

# South African Municipalities and Mobility: Planning for the Transient and the Indigent

Research Paper

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This paper aims to inform policy-makers, researchers and development practitioners in South Africa in building the evidence-base and its use in policy making to address poverty and inequality. It is supported by the Programme to Support Pro-Poor Policy Development (PSPPD), a partnership between the Presidency, Republic of South Africa and the European Union. For more information about the PSPPD go to [www.pspdp.org.za](http://www.pspdp.org.za)





# Contents

Acronyms .....	iv
1. Introduction .....	1
2. Methodology .....	2
3. Local Management of Migration: Policy Frameworks and Effects .....	4
3.1    Municipal Level .....	4
3.2    Local government level .....	4
4. Officials' Perspectives on Domestic and International Migration .....	6
4.1    Overview of officials' attitudes to migration .....	6
4.2    Population data: Collection and use .....	7
4.3    Sources and knowledge of data .....	7
4.4    Producing and using population data: Multiplicity, heterogeneity, and illegitimacy .....	8
4.5    Consultation, planning, and budgeting for mobility .....	9
5. Intergovernmental Co-ordination on Planning and Service Delivery .....	12
6. The Practice of Unco-ordination: Security, Conflict and Social Cohesion .....	13
7. Conclusion .....	15
8. References .....	17
9. Notes .....	18

# List of Acronyms

# INTRODUCTION

## 1 INTRODUCTION

Global debates on migration and development typically focus on national policy frameworks and aggregate economic and social effects. South Africa illustrates the importance of sub-national dynamics, because both the positive and negative consequences of migration are most acute at the provincial and municipal level, or even at a lower scale such as that of the ward, the settlement, or the street.

In previous decades, most of South Africa's international migrants were concentrated in agricultural and mining areas. Since the early 1990s, both international and domestic migrants are increasingly concentrated in the country's urban centres. Population movements—some predictable, some spontaneous, some voluntary, some forced—are now perennial features of South African cities and secondary towns (South African Cities Network, 2004; Balbo & Marconi, 2005).

Even though local governments have been constitutionally empowered to be a leading force for development, they have been wary of addressing migration concerns. Their reluctance stems partly from the belief held by many local and national policy-makers that immigration is exclusively a matter of national policy concern. Some local policy makers have yet to recognise the degree to which migration is transforming their cities. Others naively hope that heightened mobility is simply a temporary outgrowth of South Africa's democratic transition. Regardless of the reason, budgeting and planning exercises have largely excluded extended population projections and insights into the relationships between mobility, livelihoods, and community development—even as people continue to move into, out of, and between cities. The shortcomings of current planning exercises and interventions become evident and without substantial reconsideration of current approaches, concerns over access to services, physical and economic insecurity, and social conflict, will only increase.

This paper works from the recognition that migration, in all of its forms, is an important component of local governments' mandate within South Africa. Without the involvement of local governments, there is little chance of maximising the development potential of mobility.

Where local authorities ignore mobility or are poorly equipped to address it, their worst fears about migration are likely to be realised.

While most local officials have begun recognising the benefits and risks of migration, many municipalities struggle to design innovative responses. Whether this is a consequence of a limited understanding of population dynamics (that is, fertility, mortality, and mobility); conceptual, institutional, and political imperatives that prevent authorities from seeing or responding to migration; or the absence of a reasoned, empirically informed approach, municipalities are simply not keeping pace with migration dynamics.

This paper is divided into five sections:

- Section one documents the processes, highlighting shortcomings, and pointing to positive innovations. It takes a small but significant step toward managing migration in ways that promote development and social cohesion. It also speaks to the literature devoted to South African cities and their specific post-apartheid challenges and intends to bridge its sometimes pioneering but unsustainable interest in the role played by migration in cities' development trends (Beall, Crankshaw & Parnell, 2005).
- Section two presents the methodology used.
- Section three reviews existing policy frameworks and effects shaping the management of migration by local government.
- Section four explores officials' perceptions of migration, the specific challenges it poses in terms of data collection and use; and how these render consultation, planning, and budgeting for mobility particularly complex.
- Section five is then devoted to intergovernmental coordination issues.
- Section six deals with security, conflict and social cohesion.
- The concluding remarks lead to a set of recommendations to policy-makers who draw on fieldwork material and the feedback received from municipal actors at various dissemination events where the research was presented throughout 2011.

# METHODOLOGY

## 2 METHODOLOGY

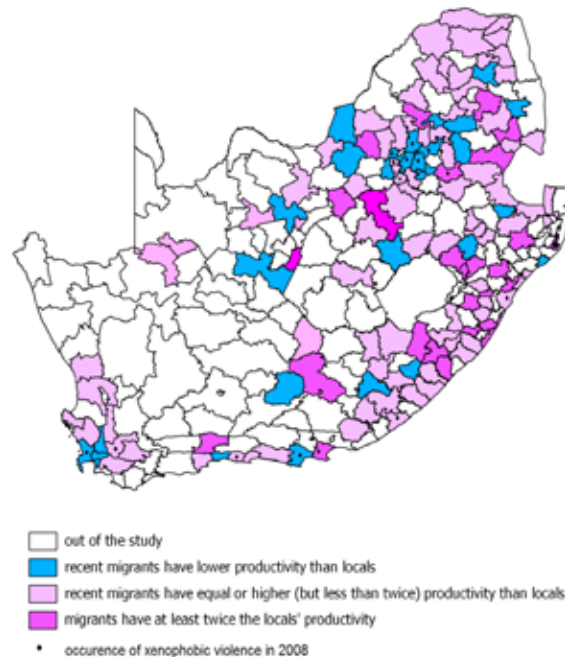
This paper draws on a broad range of data collected through surveys, participant observation, and interviews conducted between 2002 and 2010. It relies on research conducted during 2010 in four municipalities: the Merafong City Local Municipality, the Mossel Bay Local Municipality, the City of Tshwane Metropolitan Municipality and the Nelson Mandela Bay Metropolitan Municipality.<sup>1</sup>

At each site the research team conducted individual and focus group interviews with municipal officials, law enforcement officials, community leaders; and representatives of political parties, labour unions, the business sector, nongovernmental organisations, and community organisations (a total of 109 interviews). Additional research, a review of secondary data and publications included evidence from Johannesburg and Cape Town.

The selection of the four municipalities sampled for primary research was based on the following indicators<sup>1</sup>:

- The percentage of recent migrants (2001 census and 2007 community survey by StatsSA),
- A human Development Index (HDI) that was developed on the United Nations Development Programme (UNDP) model combining information on health, education, and income,
- Recent migrants' relative productivity (the median income generated by recent migrants was compared with the median income generated by locals),
- The occurrence of xenophobic violence during the 2008 May & June crisis (see Figure 1 for the combination of the last two indicators).

**Figure 1** South African Municipalities by Level of Recent Migrants' Productivity<sup>2</sup> (2001) and Municipalities Affected by Xenophobic Violence in May 2008



Source: Gindrey, V. from 2001 Census Data, 2007 Community Survey and Forced Migration Studies Programme (2009) (In Landau et al. 2011).

<sup>2</sup> These municipalities were selected after a review of statistical data on the correlations between human development and various forms of mobility. Details on this selection and further background information are available in Landau, et al (2011). The research team included Kathryn Takabvirwa, Mpapa Kanyane, Nomusa Ngwenya, and Gugulethu Siziba; it was led by Jean Pierre Misago. The research for this chapter was supported by a variety of sources, including the Institute of Research for Development (France); the South African Local Government Association; the MacArthur Foundation; the Atlantic Philanthropies; and the Programme to Support Pro-Poor Policy Development in South Africa, housed in the Office of the Presidency.

Two pairs of municipalities were chosen according to the four criteria defined above.

The first pair comprised of Merafong and Mossel Bay and compared localities with high and very similar proportions of recent migrants, and different HDI scores (see Figure 2). This selection was made with the aim of exploring the ways in which municipalities accommodate similar new populations according to their respective capacities and socio-economic environment. The focus was on municipalities with a high migration rate, because they have a higher imperative to plan their growth – to project needs for housing, infrastructure, and service delivery for example.

These needs are immediate when migration occurs, unlike the case in municipalities where growth is mainly natural, and where population needs are predictable and develop over time. More than 8% of the population of each municipality was composed of recent migrants who were living in another province or country five years earlier.

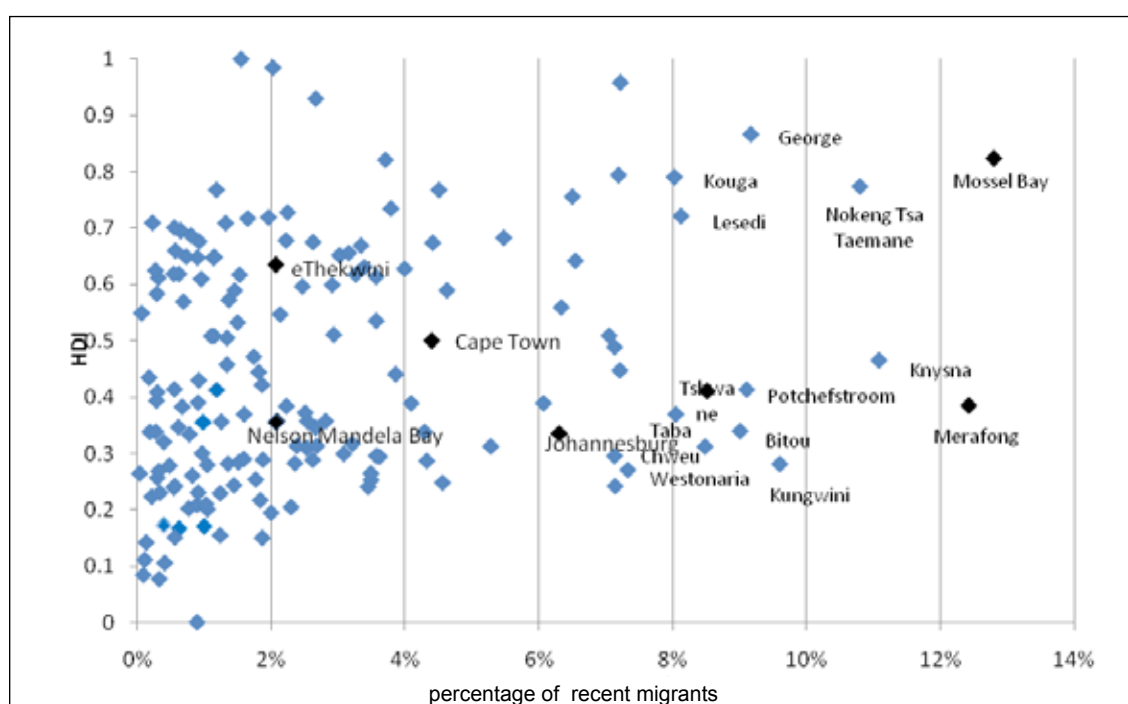
The second pair comprised of the City of Tshwane and Nelson Mandela Bay Municipality. It compared two localities similarly affected by xenophobic violence with contrasting levels of migrants' economic performance (or productivity) versus that of locals. This index of economic success captures something important about the migration experience. If one presumes that in many

cases migration is part of an economic improvement strategy, this is an important indicator of the degree to which new arrivals are integrated into local economies and service provision networks<sup>2</sup>. With equal levels of xenophobic violence in 2008 (that is, a similar outcome to migrants' integration), it was important to compare the governance patterns in two such municipalities.

Table 1 Final Case Selection with Combination of Indicators

Municipality	Province	Indicators
Merafong	(North West) Gauteng	High percentage of recent migrants Low HDI score
Mossel Bay	Eastern Cape	High percentage of recent migrants High HDI score
City of Tshwane	Gauteng	Lowest relative productivity of recent migrants compared to locals Xenophobic violence
Nelson Mandela Bay Municipality	Eastern Cape	Highest relative productivity of recent migrants compared to locals Xenophobic violence

Figure 2 South African Municipalities by Percentage of Recent Migrants and Human Development Index score (2001)



Source: Gindrey, V. from 2001 Census Data and 2007 Community Survey (In Landau et al. 2011).

<sup>3</sup> In 2005 Cape Town conducted a skills audit of its migrant population to better develop policies to capitalise on their presence in the city. Johannesburg has yet to follow suit, although it has officially recognised the potential contributions migrants make to the city.

# POLICY FRAMEWORKS

## 3

## LOCAL MANAGEMENT OF MIGRATION: POLICY FRAMEWORKS AND EFFECTS

### 3.1 Municipal level

At the municipal level, domestic and international migration is positively correlated with economic growth and development. Although there are clear endogeneity issues in trying to determine the causal relationships between mobility and growth, it is likely that some of the observed economic development is caused by the arrival of new skills, investments, and trading connections. (Bryceson & Potts, 2006; Bocquier, 2008) More prosperous and successful cities will continue to attract people from across the country and abroad. However anxious urban planners may be about an ever-expanding population, South African cities, like those across the world, have little option but to prepare for growing numbers of people.

The ties between mobility and human development (that is, education, income, and life expectancy) are less obvious (see Table 2). Although global evidence and research by the African Centre for Migration and Society suggests that movements to cities offer the fastest route to individual socioeconomic improvement and economic development, the aggregate effects are less clear. The ambiguous effect observed requires further research and analysis.

### 3.2 Local government level

Local government is one of three spheres of government defined by the South African Constitution. Although the relationships between the governmental spheres are currently under review, the Constitution provides clear definitions of municipalities' roles and responsibilities, including legislative and executive authority over a

**Table 2** Relationship between urbanisation and human development in South African Municipalities

	Percentage recent births	Percentage recent internal migrants	Percentage recent international migrants	Percentage recent migrants	Growth	Human development
Size	-0.154** (0.024)	0.099 (0.103)	0.177** (0.011)	0.124* (0.056)	0.167** (0.016)	0.403*** (0.000)
Percentage recent births		Correlated by definition	Correlated by definition	Correlated by definition	0.040 (0.305)	-0.069 (0.189)
Percentage recent internal migrants			Correlated by definition	Correlated by definition	0.137** (0.040)	-0.011 (0.444)
Percentage recent international migrants				Correlated by definition.	0.233*** (0.001)	0.013 (0.434)
Percentage recent migrants					0.169** (0.015)	-0.007 (0.464)
Growth						0.022 (0.390)

\*\*\* significant at the one percent level. \*\* significant at the five percent level. \*significant at the 10 percent level.

Source: Statistics South Africa, 2001 Census, 2007 Community Survey.



number of matters. Section 153(a) of the Constitution explicitly demands that local government “structure and manage its administration and budgeting and planning processes to give priority to the basic needs of the community, and to promote the social and economic development of the community”. Section 152(1) defines this “developmental duty” by noting that local government has various objectives or purposes, including the promotion of social and economic development, a safe and healthy environment, and other responsibilities that clearly suggest some responsibility toward human mobility. The (non-binding) White Paper on Local Government of 1998 argues that the challenge for local government is not how to run a set of services, but how to transform and manage settlements—a challenge that can be met only if municipalities think of themselves as developmental local governments. Municipal authorities have a role to play, however ill-defined, in addressing human mobility.

The impact and roles of local government are complicated by the division of labour across South Africa’s governmental structures. Many of the social and economic concerns associated with movement are not explicitly within local government’s mandate. The primary needs of migrants—shelter; access to health care, education, economic opportunities, and administrative justice; safety, security, and proper treatment—are formally the responsibility of national or provincial governments, although it is often municipalities that bear the responsibility and suffer the consequences when these delivery mechanisms do not function appropriately. If nothing else, there is an acute need for lateral and vertical collaboration and co-operation to ensure that various departments share information, co-ordinate responses, and appropriately allocate resources. The rest of this paper considers the degree to which these conditions are being met.

## 4 OFFICIALS' PERSPECTIVES ON DOMESTIC AND INTERNATIONAL MIGRATION

### 4.1 Overview of officials' attitudes to migration

Migration and mobility are contentious issues in local politics and public administration in South Africa. Some local government officials see increasing migration and diversity as a positive sign of South African cities' emergence as trading and cultural centres. City planners in Cape Town and Johannesburg have begun outlining strategies for recruiting and incorporating highly skilled migrants and refugees into the city's socioeconomic networks<sup>4</sup>.

Many other municipal authorities feel overwhelmed, if not threatened, by domestic and international migration. In some locales, out-migration of the cities' skilled and affluent is raising the spectre of economic decline and an ever-expanding underclass (South African Cities Network, 2006).

Perspectives on what should be done about mobility vary, and attitudes include the belief that cities should do everything they can to limit migration and transience and promote permanent settlement. There are fears about the impact of migration on planning and meeting performance targets, the link between migration and crime, the effect on trade competition, the lack of reliable information and mechanisms to collect records of settlement within municipal boundaries, and a sense that however much migration might affect municipalities, it is fundamentally an issue for the Department of Home Affairs or other national departments.

Each of these concerns is addressed below.

For many officials, migration is conceived as permanent settlement—the move from one place to another. Understood this way, officials are quick to distinguish between the benefits likely to come from affluent pensioners and the highly skilled, and the negative consequences of the less affluent migrants. The issues related to migration of less affluent are the need to

expand services for the poor and vulnerable, and the unpredictability and pace of such movements and associated demands. One Tshwane official relates: "Migration affects the quality of service delivery, because the municipality is always caught unaware by population movements. This creates permanent service delivery backlogs" (Interview with Abel Mtshweni, Deputy Director: International Intergovernmental Relations, Operational Support Management. Tshwane, 26 March 2010)

Another official in Tshwane noted, "We can't cope with the influx of people. How do we accommodate it?" (Interview with A. Mosupyoe (Ms): MMC for Health and Social Development. Tshwane, 6 April 2010)

One common refrain among municipal officials is the concern that migration will impose a budgetary burden and undermine performance targets. There is also fear that providing for new arrivals will only beget further migration: "The more houses you build, the more the influx," noted the executive director of Corporate Services in Mossel Bay. More sophisticated perceptions of migration recognise the challenges of providing services and institutional frameworks for people with translocal livelihoods and families. There is often an explicit desire to plan in ways that promote permanent settlement and long-term socioeconomic investments in the current place of residence. To do otherwise would be both economically and morally dangerous.

Few officials had a clear idea of how they might incorporate migrants' livelihoods and service demands into their mandates. In many instances, management of migration is understood to mean "influx control"—the kind of policies that colonial and apartheid-era South Africa employed to keep "surplus people" out of cities. Given the unconstitutionality of such strategies, there is a sense that migration could not be managed. Without a proactive perspective on what could be done to address human mobility, the common refrain that "we can't cope with this influx of people" threatens to become a self-fulfilling prophecy.

<sup>4</sup> Integrated Development Plans are five-year plans that flag the main directions for municipalities to attain the development goals they set for themselves.

Many municipal officials believe that migration management is not a local government mandate. Some, however, feel that local government should be considered more in migration policies, but they are reluctant to become involved in issues they believe belong to other spheres of government. An official from the Office of the Chief Whip in Tshwane noted that migration was considered a national issue and was not regularly discussed.

Tensions between national and local government occasionally surface and officials are generally reluctant to participate more actively in migration policy-making. Some mayors (such as the former and current mayors of Johannesburg, Amos Masondo and Parks Tau, for instance) and members of the South African Local Government Association (SALGA) recognise that a local government perspective is crucial to the development of future migration policy developments, but most municipal leaders do not share this view.

Around the world, migration is publicly and often politically associated with criminality and insecurity. A member of the Mayoral Committee on Community Safety in Tshwane, for example, noted that “Foreign migrants are a huge problem. Most come into the country without documents and are difficult to control. We do not know who or where they are; we cannot trace them. They are prone to crime as perpetrators or targets and victims.” This was echoed by a number of councillors who participated in dissemination events where the research was presented. Others argue that migration contributes to competition for employment, business ownership, and housing. In general, however, migration is simply not conceptualised as a developmental issue for municipalities.

## 4.2 Population data: Collection and use

The perceptions of most officials, whether on influxes or crime, are founded on anecdotes and presuppositions; there have been almost no efforts to document the effects of migration systematically. Consequently, few municipalities can distinguish between domestic and foreign migration, permanent rural-urban migration and seasonal migration, or intra-city movements. Perhaps the most fundamental challenge to local governments charged with addressing migration and other development challenges is how little they know about the people living in their cities. Whereas national governments have the luxury of developing generalised policy frameworks, local governments and service providers are responsible for more focused and context-specific interventions.

This paucity of information extends generally to the

urban poor. Efforts to map “poverty pockets” (Cross et al., 2005) and review of both national and local migration data represent some of the first attempts to understand South Africa’s urban population dynamics. (Dorrington, 2005) However, many of these studies are based on incomplete census data, including inaccurate ward-level information and information on foreign-born populations, and are often purely descriptive. Although the Department of Co-operative Government (previously known as the Department of Co-operative Government and Traditional Authorities [CoGTA]) recognises the need to improve cross-border and multinodal planning, including greater consideration of population mobility, planners have few tools to map the “functional economic geography of the city and its region [and] how the different components relate to each other”. (South African Cities Network 2006; Section 2-7)

## 4.3 Sources and knowledge of data

Across South African municipalities, population data are considered important for planning, budgeting, and other municipal functions, but, with rare exceptions, the collection and analysis of population data has rarely been a priority. Municipalities generally do not have units or even staff dedicated to collecting and managing population data or making existing data available for use in government departments. Outside the major metropolitan areas, authorities typically rely on scanty, incomplete, inaccurate, outdated, decontextualised population information.

For the most part, municipalities draw population information and data from Statistics South Africa (StatsSA), often without a clear understanding of available indicators or how to process them at the ward level. In some instances, data from StatsSA are supplemented with commissioned surveys, studies by academic research institutions, data found on the Internet, or reviews of municipal service accounts. In most instances, directorates and departments use different sources of information-when they use data at all-for their programming and planning, all but ensuring that they are working from a different understanding of their constituencies’ needs. There are also no guidelines or methodologies for research of planning exercises or support services within the central government.

Local and national planning and budgeting structures also provide mixed incentives for collecting and using data in municipal decision-making. StatsSA is the most commonly used source of data, largely because it is the only source of data widely used and recognised by decision-makers in other spheres of government (such as the Treasury, the Department of Cooperative Governance and Traditional Affairs, and various

provinces). These spheres of government determine the financial support allocated to municipalities (through the Local Government Equitable Share system - LGES). Although they have little choice but to use them, municipalities recognise that StatsSA data are often outdated, inaccurate, and misleading.

The applicability of these data is particularly limited by issues of scale. Municipalities need spatially localised trends that are neither well-captured by national aggregates nor extractable by officials. The executive director for Economic Development in Nelson Mandela Bay expressed his frustration, noting that “StatsSA collects data at the ward level but presents at the provincial level, which makes its usage for planning difficult. We would need to spend a lot of money to get consultants to do additional analyses, to break it down to the metro level”. (Interview with Mr Z. Siswana: Executive Director: Economic Development and Recreational Services, Nelson Mandela Bay, 16 April 2010)

On request, StatsSA does provide census data at the ward level. Processing these data requires specific statistical skills, however, which are generally not available at the municipal or even provincial level. Another option for municipalities is to use local-level data generated by community development workers (CDWs) who are part of a government programme created in 2004. The programme is co-ordinated by the Department of Public Service and Administration, the Department of Co-operative Governance, the provincial administrations, SALGA, and municipalities. Where there is a good working relationship between ward leadership and CDWs, wards can obtain population information from profiles regularly compiled by CDWs. But such data are not always available, because not every ward has a CDW, and CDWs who are deployed by and report to the provincial government, are not always willing to share their reports with ward leaders due to a sense of defiance felt on both sides regarding the function of CDWs vis-à-vis ward councillors. (Interview with community development workers. Merafong, June 2, 2010) Ward profiles are therefore very heterogeneous, information is scarce, and methodologies are unclear.

## 4.4 Producing and using population data: Multiplicity, heterogeneity, and illegitimacy

Many officials either were not aware that they could use the data that are available or thought that these data could be useful in any way. An official from the Research Unit in the Tshwane City Planning Department claimed, “There are no mechanisms to know migration in the city. And this is worrying because the natural national population growth is decreasing. It is currently estimated at 1 percent in cities. So in cities without migration there is practically no population growth; but still cities do not have accurate information on population movements.” (Interview conducted April 7, 2010)

Even where new data exist, there appears to be institutional blocks to using them for planning purposes. For example, although the municipality of Nelson Mandela Bay conducted a demographic study in 2006 that included population projections to 2020, the director of the Integrated Development Plan stated that no information existed. The chief financial officer of Nelson Mandela Bay noted that “people who provide stats do not provide projections, and that’s unacceptable”. (Interview with Mr Kevin Jacobs: Chief Financial Officer. Nelson Mandela Bay, 21 April 2010) Population projections were thus not considered in planning or budgeting.

Issues of trust and institutional incentives underlie the reluctance to use locally collected data or data that do not come from StatsSA in planning processes. Part of this reluctance has to do with the range of often ad hoc methods used to update population statistics. For instance, the municipality of Mossel Bay updates its population figures using the average national annual population growth, whereas Merafong uses its own calculated average household size. Methodologies also vary widely (from satellite or aerial photographs to qualitative field studies). Although these approaches may satisfy the demands of particular municipal officials, the disparate approaches make comparison or aggregation difficult. This in turn makes it difficult to identify trends at the provincial, interprovincial, and intermunicipal levels. The lack of comparability also makes it difficult to secure additional resources to support forward-looking planning.

Even within municipalities, there are often tensions over locally collected data and their implications. The executive director for special programmes in Nelson Mandela Bay, for example, argued, “We need somebody to come up and work through these stats and tell us what we should believe. Otherwise each department uses whatever they think makes better sense to them. But StatsSA is one source not trusted by any department.” Without the national statistical agency

being accessible to and trusted by other government departments and agencies, there is little possibility of co-ordination or unified planning. While municipalities can certainly improve their capacity to use existing StatsSA data more efficiently, there also seems to be a need for the agency to address queries by National Treasury in providing updated population data disaggregated at sub-municipal level in-between censuses. This would allow for the much needed regular updates of the LGES system called for by many interviewees. However, current discussions between the agency, National Treasury and SALGA seem to stall on this specific issue, StatsSA having indicated consistently that it is not in a position to provide data disaggregated at sub-municipal level.<sup>5</sup>

Most of the time, decisions are at best based on the perceptions of officials who may have some empirical knowledge of the city and at worst by superficial and impressionistic ideas. The local expertise needed to make an informed use of nationally available data seemed to have been dismantled by political turnover and the concomitant losses of capacity and expertise. Given this situation officials regularly lament the absence of a single department or person who could centralise, process, and make population data accessible to municipal departments. This kind of capacity once existed in large metropolitan areas. One Tshwane official revealed that “The decision was made to discontinue most of the research unit programmes, which resulted in years of good work lost. It is difficult to make people on the top understand how critical research is. The rare reports we compile, such as city profiles, get submitted to and approved by the Council, but we have no idea how they are used for decision making and planning”. (Interview with Sharon Kaufman, Research Unit, Department of City Planning, Tshwane, April 7, 2010)

The deputy director for Metropolitan Planning in the City Planning, Development and Regional Services Department revealed that the research unit there had shrunk from 41 researchers to only one demographer and one researcher. She believes that the decline was caused by the fact that high-ranking municipal authorities do not understand the value of research.

## 4.5 Consultation, planning, and budgeting for mobility

Participatory planning (also known as community-based planning) emerged in the post-apartheid dispensation as a way of realising democratic transformation at the local level through **consultation**. This approach to planning was central to the ANC’s transformation policy. Already highlighted as a principle in the 1994 Reconstruction and Development Programme, it was intended to ensure that the poor and marginalised had an effective mechanism for expressing their interests and needs. (Bremner, 1998) Participatory planning was subsequently incorporated into the new legislative and policy framework on local government, through the White Paper on Local Government (1998), which recognised participatory governance and inclusiveness as central objectives of municipal institutions, and the Municipal Systems Act (2000), which provides for accommodating the needs of “marginalised groups”. Participatory planning constitutes the basis for the preparation of Integrated Development Plan, a document intended to guide municipal investments and priorities for the next five years.

Paradoxically, given its democratic and developmental aspirations, the emphasis on participatory planning has created incentives for excluding the interests of migrants and discouraging officials from planning for migration dynamics (particularly population growth). This research highlights the tendency toward a kind of “backward-looking programming” that is particularly damaging when trying to address migration.

This tendency is rooted in a number of factors:

- The need for public services that people express in consultation are filtered to select those that meet political imperatives and capacities. What is ultimately incorporated into municipal plans therefore reflects the needs of subsections of the poor population accessed consultation forums at a particular moment in time, coupled with short-term political interests. Given public attitudes toward migrants and the limited knowledge of migration dynamics, officials are unlikely to insist that resources be dedicated to unpopular future residents.
- A second limitation of participatory planning lies in the de facto exclusion of migrants (domestic and international) and migration issues from public consultations. The policy framework itself

<sup>5</sup> SALGA Policy-makers round-table on population data & migration, SALGA headquarters, Midrand, 23 November 2011. This round-table was supported by the PSPPD programme and ACMS.

creates confusion. While the White Paper on Local Government and the Municipal Systems Act refers “residents”, the Batho Pele document, a statement of service principles issued by the Department for Public Service and Administration, refers to “citizens” in the section on local government participatory mechanisms. Non-citizens are not regularly invited to participate in community policing forums, stakeholder forums, residents’ associations meetings, or meetings hosted by local ward councillors. Although there is no formal prohibition on such participation, most of the officials and community members interviewed for this paper reported the almost total absence of foreigners and recent migrants in such forums.

- Some municipalities are working to overcome such exclusion. The City of Johannesburg, for example, has launched a number of initiatives to foster and encourage migrants’ participation in dialogue platforms, including the Migrants’ Help Desk, created in 2007, and the Johannesburg Migrants’ Advisory Committee, established in 2010. However, it is not yet clear whether such well-intentioned efforts can overcome informal forms of exclusion, nor is it obvious how the interests of migrants (especially foreigners) will be incorporated into planning processes if they go against powerful and more stable interests. There is also the danger that such consultation will be used simply to legitimise decisions made through other means. (Cooke & Kothari, 2001)
- Municipalities’ Integrated Development Plans reveal little mainstreaming of population dynamics into planning processes. In most cases, demographics are mentioned as a background element, and not cited as the basis for development plans. The lack of reliable information is not the only reason for such bounded planning. Municipal officials have an ambivalent approach to population information: they consider it useful for the current management of development programmes and for targeting “poverty pockets”, but they are unable to use it to garner the financial support they need for future investment. In some instances, officials expressed concern that too much data may only highlight the shortcomings of what they know to be inadequate interventions given the scope of demand.

Migrants occupy an ambivalent space in officials’ vision. Their arrival was viewed as a problem, as indicated by a town planner in Merafong who noted, “If we could, we would help everybody, but it is difficult because you cannot get information on these people because they do not have jobs and do not necessarily intend to stay here. You can’t

provide them with housing. Before they can see the house they are gone again.” (Interview with Mr. C. De-Jager: Town Planner. Merafong, 3 July 2010) There was no hint that the municipalities’ employment and housing characteristics may not be conducive to permanent settlement, that temporary migration may be systematic and predictable; nor that apart from providing permanent houses or services, the municipality may develop other approaches to service delivery.

The reasons outlined above, coupled with a normative bias toward stable populations and the need for bureaucratic accountability, mean that planning practice is often framed in ways that favour permanent residents and permanent settlement over transients and transience. The Merafong Town Planner explains, “The reason is not to exclude those people; it is focusing on permanent residents first. It is difficult to cater to people who are highly mobile... it is almost impossible to cater to those people at the same time as we are still dealing with our permanent residents, because they often do not require the same strategies.” (Interview with Mr. C. De-Jager: Town Planner. Merafong, 3 July 2010) Similar sentiments are expressed by planners across South Africa.

Whether explicitly anti-migrant or not, current urban development paradigms put poor migrants at a disadvantage. In Mossel Bay, for instance, the municipality has adopted a proactive line against informal settlements based on systematic dismantling and eviction in an effort to dissuade poor people from making the city their home. The strategy support executive explained the municipality’s approach, a position that was much criticised by the ANC in the municipality: “What we are trying to do is to discourage people from coming. As far as squatting is concerned, we have people who remove [their] structures... You can only try to discourage people as much as possible.” (Focus group interview with ANC Councillors. Mossel Bay, 11 May 2010)

Similar strategies have been adopted in the City of Tshwane. For its part, Cape Town has attempted to set a firm “urban edge” to prevent the footprint of the city from expanding (all while preventing densification). Within the city, Cape Town has managed its migrant population under the guise of environmental protection and public health. As in Johannesburg, efforts to maintain the urban edge or protect sensitive environmental resources often provide the justification for “decanting” or otherwise removing or restricting recently arrived and mobile populations.

Planners’ mentalities and modalities of planning have significant implications for budgeting processes. Even

if planners engage in forward planning, their efforts are largely unsupported by the current system of resource allocation to local government (the local government equitable share). Strict reliance on 2001 census data and subsequent national averages of population growth rates and the lack of universally accepted interim data have undermined municipalities' ability to calculate demographic realities and trends. As the director of town planning in Mossel Bay notes, "We show we have the highest population in the district, bigger than George, bigger than Bhisho; but they are given more money than us. We use that information. Everyone is aware that Mossel Bay is the largest town in Eden District Municipality. Allocations for housing and [municipal infrastructure grant] money are not related to population figures."

Such a system provides a disincentive for forward-looking planning. Moreover, municipalities are generally unable to use studies they have commissioned or other data sources to influence their budget allocation to help

bring it in line with changing demographics. As budget authority remains almost entirely national, gaps are created between needs and resources, and forward-looking planning and budgeting are discouraged. Frustration was expressed with the inadequacies in the LGES mode of calculation and their sense of powerlessness in redressing inaccurate population estimates. They pointed to the need for more frequent assessments of municipalities' populations, particularly in their more mobile and indigent sections. The rigidity of the system and the absence of efficient channels of dialogue for the reform of calculation modes seemed to discourage local officials from taking initiative. The principle of equity, which lies at the heart of the local government equitable share system, was not questioned, but its lack of flexibility and adaptation over time were criticised. The domination of party structures over government ones in policy-making processes was perceived as limiting the impact of popular participation, empirically-based evidence, and officials' own assessments.

# SERVICE DELIVERY

## INTERGOVERNMENTAL

5

## INTERGOVERNMENTAL CO-ORDINATION ON PLANNING AND SERVICE DELIVERY

Municipal authorities' frustrations with intergovernmental co-operation and co-ordination are not limited to financial issues. At the heart of their discontent are concerns about overlapping mandates and the monopolistic tendencies of provincial and national authorities. Although communities interact directly with municipalities, local authorities are often unable to address the demands levied on them by other spheres of government. Field interviews confirm the following concerns raised by the Department of Cooperative Governance and Traditional Affairs (CoGTA, 2009):

- Municipalities are often undermined by national and provincial government policies and processes (for example, they are blamed for the failure of housing policy over which they have little authority).
- The intergovernmental relation system does not effectively co-ordinate planning across the three spheres of government, nor does it strengthen accountability toward achieving critical and targeted development outcomes.
- National and provincial policy failures undermine local government effectiveness.

The CoGTA report emphasised two challenges: intergovernmental conflict and competition over powers and functions between provinces and their local governments; and national targets for service delivery that apply uniformly irrespective of the economic and institutional differences between municipalities [which] simply set municipalities up to fail. (CoGTA 2009, 11):

Various frustrations and tensions are evident:

- Local government structures are not consulted in national migration policy-making.
- The roles of the different levels of government (provincial and local in particular) across various sectors are not clear.
- Local governments feel excluded from planning and budgeting processes, particularly by the National Treasury.
- Priorities and goalposts for service provision to the poor are constantly shifting.
- Changes are made in policies regarding immigrants and asylum seekers (including relocating offices, changing work prohibitions, and formally enabling access to services) without consultation with or forewarning to local authorities.

Although municipal authorities were frustrated that they were not consulted on issues related to their population, they were rarely proactive advocates for their mobile populations. Many (quietly and anonymously) blame the hegemony of party structures for closing avenues for upward communication. Research conducted for this paper failed to find strong leadership in lobbying for a rethink of the local government equitable share or other policy issues directly affecting municipalities' ability to address population dynamics. To some extent, larger cities like Cape Town and Johannesburg have developed parallel systems to address some of their concerns. Smaller and less well-resourced municipalities do not have this option.



SECURITY

CONFLICT

6

## THE PRACTICE OF UNCO-ORDINATION: SECURITY, CONFLICT AND SOCIAL COHESION

Lack of co-ordination, planning, and consultation are evident in municipalities' efforts to address the ongoing threat of intergroup violence within South Africa's municipalities, particularly since the 2008 riots. Since 2009 the president of South Africa has placed renewed emphasis on social cohesion, and the police and others have redoubled their efforts to fight crime and violence. These two imperatives, although not explicitly about migration, bring issues of mobility and security into sharp relief. Countering both crime and social fragmentation will mean overcoming a range of deeply ingrained and emerging forms of intolerance and bias. As people continue to move, the tensions associated with social and economic heterogeneity are becoming more acute (Cloete & Kotze, 2009). Doing so successfully will produce greater social equity and justice while limiting the opportunities for, and exercise of criminality and socially destructive behaviours (including xenophobic violence). Although national institutional frameworks, policy priorities, and incentives are important in both shaping and preventing conflicts, the majority of tensions manifest themselves and must be addressed within municipalities (Misago et al., 2010).

Despite the evident need for action, officials have done little to manage explicitly tensions and insecurity associated with population mobility. Moreover, a range of practices by the police and others suggest a strong bias against new arrivals. In many municipalities, the South African Police Service (SAPS) arrest and detain foreigners. Under the guise of crime control, the police in Cape Town, Johannesburg, and other municipalities spend considerable amounts of their time tracking undocumented migrants despite little evidence that this will make communities safer or more prosperous (Vigneswaran & Duponchel, 2009; Vigneswaran & Hornberger, 2009). Where the SAPS is not directly involved, other groups step in to fill their function. In Nelson Mandela Bay, for example, the Port of Entry police have taken on an immigration enforcement role. In Mossel Bay, complaints about drug trading and other illegal activities resulted in a strategy of once-off raids rather than ongoing targeting of non-nationals and outsiders. Foreign-owned shops, shacks, and homes are the first places officers target. Such initiatives build credibility with some residents, but they reinforce the

perception that foreigners are responsible for the high levels of crime.

It is important to understand the structural and political imperatives that motivate bias, harassment, and similar behaviours. Across municipalities, SAPS officials recognised that they were not satisfying residents' demands for justice and security. In almost all municipalities, citizens expressed frustration that there was little follow-up or investigation, just the occasional arbitrary raid. One officer noted that residents from Mossel Bay now take it upon themselves to go to court when suspects are arrested. Once there, they warn the judge to keep the suspect in custody to avoid "justice" being served on the street. (Interview with Sergeant Jika: Communications Officer, KwaNonqaba SAPS. KwaNonqaba Police Station Mossel Bay, 13 May 2010) Elsewhere, the loss of faith in official systems has encouraged vigilante activity or mob justice. Many local residents hold immigrants, South African and foreign, responsible for most things like petty crime, drug trafficking and murder. These vigilante groups then target these immigrants. Limited resources and the desire to be seen as legitimate usually prevent the police from intervening to protect targeted and victimised subgroups (Hornberger, 2009).

Some initiatives work to protect foreigners from xenophobic attacks. The Gqebera Trust in Nelson Mandela Bay initially emerged as a way of combating crime. The group set up investigations for criminal acts that were occurring in the Walmer Township, instead of simply pushing out the Zimbabweans who were presumed to be responsible for the problems. They worked with the police and private security to collect and disseminate information, and in this way trust has established itself as an important source of social capital. Although such initiatives cannot be replicated en masse, a credible organisation and leader who can speak against prevailing xenophobic sentiments can be a powerful tool for promoting cohesion.

But it is not only efforts to gain popular legitimacy that encourage the police to behave in arbitrary or overly assertive ways when dealing with informal settlers or migrants. In Mossel Bay, for example, the police

complained that pressure to “perform” comes from Parliament. In practice, this translated into policies about arrests and other benchmarks that allowed individual stations or commands to demonstrate their effectiveness. The police admitted that they arrest people just to fill their quotas (Vigneswaran & Hornberger, 2009). In Johannesburg and elsewhere, these arrests disproportionately target foreigners who are less likely to have identity documents or business licenses. These migrants are also likely to have cash (either because they are traders or have trouble accessing bank accounts), and they are less likely to have strong allies within the community who can curb the activities of overzealous police or resist extortion.

Obstacles to social cohesions are not limited to the police and security agents. In many instances, migrants are largely excluded from community leadership structures. Exclusion from meetings also helps to reinforce a sense of difference and boundaries between groups. It limits the information local officials would otherwise be able to collect from community members. The continued exclusion of migrants may foster a sense of transience that limits social and material investment in the areas in which these migrants live. Providing a sense that migrants can influence the future of their residential municipalities can help create incentives for involvement and investment.

# CONCLUSION

## 7 CONCLUSION

Recognition of the need to address social cohesion and the growing tensions related to migration are likely to remain an important and dangerous trait of municipalities across South Africa. Current conceptualisations and planning processes are likely to maintain or exacerbate current conditions. Migration is generally not considered in municipal planning and implementation processes. The few initiatives that promote social cohesion have been short-lived and superficial. Understanding migration dynamics by municipal officials is limited as a result of the absence of high-quality data, ignorance about the data that do exist, and a range of negative stereotypes associated with transience and international migration. This lack of understanding is not surprising, given how widespread anti-immigrant sentiment is in South Africa. If not addressed, anti-immigrant sentiment shared by community members and municipal officials has the potential to undermine social cohesion efforts to counter poverty and could thus well become a self-fulfilling prophecy. Policy must be based on an accurate and unbiased understanding of population dynamics, including poverty, mobility, and other dimensions. Popular sentiments remain firmly anti-immigrant and anti-migrant and there are strong incentives for policy-makers to avoid leaving the impression that they are “pro”-migrant.

Consulting, planning, and budgeting processes entail challenges linked to the poor quality of population data. However, planning failures cannot be attributed to the lack of data alone—they also reflect shortcomings in broader governing frameworks. The way participatory planning is currently conducted within the municipalities studied is not conducive to outsiders’ participation and does not encourage forward-looking planning in which populations’ immediate needs are balanced with projections over time. Instead, authorities almost invariably perceive migration and mobility as a challenge to efficient planning, and preferences for permanent residents are expressed across municipalities, sometimes justifying anti-squatter policies. The equitable share system discourages the incorporation of the poor and transient, because municipalities receive no additional support from the centre for populations that are not captured in the national census. Officials are acutely aware of these inadequacies and express

a sense of powerlessness in amending the existing system. Intergovernmental cooperation is lacking in many respects, particularly between CoGTA and the Department of Home Affairs with regard to decisions about foreign migrants and their access to certain rights, and between municipalities and the provinces regarding mandates over service delivery, particularly housing. The lack of co-operation and clarity is often used to justify resorting to bylaws and municipal legislation pertaining to trade and public space that can be used as justification to exclude migrants.

Although local governments in South Africa are slowly accepting their role in addressing the challenges of domestic and international migration, they face significant challenges in developing effective responses. In addition to the reluctance to see migration as a development concern, challenges include the following:

- *Involving migrants in civic affairs.* Cities are increasingly dedicated to fostering inclusion, but the objective of these efforts remains elusive because of the fragmentation and mobility of South Africa’s urban populations. Because many people see cities as transit sites, they may not want to be included in their social or political structures.
- *Building trust.* The fluidity of migrant populations and their lack of incentive to engage in civic affairs make it difficult to gauge their interests and intentions through mechanisms that build mutual trust.
- *Informing policy with data.* Cities are unable to draw on data about citizens, much less foreigners. In the absence of sound data, myths about migration and mobility continue to inform policy decisions.
- *Improving intergovernmental co-ordination.* In almost no instances have collaborations between government departments been successful. This problem is not unique to migration but is particularly evident given the need to develop multi-site response mechanisms.

The consequences of the poor local response to migration are already evident in a number of areas that are critical to South Africa's development:

- *Markets and financial services:* Migrants lack identity documents; they face discriminatory banking laws and lack access to credit.
- *Social services:* Discrimination, ignorance about migrants' rights, and poor record-keeping mean that many migrants, international and domestic, are unable to access social services where they live. The long-term economic and social consequences will be felt by both individuals and the communities in which they live, particularly with regard to HIV/AIDS.
- *Vigilantism, violence, and ineffective policing:* Widespread xenophobia on the part of the police and citizens, coupled with ineffective policing, has led to vigilantism in many cities. As the police rarely investigate or prosecute these cases, such actions are slowly eroding South Africa's chances of establishing a rights-based system of law.
- *Accountability and planning:* South Africa's economic and political success hinges on developing accountable public institutions. The failure to protect populations and deliver services is undermining trust and civic engagement. Foreigners are frequently victims of political scapegoating, a process that distracts people from more fundamental structural and administrative problems.

Although citizenship and asylum laws must remain national, there is a heightened need for increased attention to subnational actors as they continue to assert their influence, through commission and omission, on the country's immigration and asylum regime. Cities and provinces need to recognise that they can be encouraged to actively advocate for an immigration regime that helps foster inclusion and service delivery for all residents. Efforts must be made in collaboration with national, provincial, and neighbouring local government officials, accompanied by broad discussions about the meaning of inclusion.

There is also a need for research at the local level conducted within a broad comparative framework. Although it is useful to develop aggregate trends, responses and attitudes may be shaped by the racial, economic, and political history of a particular neighbourhood. Differences within cities may be as important as those between cities. There is a need to evaluate and critically analyse immigration and migration at the level of the city, as the effects will be vastly different for cities experiencing in-migration of foreigners and cities that are primarily destinations for South African citizens. Cities that are net population losers will need to develop different metrics and projections and employ different calculations to understand the challenges they face. Developing context-specific understandings will require heightened capacity for statistical, institutional, and social analyses. All spheres of government should be encouraged to collaborate to develop the capacity for data collection and analysis at all levels, and mechanisms should be created to ensure that these analyses are fed into decision-making processes. Doing otherwise will ensure policy failure and may help realise many planners' current fears about the effects of mobility on prosperity and security.

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## Notes

1. These municipalities were selected after a review of statistical data on the correlations between human development and various forms of mobility. Details on this selection and further background information are available in Landau, et al (2011). The research team included Kathryn Takabvirwa, Mpapa Kanyane, Nomusa Ngwenya, and Gugulethu Siziba; it was led by Jean Pierre Misago. The research for this chapter was supported by a variety of sources, including the Institute of Research for Development (France); the South African Local Government Association; the MacArthur Foundation; the Atlantic Philanthropies; and the Programme to Support Pro-Poor Policy Development in South Africa, housed in the Office of the Presidency.
2. In 2005 Cape Town conducted a skills audit of its migrant population to better develop policies to capitalise on their presence in the city. Johannesburg has yet to follow suit, although it has officially recognised the potential contributions migrants make to the city.
3. Integrated Development Plans are five-year plans that flag the main directions for municipalities to attain the development goals they set for themselves.
4. In 2003 Detective Inspector Barney Dreyer said, "If we don't do something about the West African threat, we won't have a country left and (Nigerian President Olusegun) Obasanjo will be our president." <http://www.iol.co.za/news/south-africa/west-african-drug-syndicates-rule-durban-1.116956>. While this reflects widespread perceptions, officials admit that foreigners make a limited contribution to the country's astounding crime levels. Louw, Danie. 2003. Interview, conducted by Loren Landau, with Director, Hillbrow Police Station, Johannesburg, South Africa, 18 July 2003. See also Bronwyn Harris, 2001. 'A Foreign Experience: Violence, Crime, Xenophobia during South Africa's transition', Violence and Transition Series, Centre for the Study of Violence and Reconciliation. Vol. 5, August 2001
5. For more information on anti-immigrant sentiment in South Africa and its development over the past decade, see Crush (2008).
6. See Misago, J.P., Monson, T., Polzer, T. & Landau, L. 2010. *Violence against foreign nationals in South Africa: Understanding causes and evaluating Responses*. FMSP Research Report, May 2010, Johannesburg (<http://www.migration.org.za/report/misago-jp-monson-t-polzer-t-landau-l-2010-violence-against-foreign-nationals-south-africa-und>).





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