]. You cannot choose to come here and suffer if things in your country are okay. It means there something wrong there. You can find six Zimbabweans living in one room. They leave their clean homes, even in the rural areas it is clean, but the apartments where they are staying now are pathetic."⁶¹

"The highest numbers of Zimbabweans coming into SA are illegal. If you get refugee status, it is not really actual refugee status. It is a temporary asylum permit that has to be extended every three months. Refugee status for Zimbabweans is difficult to obtain, because South Africa sees the situation in Zimbabwe differently. South Africa doesn't want to publicly acknowledge there

⁶⁰ United Nations Development Programme (UNDP). Human Development Report. 1992: 23. <http://hdr.undp.org/en/chap2>

⁶¹ Personal interviews.

*is a crisis in Zimbabwe. President Mbeki will tell the world that the MDC and ZANU-PF are talking and there is no crisis. The attitude at refugee offices is that Zimbabweans don't really deserve refugee status...few cases have obtained refugee status. The majority of Zimbabweans in South Africa are undocumented. Some have work permits, and those that came a long time ago have residence permits. If you have a work permit, then it can be renewed and extended.*⁶²

Of the 8 305 Zimbabweans who have sought political asylum in South Africa since 1994, only 54 have been granted refugee status, according to the Department of Home Affairs, which maintains that the migrants are drawn to South Africa for jobs.⁶³ Unlike other African countries, South Africa does not have any refugee camps. Asylum seekers mostly survive on their own and if they need support, they approach local government structures.⁶⁴ Asylum seekers are basically stateless; they have fled their own country and have very little rights in another. Their identities become murky as many try to assimilate into the host nation to avoid xenophobia and abuse.

Many of the skilled persons who were interviewed maintained that the Zimbabweans who come to South Africa were supported primarily by family members already living here. Other forms of assistance came from churches and civic organisations that had only recently organised themselves into two streams; advocacy and human rights activities. However, the activities of many of these organisations are limited because of lack of funding, consequently resulting in them often being manned by voluntary staff.

8. RECOMMENDATIONS: WHAT ARE THE CHANCES OF BUILDING REGIONAL CITIZENSHIP AND IDENTITY?

What does the Zimbabwe crisis teach us about the chances of fostering a regional citizenship and identity regime in southern Africa? The answer depends on many variables. Migration is one such a variable because it affects a country economically and socially. In developing countries especially, people are competing for scarce basic resources on a day-to-day basis. It is thus important that countries jointly develop methods for managing migration and assist each other in finding humane ways to deal with the situation. It is also extremely important that civil society in Southern Africa be engaged on these issues as it may bring new perspectives to old ideas and help to make the efforts more people-centred. Thus, emphasis should at all times be placed on the building of 'human citizenship' regimes. Citizenship

⁶² Personal interviews.

⁶³ McDonald DA, Crush J. *Destinations unknown: Perspectives on the Brain Drain in Southern Africa*. Africa Institute of South Africa. African Century Publications Series no.5, 2002: 1.

⁶⁴ Kirkpatrick Holly. 'Global Governance and Migration: Towards a Normative, Migratory Framework.' <http://www.guyanajournal.com/current.html>

should seek to become more human-centred and concerned with the advancement of human development.

Many migrants from Zimbabwe are entering South Africa illegally, without any documentation. In most cases, this desperate action is the result of the adverse conditions under which people are forced to live in Zimbabwe. Many are at the receiving end of citizenship violations and abuses. These persons are particularly vulnerable to abuse and exploitation and unable to seek assistance or protection from their host countries because of their illegal status. If human security is to be ensured, then governments need to develop policies that will protect migrants whether they are citizens or not, legal or illegal. This is the essence of what 'human citizenship' entails. Human security (human citizenship) is about the protection of human rights and the right of all citizens of every country in the world to be treated fairly.

If a regional citizenship and identity is to be built in southern Africa then it has to start with individual states recognising the importance of protecting human rights, no matter where people come from. It then becomes imperative that governments inform and teach their citizens about what they are trying to achieve in building a common citizenship and identity. A regional citizenship and identity is not only about moralistic issues over rights, it is also about building common interests that are mutually beneficial and inclusive. It is an attempt at creating regional interests, functioning economies and common markets for sustainable development. It is important, therefore, that states in southern Africa embark on greater regional cooperation aimed at deepening regional integration, as this may be the only chance to ensure the revival of African states. This requires that there should be predictability in governance and regime building on the basis of democratic tenets. If this can be achieved, then issues central to good governance, such as accountability, justice, human rights and so forth become easier to enforce.

To ensure better regional cooperation and for regional integration to be a reality, conflicts in the region will have to be resolved. It is not possible to consider regional cooperation and ultimately integration unless regional conflicts are addressed. Decision makers should realise that by creating just, democratic societies automatically they are a step closer to developing positive identities and pursuing 'human citizenship'. Citizens will then be able to participate freely in shaping the economic developmental policy issues that are paramount to creating sustainable societies that will be able to actively and positively participate in the global arena.

Regional actors have to put the topic of citizenship and identity on the agenda in a more serious manner. Common political values and goals, common security related problems, in this case the illegal migration of people within the region and an increase in crime, makes the topic of regional integration absolutely critical.

In Africa today different identities (religious, racial, ethnic groups) are contesting power, i.e. access to resources. This is because one group is often marginalised by another.

If all groups are given equal weighting and equally recognised, regardless of their size, then groups and individuals will be able to participate on an equal basis and not feel marginalised. In Africa there are many tribes, clans and races, all living within defined borders. What needs to happen is that these borders must become superficial. Whether you are a South African Ndebele or a Zimbabwean Ndebele, the result will be that your tribe is able to retain its identity and also enjoy the fruits of citizenship.

What Africa should strive for is to create nations within states. In essence different ethnic nations should reside in one state, all governed by common laws, but free to pursue their own cultural, political and social agendas. The ultimate goal would be integration of African states, acting in unison towards achieving common economic, social and political goals. Once a common goal is agreed upon, and states pursue common objectives, the borders of states will become porous and obsolete in a positive sense. People will interact more as travel becomes easier. Business will have less restrictions and easier access to other markets. There will be reductions in xenophobia as states are guaranteed their identity and status. It is therefore important that decision-makers stress the similarities between states when making policy, precisely because of the heterogeneous nature of societies in Africa. However, this will not happen soon as the issue of citizenship and identity is not under serious consideration by most of the governments in Africa. However, this will only work if states are on a similar level of economic development and share the same democratic values.

Planning is an extremely important part of developing policy on any of these issues. It is, however, important to note that policy-making is a very difficult, uneven and continuous process. It involves constant analysis and monitoring. While the policy process doesn't always work like that, planning hinges on assumptions that everything can be controlled and certain predictable outcomes are inevitable. Therefore, analysis remains a very important and huge task in policy-making. Governance (democratic and "good" governance) and implementation depend on management and strategic planning.

On that note it is vital to consider what implications the protocol on the free movement of people will have on the region if it were to be ratified. The policy will certainly have huge implications for policy and governance. What is almost predictable is that skilled and unskilled labour will almost certainly gravitate towards South Africa which is seen as the economic powerhouse in the region. This could result in a situation where the rest of the region would be even more disadvantaged, because of the large number of skilled people moving to South Africa. This would certainly be counter-productive to the goals of regionalism. Therefore any changes that are made in realising the goals of the protocol should take into account the differences in the various countries' economies and also their level of democratic consolidation.

The situation in Zimbabwe is counter-productive to the goals of African development and regeneration. The region has the unenviable task of finding a solution to the Zimbabwe

crisis. Sooner rather than later, blatant abuse of the rule of law and human rights injustices should not be tolerated anymore. At the very least the region should now voice its concern.

It is important then that the region works at defining the problems associated with citizenship and identity and develops scenarios and alternatives so that it can identify priorities and common goals.

9. CONCLUSION

Migration is, in most part, the consequence of socio-economic conditions existing in a society. It also has clear and direct links with issues of citizenship and identity. In the battle to distribute these resources, conflicts occur, and as a result, an ever-deepening meltdown of these economies may occur. Conflicts are an obstacle in ensuring respect for human rights, peace and security on the continent. Conflicts have led to the outflow of refugees from different countries and the displacement of people within their national borders. It has also set back the prospects for constructing a real cross-border citizenship and identity regime. The impact of this large movement of people also continues to generate threats to human security.

States need to look closely at what a citizen is, what a state's obligations are with regard to citizens from the region and the role of a state in protecting citizenship, identities and fundamental human rights. They will certainly, however, have to start transcending the narrow notions of the nation-state. The state has a duty to provide for its citizens and in turn the citizens have certain duties. In Zimbabwe the state has created a situation where only elites and those with vested interest in the government can benefit from the state.

The region needs to place increased emphasis on the cooperation and ultimately on integration. The ultimate common expression of regional integration is common citizenship and identity. It is crucial then that democratic principles and norms, such as freedom of expression and freedom of association, are adhered to in every country. This allows for ordinary people to influence, debate and shape policy on citizenship and identity.

SADC is looking to integrate in a similar way to that of the European Union, to allow for the free movement of goods and commerce. The next logical step would be the free movement of people - something which is taking place in practice but is far from being properly managed. The importance of developing a common citizenship regime cannot be ignored as it may be a way to counter abuse of migrants and root out inefficiency and corruption in migration processes. Southern African states need to put in place better systems to manage and encourage legal migration. At present it is very difficult for a migrant from SADC to enter South Africa, the economic powerhouse in the region, and that is why many enter illegally. The South African government is spending far too much money on deporting illegal immigrants, only to have them return a few days later. If migration policies and practices are standardised and entrance is made easier, then states will have the

advantage of knowing exactly who and how many migrants are in the country and will be able to develop policies to ensure migrants contribute to the development of the country.

The disadvantages could be increased pressure on socio-economic infrastructure of the state, resulting in an increase in xenophobia. Another problem would be the loss of skilled people from countries like Zimbabwe and Mozambique to South Africa, effectively widening the skills gap between these countries and South Africa. The other disadvantage is that if states like Zimbabwe continue to behave contrary to democracy and human rights then a common citizenship regime will not work - It will only encourage a flood of economic migrants to neighbouring countries.

As individuals, people are inherently selfish, but educating citizens from an early age will guarantee that the future of Africa can be changed. It is possible to have an Africa where people will take pride in themselves, but still care for one another and develop a sense of humanitarianism and not citizenship in its narrow definition