

Economic Forced Migration in Southern Africa: The Case of Malawi

Cobbener Wilfred Sungani¹

Instructor, Department of History, Heritage and Archaeological Studies,

University of Malawi

Pascal Newbourne Mwale²

Senior Lecturer, Department of Philosophy, University of Malawi

Abstract

As with other world regions, free market capitalism or the neoliberal system has caused numerous individuals and families to lose access to viable income-generating bases in Southern Africa. This places them in a socio-economically abject and precarious position. Resource-poor and unemployed Southern Africans have for a long time been forced to migrate to less unstable economies within the region. South Africa continues to be the most attractive destination for most poor and destitute Southern Africans. These people are called ‘economic refugees’ in the dominant literature. Hitherto, the plight of the Malawian ‘economic refugee’ in South Africa has not attracted much scholarly attention. Drawing on the interdisciplinary methodologies of African social philosophy and African social history, we present the case of Malawian economic refugees in South Africa. Drawing upon ideas derived from Immanuel Kant’s analysis in *Perpetual Peace* (1795), this paper argues for the promotion of the *spirit of fraternity* between South Africans and Malawian migrants.

Keywords: Forced migration, economic refugee, fraternity, South Africa, Malawi, Immanuel Kant.

¹ Instructor, Department of History, Heritage and Archaeological Studies, University of Malawi. Email: cobbenersungani@gmail.com

² Senior Lecturer of Philosophy, University of Malawi, Philosophy Department.

Brief Historical Background of Forced Migration

Migration is a global phenomenon. In Africa, it has attracted the scholarly attention of social philosophers, social historians, anthropologists, and development economists, among other thinkers. Scholars writing on migration in the Southern African region have advanced various reasons as to why people migrate from one country to another, especially migration to South Africa for wage employment (Chirwa 1992; Mudeka 2016; Groves 2020). Among the many reasons advanced by scholars, the paper aims to pinpoint poverty and economic hardships as the chief reasons that have pushed and continue to push many Malawian nationals to migrate southwards, most often to South Africa. Many Malawians migrate to seek economic relief through securing jobs, originally in the mines, and recently, in all other occupations and businesses, primarily in South Africa.

International labor migration from Malawi to South Africa dates as far back as the 1880s (McCracken 2012). Banda rightly suggests that the history of international labor migration between Malawi and South Africa can be categorized into two periods: the old migration period, the 1880s–1980s and the contemporary migration period since the 1980s (Banda 2019). Malawian migrants started going to, largely, South African mines around the 1870s and 1880s following the establishment of diamond and gold mines (Banda 2017). This migration took two forms: formal migration to the mines and informal migration to work in other sectors of the economy. Formal migration, initially masterminded by the Witwatersrand Native Labor Association (WNLA, or *Wenela*) and later by the employment Bureau of Africa (TEBA), declined in the 1970s and finally collapsed in the 1980s (Banda 2017). Formal migrant labor from Malawi came to an end in the 1980s (Banda 2017, 2019).

In 1974, President Hastings Kamuzu Banda reportedly banned all labor recruiting

activities in Malawi. The miners under the contract with WNLA were forcibly repatriated. Chirwa reports that about 130,000 Malawians were employed in South Africa at the time of the suspension, of whom some 119,000 were working in the mines belonging to the Chamber of Mines consortium. Some 12,000 were employed by other mines, as well as in manufacturing, farming, and some primary industries (Chirwa 1996). Labor migration prior to 1974, Chirwa observes, absorbed about 15 per cent of Malawi's economically active population, estimated at about two million above the age of ten (Chirwa 1996). Following the ban, WNLA was replaced with The Employment Bureau of Africa Limited (TEBA), which was formed in 1977 as a merger of two companies, the Mine Labour Organisations (NRC) Limited, and the Mine Labour Organisations (Wenela) Limited (University of Johannesburg Library). TEBA officially collapsed in 1980 following disagreements between the Malawi government and TEBA officials on recruitment activities (Chirwa 1996). The reasons for TEBA's collapse, while significant, are outside the scope of this paper.

Central to our argument is the claim that poverty and economic hardships forced and continue to force many Malawian nationals to migrate to Southern African countries, most especially South Africa. In his article, Banda contends that the lack of employment opportunities in Malawi forced many people to migrate to other countries for jobs. However, it is noteworthy that not all districts exported migrant labor to South Africa. The districts that did, and still do, export most of the migrant labor to South Africa include Mzimba, Nkhata-Bay, Dedza, Ntcheu, Mangochi and Mulanje (Banda 2017, 2019).

Like many nationals of Southern African countries, Malawians migrated to South Africa for employment in the mines under a formal labor migration regime, until a ban on TEBA recruiting was effected in 1988. Following this ban, migration did not stop

completely. Some workers resorted to ‘self-initiated migration’, popularly known as *selefu*, which is still happening. Chirwa argues that there is evidence that the adventurous ones still return to South Africa clandestinely as *selefu* (Chirwa 1997). The *selefu* fall into two categories: those who go to work, not in the mines, but in tertiary and service sectors, and those who capitalize on previous migratory experience and knowledge of local languages to engage in cross-border itinerant trade (Chirwa 1997).

The *selefu* phenomenon gives credence to our concept of ‘economic refugee’. Although a lot has been documented about the migration of people from Malawi to other countries in the region, the plight of Malawian ‘economic refugees’, in South Africa primarily, has hitherto not received much scholarly attention, hence our focus on the subject. While acknowledging the legal dichotomy in migration studies between people who are recognized as ‘refugees’ as defined by the United Nations Refugee Convention and other treaties as ‘people fleeing from their home in the face of threats of violence, leaving all their possessions behind’, Maharaj (2002) defines an ‘economic refugee’ as a person who leaves his or her home country in search of better economic prospects and higher living standards elsewhere. He or she sees no or little opportunity to escape from poverty and destitution while in his or her own country. Although the term ‘economic refugee’ is contested in migration literature, the paper adopts Maharaj’s definition to refer to those Malawian migrants who leave the country (Malawi) in search of economic prospects and higher living standards elsewhere, especially in South Africa.

In social philosophy, the migration of Malawians to South Africa does not come as a surprise nor is it an object of wonder. The eighteenth-century German philosopher, Immanuel Kant argues in his *Perpetual Peace* (1795) for what he calls the ‘cosmopolitan right’¹, which is the right of an individual to migrate and reside anywhere s/he chooses on planet earth. Kant argues that a foreigner ought not to be treated with hostility and

inhospitality in the country of sojourn. For an immigrant's new-found life to be safe and secure physically and relatively comfortable economically in a destination country, there is need for the destination country and its nationals to have the spirit of *fraternity* (brotherliness or sisterliness), in contrast to the spirit of hostility (aggressiveness or inimicalness) and inhospitality, towards the immigrant.

This paper explores and examines the plight of Malawian 'economic refugees' in South Africa in connection with free-market capitalism, adopted by Malawi since it gained independence from its colonizer, Great Britain, in 1964. The paper demonstrates that free market capitalism is a catalyst to contemporary labor migrancy. Some Malawians who faced untold poverty leading to extremely low standards of living due to 'free market-ism' have been forced to migrate to neighboring countries, such as South Africa, which have relatively stable economies.

There is abject poverty and chronic hunger in Malawi. In 2019/20 for instance, the percentage of the poor was at 50.8, while 20.5 per cent of the population lived in extreme poverty (GoM 2020). To add insult to injury, there is also high unemployment and idleness, especially among Malawian young school leavers and the youth in general. The World Bank reported a youth unemployment rate of 8.09 per cent, 7.75 per cent and 7.73 per cent in 2020, 2021 and 2022 respectively (World Bank 2022). Poverty and unemployment are the push factors causing the migration of these poor Malawians to South Africa, the most preferred destination for most Malawian economic refugees. Southern African Development Community (SADC) treaties on migration governance and regional integration that should, as it were, wake up the South African government from its dogmatic slumber and complacency have not been binding so far.

Methodology

This study adopted a qualitative methodology. Empirical and secondary data were aggregated from semi-structured interviews with key informants and literature on the topic. The primary data was collected between 2019 and 2022 in Mangochi District of Malawi. Thirty key informants were interviewed from the local population, biased towards former migrants, their wives and close relations. Key informants were purposefully sampled due to their first-hand experiences, availability and accessibility. The names used in this paper are not real names but pseudonyms in order to protect the key informants from any possible harm that might result from the use of their real names and indeed, in compliance with ethical rules of research of not exposing informants to possible harm. The recordings were transcribed and coded into themes that guided the writing of this paper. Secondary sources were also utilized. The literature from the secondary sources was instrumental in locating this present study in current debates on migration governance and regional integration within Africa. News media reports were also used to engage and incorporate the current experiences of migrants in South Africa.

Kantian Spirit of Fraternity and Regional Integration

The Southern African Development Community (SADC) argues that it ‘places great importance on migration governance and has over the years made strides by designing and implementing tailored protocols, policies and programs that were meant to harmonize processes and interventions in migration governance’ (SADC 2020:2) within the subregion. One of SADC’s important protocols is the Protocol on the Facilitation of Movement of Persons (2005). The importance of SADC’s protocols on migration can be philosophically defended on Kantian grounds. Kant argues for the extension of ‘the rights of man’ beyond the nation, a right that he christens the ‘cosmopolitan right’ (Brown 2006). Kant bases the cosmopolitan right on certain observations about the empirical conditions of human existence, particularly the sphericity of the earth. For Kant, the earth belongs to all of us—

and so any one person can migrate and relocate anywhere in the world. In his *Perpetual Peace*, Kant (1795) argues thus:

Here, [Universal Hospitality for World Citizenship] is not a question of philanthropy but of right. Hospitality means the right of a stranger not to be treated as an enemy when he arrives in the land of another. One may refuse to receive him when this can be done without causing his destruction; but, so long as he peacefully occupies his place, one may not treat him with hostility. It is not the right to be a permanent visitor that one may demand. A special beneficent agreement would be needed in order to give an outsider a right to become a fellow inhabitant for a certain length of time. It is only a right of temporary sojourn, a right to associate, which all men have. They have it by virtue of their common possession of the surface of the earth, where, as a globe, they cannot infinitely disperse and hence must finally tolerate the presence of each other. Originally, no one had more right than another to a particular part of the earth. (Kant 1795:137)

By implication, the Southern African subregion belongs to all Africans. For Kant, the cosmopolitan right is coterminous with laws of hospitality, defined broadly as ‘the right of a stranger not to be treated with hostility when he arrives on someone’s territory’ (Brown 2006). Kant is reported to have come up with the ideas of cosmopolitan rights and laws of hospitality in order to counteract the growing ‘nationalism’ in Europe in the aftermath of the French Revolution of 1789. For him, this narcissistic nationalism led to lawlessness in international relations, and more crucially, to the exclusion and stigmatization of foreigners within states, leading to xenophobia in nation-states.

Kant argued strongly that individuals have ‘a right of citizens of the world to try to

establish community with all, and to this end, to visit all regions of the earth' (Brown 2006). The phrase 'community with all' can be rendered as 'fraternity' or brotherhood and sisterhood. Fraternity is etymologically derived from the Latin noun '*fraternitas*', meaning state or condition of being brethren. Thus, in the Kantian spirit of fraternity, it can be contended that all the peoples of the SADC subregion belong to one community as brothers and sisters. Invoking the cosmopolitan principle of fraternity, South Africans should look at foreign nationals entering their country as their brothers and sisters. Kant further argues that all humans can claim a right to travel and reside, arguing that '[Humans] may only claim a right to resort, for all men [and women] are entitled to present themselves in the society of others by virtue of their right to communal possession of the earth's surface' (Kant 1795:138).

Africa herself is not foreign to the idea of hospitality toward visitors. Traditionally, Africans are renowned for their spirit of hospitality towards strangers coming into their communities and households. For Julius Gathogo (2008), African hospitality is "the extension of generosity, giving freely without strings attached, [that is], an unconditional readiness to share" (Gathogo 2008:3). The inhospitality in South Africa is a clear manifestation of hostilities towards newly-arriving migrants in the hearts of citizens and residents of South Africa. These hostilities are un-African in so far as they undermine the spirit of fraternity, thwarting regional integration efforts in Southern Africa. African social philosophy's *Ubuntu* [humanness], as derived from the Nguni maxim *Umntu ngumuntu ngabantu* [a person is a person through other persons], suggests strongly that South Africa as a nation-state is in urgent need of moral reconstruction. For Gathogo, post-apartheid South Africa's moral reconstruction is a process that will entail "being willing to reason out together as human beings who value other persons" (Gathogo 2008:10).

Gideon Muchiri Kaungu is deeply concerned with Afro-phobia in South Africa. He

argues:

[T]hat xenophobic attacks towards black foreigners remains a human rights challenge in South Africa... Prevalent xenophobic attitudes continue to trouble the conscience of all well-meaning South Africans... There is ample evidence that xenophobia has morphed into afro-phobia, the hatred of black foreigners (Kaungu 2021:153).

As an antidote to xenophobia, Kaungu proposes “Ubuntu, or African ‘humanness’ whose ‘natural home’ should be located in South Africa, as a pragmatic social intervention and a morally sustainable solution to address xenophobia that would be acceptable to both South Africans and foreign nationals” (Kaungu 2021: 153).

The foregoing discussion has underscored the urgent need for robust regional migration governance policies as an integral part of regional integration efforts in Southern Africa. There is ample scholarly evidence that migration can benefit development (Williams 2006, Castles and Wise 2008). It is argued that migration within a region ought to be (intentionally) managed and not left to chance for such benefits to accrue to the affected countries (Williams 2011). Southern Africa stands to benefit from the free movement of its peoples intra-regionally. For this migration–induced development to materialize, there is need for regional cooperation among the SADC member states (Williams 2006).

At the continental level, the African Union (AU) put in place the Migration Policy Framework for Africa (hereinafter MPFA), which was adopted in 2006 in Banjul, The Gambia. In November 2016, AU member states and Regional Economic Communities (RECs) acknowledged that migration trends and patterns on the continent had changed over the past ten years (that is, since the adoption of the MPFA). The MPFA was then revised to include a plan of action (hereinafter PoA) and was thus renamed the Migration Policy

Framework for Africa and Plan of Action (MPFA and PoA) (2018–2030). AU member states and RECs observed that migration was inevitable across the continent, hence their resolution that migration be managed to reflect the prevailing migration dynamics in Africa (African Union Commission 2018).

The MPFA and PoA provide AU member states and RECs comprehensive policy guidelines and principles to assist them in the formulation and implementation of their own national and regional migration policies in accordance with their priorities and available resources. The MPFA and PoA are premised on the justified true belief that African states have a long tradition of hospitality towards foreigners, refugees and asylum seekers (African Union Commission 2018). Among its eight key pillars, the MPFA and PoA's first key pillar is to see to it that the continent has better migration governance. This is the overarching objective. It is aimed at facilitating safe, orderly, and dignified migration. In an attempt to implement migration governance policy in Africa, and in direct relation to the key pillar of migration and trade, there is the Continental Free Trade Area and the AU Free Movement of Persons Protocol, which is aimed at stimulating cross-border trade and propelling continental integration and development in Africa (African Union Commission 2018). Realizing that policy must be based on knowledge and information, the AU recently established a migration research initiative, namely, the African Centre for Studies and Research on Migration (hereinafter CAREM) with a secretariat in Bamako, Mali. CAREM is the continental research hub on policy issues of regional² integration, migration and human mobility in Africa.³

At the regional level, in 2005, the SADC established the Protocol on the Facilitation of Movement of Persons, which 'places great importance on migration governance' within the regional bloc (SADC 2021). This particular SADC protocol was developed in order to facilitate entry, "with lawful purpose, without visa into another member state for a

maximum of 90 days, permanent and temporary residence in the territory of another state and establishing oneself and working in the territory of another member state (SADC 2022). However, to date, the protocol is yet to be in force in the regional bloc.

From the immediately foregoing, it is evident that although the African Continental Free Trade Agreement (AfCFTA) notwithstanding, a regime for migration governance is yet to materialize both at the African continental and regional SADC levels. Although policy moves have been initiated at both levels, there is no binding migration governance policy either at the AU or SADC level to date. The initiated policy moves are illuminated by research and studies on migration governance. Yet these two geopolitical bodies are moving at a snail's pace as far as migration governance policy is concerned. The policy moves were initiated close to two decades ago. There is very little cooperation among the leaders of African countries. The slow pace vis-à-vis policy implementation is symptomatic of the severe lack of political will and commitment on the part of the leadership of member states both at AU and SADC levels.

It bears emphasizing that the initiated policy moves are premised on the idea that African communities are well-known for offering hospitality to foreigners, refugees and asylum seekers. Thus, if these draft policies were formulated, ratified by all member states, rendered binding, and then reflected in continental, regional and national migration governance policies, most of them would have been implemented by now. Migration governance policy implementation would have ended, or greatly minimized inhospitality, hostilities and xenophobic attacks on migrants in destination countries like South Africa. Fraternity would have reigned supremely in the region and the continent. Ultimately, migration governance policy implementation would have spurred the much-anticipated regional and continental integration processes.⁴

Free-market Capitalism or the Neo-Liberal System in Malawi

Due to a multiplicity of factors, ranging from historical-political to socio-economic, Malawi has had a very turbulent and unprofitable relationship (for the majority of citizens) with free-market capitalism. At independence in 1964, the first republican state president, Hastings Kamuzu Banda inherited a dualistic agricultural economy from Great Britain, its colonizer (1891–1964) (Kaunda 1995). Banda did not radically transform the economy, even if he managed to keep it stable during his three decades of dictatorship. Banda put a heavy emphasis on agriculture, himself a proud, wealthy owner of several tobacco estates in Central Malawi. Banda and his compatriots in the Malawi Congress Party (MCP) employed many young people in their tobacco estates (Carmack et al. 2010). His regime's paramilitary wing, the now-defunct Malawi Young Pioneers, (MYP), also engaged many young people in its vocational training programs in the MYP bases dotted across the country (Nkhoma 2011, Wood 1970). Banda's successor, Eleson Bakili Muluzi (1994–2004), himself a prominent businessman, in line with neoliberal economic thinking, emphasized entrepreneurship, shifting the focus away from agriculture, but he omitted to put in place requisite policies and programs to drive his entrepreneurial agenda at the nation-level.

The Malawi army disbanded MYP in 1993 on the eve of Muluzi's election victory (Chirambo 2004). Since the starting point of Muluzi's presidency coincided with the time of the liberation of South Africa from apartheid and with the beginning of South Africa's ongoing democratization, a significant segment of Malawian youth began to migrate in significant numbers to South Africa during his administration. Nevertheless, it remains unclear if Malawian youth would have benefited from Muluzi's entrepreneurial agenda had he had policies and programs for it, embroiled as his regime was in rampant corruption.

Due to adverse climate change effects leading to prolonged drought and erratic rains as well as very destructive flash floods, rainstorms and tropical cyclones across the country

in recent years, Malawi's food production systems have experienced severe stress, leading to widespread hunger every year and to famine in some years (Nyirenda et al. 2022).

Climate change effects have greatly worsened food insecurity in Malawi, thereby deepening both rural and urban poverty. Muluzi's regime added pressure to the forces that drove the youth to migrate to South Africa (Menon 2008). All post-Muluzi regimes - Bingu wa Mutharika: 2004–2012, Joyce Banda: 2012–2014, Peter Mutharika: 2014–2020, and now Lazarus Chakwera: 2020–), upon assuming the highest seat of power, have found themselves facing the same ominous challenge of food insecurity. Inevitably, all of them have had to hazard subsidizing peasants' and small-scale farmers' inputs annually, to the surprise of the International (multilateral) Financing Institutions, (IFIs) the International Monetary Fund (IMF) and the World Bank (Dorward 2008).

The Malawi Government Affordable Input (Subsidy) Program (AIP) began in Muluzi's time. Then it was called the Starter Pack Program. It catered to the needs of a handful of ultra-poor peasant farmers, giving each a bag of chemical fertilizer and some maize and groundnut seeds (Chinsinga and O'Brien 2007). Bingu wa Mutharika boldly expanded his AIP to the extent that he provoked the wrath and rebuke of the two IFIs (Dorward 2008). Locally though, he earned mass approval and popularity with the electorate, leading to his own and his party's 'landslide victory' in the 2009 general elections. Joyce Banda, Peter Mutharika, and now Lazarus Chakwera have all capitalized on the visible political-electoral gains of the AIP by clinging to it, despite the two IFIs' continued vocal concerns about the AIP. All three state presidents have kept the number of farmer-beneficiaries of the AIP more or less constant. Admittedly, these social development programs and subsidies are democratic in nature.

Despite the popularity of the subsidy programs, the political elites' strategizing for elections using state-driven farm inputs has had a negative impact on the youth. Right from

Muluzi's time to the present, the youth have been consistently and systematically neglected in terms of policies and programs for employment and economic empowerment. By contrast, autocrat Kamuzu Banda had for the youth, the tobacco estates and other activities of MYP to engage them productively (Nkhoma 2011).

Hitherto, none of Kamuzu Banda's successors have offered anything tangible to the despondent youth. Most recently, the COVID-19 pandemic, tropical cyclones Ana and Gombe (climate change-engineered natural disasters), and the Russo-Ukrainian "war" have plunged the already stressed economy into a graver economic recession, leading to the skyrocketing of prices of food (maize, rice and wheat), fuel, fertilizer, and other basic necessities on Malawi's free market (Weerdt and Duchoslav 2022). Malawian youth are some of the worst-hit casualties of these three most recent exogenous shocks to the local economy.

Although there has been a shift in emphasis from farm-based production to non-farm service industries in the post-Kamuzu Banda dispensation, prompted by a dwindling tobacco farming system (due to the ever-rising cost of inputs and the anti-tobacco global campaign)⁵, this paradigm shift has aggravated the condition of the most vulnerable members of Malawian society: the youth. The challenges in this chronically ill economy have led to the flight of the youth from rural to urban areas of the country for a better life, leading to increasing youth unemployment in the latter areas. For the youth who have been unable to find employment in the urban areas after fleeing rural poverty, the only available option has been, and still is to migrate southwards, with South Africa being their most preferred destination (Ndegwa 2015).

Growing youth unemployment in Malawi has been, and still is, the major trigger factor for Malawi youth emigrating to South Africa (Ndegwa 2015). Youth emigration from

Malawi to South Africa intensified from 1994 with the advent of democratic change in both post-repressive nation-states. German-based *Statista* survey data on youth unemployment rates in many African countries, including SADC member states, shows that while as of 2019, South Africa had the highest youth unemployment rate in the SADC bloc, estimated at 57.47 per cent, Malawi's youth unemployment rate was estimated at 7.4 per cent during the same period (GoM 2022). Statistically, this means South Africa's youth unemployment rate was eight times that of Malawi at that material time. In terms of the question of who carries the immigration burden, this implies that a country with rather low levels of youth unemployment has been and still is 'exporting' its unemployed youth labor to a country that is in itself apparently unable to employ more than half of its youthful population. This incongruity has not escaped the notice of anti-foreigner vigilante groupings in South Africa's urban areas. These xenophobic activists intimate that foreigners like Malawian youth are stealing jobs from South Africans—jobs that they claim are too hard to find for the majority of local unemployed youth. These Afrophobic activists argue, without necessarily including the fact that South Africa has a huge and unsustainable immigration burden. The country cannot manage to shoulder this burden, because it has its own numerous unemployed young people to attend to, as regards job creation and economic empowerment.

Primary Research: Malawians as 'Undocumented Migrants' in Southern African Host Countries — South Africa in Focus

The end of formal recruiting of labor by WNLA and later TEBA in Malawi did not end the emigration of Malawian nationals to South Africa completely. Scholarly evidence indicates that formal migrant labor recruitment occurred side by side with informal or

‘clandestine’ migration. *Selefu* picked up when formal migrant labor recruitment came to an end (Banda 2017). Compared to formal or contract labor migration, much of the statistical information on the numbers of *selefu* migrants is based on mere estimates (Banda 2019). As a consequence, it is difficult to state with certainty and precision, the number of migrants who emigrated from Malawi to South Africa during the last part of the nineteenth century, the entire twentieth century, and the first part of the twenty-first century (Banda 2019). In his article, Maharaj differentiated the categories of ‘undocumented migrants’. The first category is those who enter South Africa without valid documents; the second category, those migrants who enter the country legally but stay on after the expiry of their visas, and the third category refers to refugees and asylum seekers who generally have valid documents or are awaiting the processing of their documents and hence have a legal right to be in South Africa (Maharaj 2002). The focus of this paper is on the first two categories of ‘undocumented migrants. Of significance are the various prevailing circumstances leading a Malawian migrant to end up being undocumented in South Africa today. Further, this mixed migration phenomenon is hardly unique to the Malawi-South Africa situation. It is a worldwide phenomenon (Ghosh Bimal, 2018). Credible evidence shows that many Malawian youth have been and are still migrating to South Africa without valid documents. For instance, informants in the present study maintained that most men and women of M’baluku area of Mangochi district in the Southern region of Malawi migrate to South Africa mainly because of poverty. The hardship and deprivation experienced means that they cannot afford to apply for passports due to high costs of the same. One of our informants, Ndemeka Bakili, shared his experience thus:

I went to South Africa last year [2021] because of poverty... With an aim of getting employment, I decided to leave Malawi for South Africa where I could explore better work opportunities. While in South Africa, I faced several

challenges during my stay, because I didn't have a passport. Neither did I have money to process a passport, for it is very expensive to process (Ndemeka, personal communication, 18 April 2022).

Similarly, other informants have also cited poverty as the main propelling factor for the migration of men and women from Malawi to South Africa without passports and other residence permits. Esitele Maloko explains what forced her husband to go to South Africa without valid documents in 2019:

It was our lack of money that forced my husband to go to South Africa without a *chiphaso* [passport] in 2019. We had problems with raising transport money for him. But we thank Allah he eventually made it to South Africa even though he returned earlier than he had planned because of adverse conditions there.

(Maloko, personal communication, 11 April 2021)

The 'adverse conditions' from the interview cited above are a manifestation of the contrary spirit to fraternity, i.e., the spirit of hostility and inhospitality, which Kant, the 'cosmopolitanist' philosopher, condemned long ago.

Unemployed and poverty-stricken, Estele Maloko's husband emigrated to South Africa in 2019 without *chiphaso* and a residence permit that would have been necessary for him to legally stay in South Africa. In a poverty-stricken family, it was too hard for them to raise enough funds to apply for *chiphaso*.⁶ Also, her husband's sojourn to South Africa was cut short due to the dearth of the Kantian spirit of fraternity in that host country.

Similar to the two tales of poverty as the push factor, Stella Lifa narrated her husband's migration to South Africa without a passport. She recalled thus:

My husband decided to go to South Africa with the hope to find a better paying

job, from which he had planned to support us back here. His stay in South Africa was illegal because he had no *chiphaso*. He could not have afforded to apply for one, it was expensive at the time [June 2017]. I do not know how much it is now, but back then it was so expensive. (Lifa, personal communication, 18 April 2021)

Upon the expiry of their 30-day temporary visas, Rafiki M'bwana and Imran Muhammad, in their separate accounts indicated that they both accrued more than 30 days in South Africa, and hence they were penalized with a bar to re-entry of five years. However, this did not stop them from clandestinely returning to South Africa, to do business and piece work respectively. Using uncharted routes, the two explained that porous borders in Malawi enabled them to steal their way back into South Africa and pay the transporter more money for bribing immigration officers on the way. M'bwana narrates:

It was hard when my temporary visa expired because then my stay in South Africa became illegal. I could not walk about freely as I used to, because police always demand immigrants to produce their visas for them to see if they have not expired. I kept hiding and working, because at work all they wanted was the passport; to them the expiry of my visa was not an issue. One day the police apprehended me on my way to work. They told me I had accrued more days after my temporary visa had expired. They took me to a police station and I was penalized with a bar for re-entry of five years. (M'bwana, personal communication, 11 April 2021)

Barring re-entry for an immigrant for five years due to an expired visa instead of just assisting them to renew or extend the visa is a manifestation of hostility and inhospitality, which is a contrary spirit to fraternity on the part of the South African immigration law

enforcers. According to Kant, such an act of hostility and inhospitality towards migrants is a form of both anti-fraternity and anti-cosmopolitanism.

In spite of the growing hostilities towards migrants of African descent — i.e., Afrophobia — especially in urban South Africa today as exemplified by the emergence of anti-foreigner vigilante extremist organizations in the wider Johannesburg area, the rainbow nation remains the most preferred destination for poverty-stricken Malawians aspiring to emigrate southwards. Recent studies testify to these emigration aspirations, especially among Malawian youth (Edhur and Isbell 2019). These findings resonate well with the tempo of our study. For instance, the March 2019 Afrobarometer Survey on Malawi indicates that due to the high unemployment rate, somewhat exponential population growth, and increasingly dwindling living standards leading to high costs of living in the country, a good number of Malawians, mostly the youth, have recently considered emigration. The most preferred destination for these potential emigrants is unequivocally South Africa. The said findings indicate further that almost half of the respondents considered emigration. Two-thirds (65 per cent) of potential emigrants said they would probably move to South Africa, and a majority of these are people who have not attained post-secondary school education (Bhoojedhur & Isbell 2019). The most likely cited reasons for wanting to emigrate, the survey indicates, are to escape poverty and economic hardships. About 51 per cent have indicated this as a reason for emigration, 40 per cent have cited job search as their chief reason and only three per cent indicated a search for better entrepreneurial opportunities (Bhoojedhur & Isbell 2019). Latest statistics show that over one million Malawians are living in South Africa while over 700, 000 are in Tanzania. Of this population, 90 per cent are reported to be youth (that is, people below the age of 35) (Malawi24 2021).

In the next section, we discuss the implications of Malawians' emigration to South

Africa, focusing on the opportunities, benefits, risks and challenges.

The Implications of Being an ‘Undocumented Migrant’: Opportunities, Benefits, Risks, and Challenges

Malawian and foreign migrants in South Africa tend to send remittances home. There are testimonies on this issue from the interviews conducted. In 2017, in Mangochi District, Malita Lifa, wife of Matiki who went to *Joni* [Johannesburg] said, ‘People make money in *Joni*. For instance, my husband built a house, bought two radios and a huge plasma TV screen’. Malita’s husband has been operating a barber shop in Johannesburg since 2018 (Lifa, personal communication, 11 April 2021). Whilst in *Joni*, Malita’s husband has been sending money back home and sometimes he comes home for a brief stay, carrying goods bought using the money he earns from his business. Similarly, in the same district, Zainab Muhammad narrates how her husband who went to South Africa in January 2021 managed to buy land on which they are now planning to build their grocery shop. For her, the land is enough to build a grocery shop and a *khola la mbuzi* [goat kraal] (Muhammad, personal communication, 11 April 2021). At the time of writing, a good number of families in M’baluku where the fieldwork was conducted had at least one gadget bought from Johannesburg. Out of every ten households interviewed, nine had either a gadget or other commodities from *Joni*. Some families acknowledged paying school fees for their children using money sent through *Mukuru*, *Hello Paisa*, and other channels of international money transfer from *Joni*.⁷

These testimonies underline how Malawian migrants in South Africa contribute substantially to their household needs even during their brief stay or overstay in South Africa. The remittances, either in form of money and/or goods, help to alleviate poverty in their homes back in Malawi. Remittances from informal employment in South Africa are used in various ways such as to buy farm inputs (seed and fertilizer) to start small-scale

businesses, and to invest in various construction projects (Banda 2019). Locally, these investments are overseen often by the ‘spouses’ or close relatives of the immigrants. As Lunia M’bwana, wife to a Malawian migrant in South Africa, explains, ‘Most men just send money and agree with their wives on what should be done with the money’. Lunia argues that it is mostly women who execute the investment plans. For instance, in her case, she started building their house while her husband was still in South Africa. She also started a fish business using money sent from South Africa by her husband (M’bwana, personal communication, 18 April 2021).

Entrepreneurially, remittances enable migrants and their families to invest in agriculture and other enterprises. Upon return home, migrants are able to survive through businesses as their steady sources of income. Further, studies show that other migrants finance the education of their children using remittances. Other than building houses, remittances are used in numerous ways to improve the lives of migrants and their families back home. However, there is a plethora of evidence proving that Malawian and other Southern African ‘undocumented migrants’ face a myriad of risks and challenges in South Africa. The hostility and inhospitality in South Africa — and hence its anti-fraternity and anti-cosmopolitanism — towards African migrants like Malawians is palpable in numerous studies. For example, Banda says:

[T]hese problems have to do with the process of looking for jobs and the type of jobs; accommodation; hatred and xenophobic attitudes from South Africans; arrests and deportations due to lack of valid documentation; and high crime rate, especially in the high-density residential areas like Alexandra, Diepsloot and Honeydew (Banda 2019: 161).

Banda is testifying to the existence of a spirit contrary to fraternity, that is, there is hostility and inhospitality towards Malawian undocumented migrants. A high degree of

uncertainty during job search, extremely low-paying job offers, arbitrary arrests, police beatings, extortion, detentions and deportations are part of the litany of woes and calamities that befall Malawian undocumented migrants, especially in metropolitan South Africa. These woes and calamities produce a high degree of insecurity and vulnerability among Malawian undocumented migrants. The dismal situation is compounded by the high crime rate in high-density townships.

In general, undocumented migrants in South Africa are scapegoated for the country's high youth unemployment rate and other domestic problems. South African nationals blame foreigners for stealing their limited resources by taking up jobs, for the increasing crime rate, housing shortages and dwindling general welfare. As a result of these baseless accusations, migrants have been, and continue to be subjected to hostilities and harsh conditions in South Africa. The government of South Africa has turned a blind eye to the plight of migrants of African origin. South African police are also notorious for their hostility towards, and harassment of undocumented African migrants, Malawians included. Undocumented migrants in South Africa have continually faced hostilities including xenophobia since 1994 (Banda 2019). During periods of open hostilities and xenophobic attacks, undocumented migrants are either severely injured or beaten to death while the government does nothing. Migrants' shops and other business outlets are destroyed, as has been done by the anti-foreigner vigilante activist group, Alexandra Dudula, in Alexandra Township. Alexandra Dudula destroyed foreigners' shops and confiscated their goods.

Major waves of xenophobic attacks against foreigners occurred in May and June 2008 and April 2015. Beyond the aforementioned xenophobic attacks, several other xenophobic attacks against migrant entrepreneurs were reported from 2005 to 2014 (Crush & Ramachandran 2014).

The incidents of violence against foreigners are an indication of the gravity of the anti-

fraternity spirit in the xenophobic attacks in South Africa. Malawian undocumented migrants and other foreigners of African descent face untold suffering and misery as a result of these xenophobic attacks. However, this is not only perpetrated by ordinary South Africans. Government institutions such as the South African Department of Home Affairs, and government personnel including police, and others involved in immigration enforcement matters have abused, and at times violently assaulted, undocumented immigrants. There is a xenophobic environment which fosters the perpetuation of human rights violations and deprives immigrants of constitutional protections guaranteed by the Bill of Rights in the 1996 Constitution (Hicks 1999). The sword is double-edged as both locals and government officials push these undocumented migrants into detrimental situations. In general, South African nationals and government officials, most especially the police, display anti-fraternity and anti-cosmopolitan attitudes towards the African brothers and sisters in their midst. Hence, they collectively undermine the Kantian spirit of fraternity that would have facilitated genuine social integration at the regional level in Southern Africa.

In terms of employment, undocumented migrants with little or no education struggle to secure jobs, as it is difficult for them to communicate because they are not fluent in English. For Banda, 'It is more difficult for migrants who just arrive in South Africa to get jobs since they can hardly communicate in various local languages such as *isiZulu*. It is made worse if they are not fluent in English' (Banda 2019). This holds especially true for the Malawian undocumented migrants in the post-1994 period. For Banda, primary school leavers in the post-1994 period, following the introduction of free primary education in Malawi, do not have good command of the English language due to falling education standards, unlike migrants who were primary school leavers in the pre-1994 period (Banda 2019). Additionally, following increased labour migratory flows since the mid-1990s, there

is a ‘scramble’ for jobs in South Africa, not only amongst immigrants but also between the latter and South African nationals. As a result, jobs are more difficult to find nowadays. Consequently, most *selefu* labour migrants are forced to rely on *ganyu* [piece work] (Banda 2019). As a result of the scarcity of jobs in urban South Africa, and low wages, many Malawian undocumented migrants are forced to overstay to glean enough savings to avoid shame if they were to return home empty-handed.

Most informal sector jobs are low paying and workers are subjected to bad working conditions because the employers know that there are no labour laws protecting undocumented migrant workers. Some even get fired without due process. As a result of their illegal status, undocumented immigrants are forced to accept employment whatever the wage, risk, physical demands, or working hours involved. South African employers exploit undocumented migrants because of their illegal status. Seeking legal redress is often not a viable option for the migrants. Fear of possible police arrest, extortion, detention, deportation, and attendant police beatings keep the migrants unable to remedy their situation. Cognizant of the superior status, accruing from their citizenship, South African employers routinely assault and defraud their undocumented migrant employees (Hicks 1999).

In addition to the scarcity of jobs, lack of accommodation is another challenge Malawian undocumented migrants face in South Africa. Banda (2019) reveals that migrants face serious accommodation challenges:

Migrants face serious accommodation problems. They particularly face accommodation problems upon their arrival in South Africa. There have been cases where migrants have ended up being stranded in South Africa despite assurances from their relatives and friends that they will initially stay with them

before securing their own accommodation and jobs. It was indicated that some migrants are cheated by their relatives and friends so that they literally have nowhere to stay. In such cases, as a last resort, they seek refuge in Malawi churches in different parts of Johannesburg. These churches provide temporary shelter and appeal to charitable individuals to provide temporary accommodation to these newly-arrived migrants until they secure jobs and their own accommodation (Banda 2019:171).

The acute shortage of accommodation for newly arrived migrants in South Africa speaks to the issue of the inhospitality of South Africa towards migrants of African origin. At a grimmer level, the hostilities in South Africa are also directed at Malawian undocumented migrants who managed to secure employment. Arbitrary arrests, detentions and deportations are some of the traumatic experiences of Malawian undocumented migrants in South Africa. Hicks contends that migrants accuse police of abusing them whenever they seek assistance, and of capriciously arresting, detaining and deporting them (Hicks 1999). After arresting undocumented migrants, security officials sometimes abuse their powers by threatening to deport migrants, who upon arrest, are considered detainees. According to Hicks, migrants allege that police and Home Affairs officials extort money from them to grant release from prison or detention centers, even after the migrants have proven their legal status as is necessary for them to continue residing in South Africa. If the official cannot extort money immediately from the detainee, they may prolong the dates of releasing the detainee to extort money. If extortion is ultimately unsuccessful, the detainee may be physically assaulted and then deported. Many migrants are unsurprisingly reluctant to press charges for fear of the long detention terms they must endure while waiting for their cases to move through the judicial process. This reluctance to press charges reinforces the pattern of police abuse and brutality (Hicks 1999).

Not unique to Hicks' findings, our interlocutors' experiences corroborate this as an ongoing trend. M'bwana, for instance, faced police abuse when his visa expired. He reports being ill-treated by the authorities before he was barred from re-entry for five years (M'bwana, personal communication, 11 April 2021). Similar experiences of police assaults were reported by other informants. Failure to extort money from the apprehended immigrants, was followed by police extrajudicial actions including subjecting them to various ills before deporting them. In resonance with the issue of hostilities and the anti-foreigner attitudes of South Africans towards African undocumented migrants, on occasion climaxing into xenophobic violence, news media have recently reported growing anti-foreigner vigilantism directed against African migrants in urban South Africa. Afrophobic vigilante activists allege that migrants of African origin are occupying government-issued housing meant for poor South African citizens in the Johannesburg township of Alexandra, a thing that has, for them, motivated the formation of Alexandra Dudula, an anti-foreigner vigilante extremist group, which has attacked and harried African migrants in Alexandra, stopping them from doing business.

As if Alexandra Dudula were not enough anti-foreigner extremism, a more vicious anti-foreigner vigilante extremist group calling itself Operation Dudula emerged in Soweto. Operation Dudula blames foreigners for the increasing crime rate and for taking away jobs from South Africans in Johannesburg. Anti-foreigner ultra-extremist, political science graduate and pilot Nhlanhla "Lux" Dhlamini, was at the time (from June 2021 to July 2022) leading Operation Dudula. His anti-foreigner vigilante movement started by targeting suspected drug dealers and people who were alleged to be occupying government property illegally. Just like Alexandra Dudula, Operation Dudula's scope of interest has grown to lately include forcing migrant owners of shops in South Africa to stop their businesses and leave the country (Al Jazeera 2023).

The anti-foreigner vigilante extremist movement also demands that local small-scale businesses, such as restaurants and shops, should employ only South African citizens. The anti-foreigner vigilante activists believe these small-scale businesses prefer to employ foreigners at the expense of South Africans. Yet, foreigners are paid way below the minimum wage by these small-scale businesses. They are cheap labor.

The attacks on foreigners by members of the Dudula movements are in media reports by the South African Broadcasting Corporation. The unpleasant experiences of foreigners, most especially in relation to Alexandra Dudula and Operation Dudula, the attacks on foreigners have provoked their reactions. For example, the One Voice of All Hawkers Association condemned the attacks on foreigners in South Africa as both unfair and disturbing. Due to constant attacks on them, foreigners have been living in fear. The hawkers' association has called on all South Africans not to discriminate against foreigners. This call came a week after Operation Dudula members marched to Johannesburg Park Station to demand that police allow only South African vendors to operate there (Eyewitness News 2022). This is contrary to the Kantian spirit of fraternity.

All Dudula movements are motivated and inspired by the same cause: to drive out undocumented African migrants from South Africa. Dudula is an *isiZulu* word meaning to "push back" or "drive back" (Masiko-Mpaka Nomathamsanqa, 2023). Thus, the urban Dudula anti-foreigner vigilante movements want to drive African undocumented migrants out of South Africa. Unsurprisingly, for a country with very wide inequality gap between the haves and the have-nots, these two anti-foreigner vigilante extremist movements have recently received support from certain segments of the South African population, especially the people who still feel economically marginalized. They too believe that by ejecting African undocumented migrants from South Africa, employment and entrepreneurial opportunities will go to South Africans only. Malawians and other migrants in South

Africa are living in fear of these anti-foreigner outbursts of anger and hatred, and there is growing public concern that these Dudula campaigns might soon lead to another explosion of xenophobic violence in the rainbow nation. Nothing could be more overtly anti-fraternity, anti-cosmopolitanism, and counter-regional integration than the emergence and specter of the three extremist Dudula village movements in urban South Africa today. Media reports have captured a wave of protests by members of Operation Dudula clashing with Xhosa, Zulu and Ndebele women, mistaking the latter for foreigners (Peralta Eyder, 2022). There was bitter and acrimonious exchange of words between Dudula and the migrants. It is shocking that the South African government is failing to address this crisis on political grounds. Additionally, the South African government is consciously or unconsciously fueling this anti-fraternity not only against Malawian nationals but against all immigrants. This is evident with the (sudden) expiry of the Zimbabwean Exemption Permits (ZEPs) in December 2022, implying that from 1 January 2023, majority of Zimbabweans in South Africa will automatically become undocumented immigrants. This means that South Africa is retrogressing instead of moving forward by chasing away about three million Zimbabwean asylum seekers who escaped political hubris and economic turmoil at the peak of the late-1990s land seizures in Zimbabwe (Daily Maverick 2022). Being South Africa's neighbor, it is obvious that some South African citizens are resident in the erstwhile regional breadbasket and in other neighboring countries. The South African government should have been at the forefront of the modernizing train of cosmopolitanism in the region by discouraging these anti-foreigner sentiments.

As if Dudula extremist activism were not enough, Malawian undocumented migrants in South Africa have recently had to grapple with the far-reaching consequences of the COVID-19 pandemic. Due to the prolonged lockdown in South Africa, Malawian undocumented migrants there have faced unemployment, starvation, destitution, and lack

of healthcare and medicine, among other basic needs (Khamula 2020). As a result of the stringent conditions of the lockdown, to ameliorate their deplorable condition, some poor Malawian families in South Africa have had to be temporarily hosted by some well-to-do Malawians working or doing business in South Africa. The unlucky Malawians who were not hosted by fellow Malawians during the lockdown face many challenges. The fate of these destitute Malawian undocumented migrants who fell victim to the COVID-19 pandemic without necessarily being infected by the SARS-2 coronavirus remains largely unknown. The little that is known is that these stranded destitute Malawian undocumented migrants called upon the Malawi government to evacuate them as they were suffering greatly and mostly living on alms in South Africa.

In his State of the Nation Address, Ramaphosa at the time of the lockdown, South Africa's President Matamela Cyril announced when the country was transitioning to Level Four of the lockdown that his government would continue to provide basic needs to South African nationals only and would deny the same to foreigners. Facing this discrimination from the South African government, Malawian undocumented migrants asked the Malawi government to have them repatriated home. However, the repatriation was marred with formidable management challenges. First, there was limited space in quarantine centers in Malawi. Second, there was severe resource poverty in the country. The government of Malawi could not afford to provide upkeep and maintain preventive health measures for, and give medicines to all the evacuees in the quarantine centres. The government had inaccurate figures of the evacuees, probably because they were undocumented migrants, most of whom had used clandestine means to enter South Africa (Khamula 2020).

While Malawian undocumented migrants grapple with hostilities and harsh conditions in the rainbow nation, other Malawian undocumented migrants living in KwaZulu-Natal (KZN) Province and surrounding areas have been devastated by natural disasters emanating

from tropical cyclones leading to torrential rains and flash floods (SADC 2022). Khumalo [not his real name], one of our informants living in the province, a natural disaster victim narrates:

The floods have displaced a lot of Malawians living in the province, and also some of our friends have been injured but cannot access health services as they don't have legal documents to allow them to access such services. In addition to these, most Malawians here and other immigrants are now homeless, others have been squatting in school classrooms. Only a few Malawians who have connections elsewhere in South Africa have been lucky to be evacuated from this province and are now hosted by their friends or families (Khumalo, personal communication, 25 April 2022).

The natural disaster exacerbated the inhospitality of South Africa towards foreigners. Similar experiences were also shared by other informants who just returned from KZN Province and surrounding areas. They all cited a lack of shelter, food, clean water, electricity, and other basic needs as a serious problem for Malawian undocumented migrants in natural disaster-struck KZN. Another informant, Mike, reports the death of Malawians in KZN and Limpopo, another South African province. Mike said:

We have problems with shelter, food, clean water and other basics. We have lost our friends from Malawi living in this province and other surrounding areas due to the floods. Some Indian well-wishers have constructed tents where we [foreigners] are sheltered. But other people are sleeping in their workplaces because they have nowhere to go since the heavy rains started. As I am talking now, there is no water or electricity, and people are struggling, but what can we do since this is not our home? Almost 30 people have died here, including Malawians, I know two people from Malawi who have lost their lives, and one

hails from Blantyre and the other from Mangochi. Further to this, factories were closed because there is no water and electricity, and we have nowhere to go.

The [Malawi government's] buses that have come to repatriate people back home have gone to Limpopo. I couldn't hesitate to get into one of the buses if they were to come here to take us back to Malawi (Magalasi, personal communication, 26 April 2022).

This additional testimony on the inhospitality of South Africans towards natural disaster-struck Malawian undocumented migrants — a traumatic experience of great proportion — augments our argument that South Africa is replete with hostilities towards migrants of African origin including Malawian undocumented migrants, underscoring our philosophical position that such Afrophobic hostilities are anti-fraternity, anti-cosmopolitanism, and they ultimately undermine regional integration efforts in the SADC bloc.

Arbitrary arrests, detentions, and deportations are extreme manifestations of South Africa's hostilities towards African undocumented migrants, including Malawians. For example, Amin Shukurani, who was once detained for failing to show the police valid documents to stay in Johannesburg, South Africa, said that he was arrested, incarcerated in police custody, prosecuted in court, shipped to the infamous Lindela Prison, and then released soon afterwards (Shukurani, personal communication, 27 May 2022). Similarly, John Jafali, an ex-migrant of Mangochi District, says that upon arrival in Johannesburg, he secured a job as a truck driver, but was soon caught and sent to Lindela Prison due to lack of a work permit. On a Tuesday morning, he was stopped by police officers on patrol. To John, this was surprising because they were unusually serious and declined to accept the bribe he offered them. Jafali suspects a fellow Malawian might have betrayed him out of jealousy. Consequently, he suffered needlessly in prison. He and other detainees arrested

on similar grounds had to wait for an increase in the number of detainees before they were deported. Jafali lost his car and belongings in his house in South Africa. He was left with only the clothes that he wore that day. He did not even have his cell phone. Upon returning to his village in Mangochi, Jafali was too ashamed of himself as he had returned empty-handed. He had failed to financially support his family (wife, two children and other dependents). After a while in Malawi, Jafali acknowledged that he gradually picked up, as he started a taxi business in Mangochi (Jafali, personal communication, 27 May 2022).

Another informant, Mr Fahaji Mtenje shared a similar experience. Mtenje was previously deported from South Africa to only return in 2019, after securing a passport this time around. Due to a lack of valid documentation on the eve of his deportation, Mtenje reports that the police brutally beat him before his arrest. He also reported more brutal beatings by the police who went witch-hunting for undocumented migrants in various workplaces. The police shipped him to Lindela Prison. He narrates the inhuman conditions in Lindela Prison thus:

While at Lindela, we were not treated in any way different from the prisoners there. We could only eat the time it pleased the warders to give us food. To make it worse, the food wasn't good at all. I developed a strange skin disease that was unprecedented in my medical history, and this was due to poor hygiene in Lindela. As if that was not enough, there were inmate fights in Lindela. It was not only Malawian nationals there. Others were from Nigeria and Mozambique among other countries. They combined people of different characters, so inmate fights were a daily occurrence, such that some Malawians including myself were wounded at the time the numbers had piled up, ready for the deportation flight. It was unbearable (Mtenje, personal

communication, 29 May 2022).

Similar to what Mtenje experienced in Lindela, another informant Charles Malekano, an ex-inmate of Lindela Prison and former deportee, in substantiating what the former said, tells a slightly different story:

There is zero freedom in Lindela. The pains I felt at the time we were thrown in Lindela cut deep in my heart. I could even cry, asking myself why Africans are mistreating each other like this and yet we say Africa is one! The inhuman treatment I received together with others in Lindela was terrible. You cannot differentiate a murderer, convict, and foreigners imprisoned in Lindela. At the time of our deportation, I was told I was banned from entering South Africa again. However, when I was deported home, I immediately returned to South Africa using a new passport bearing different names. The names in my old passport were those of a *persona non grata* (Malekano, personal communication, 29 May 2022).

The horrid experiences of these four informants are far from unique. Other studies resonate well with the present study. For example, in her paper titled “After Mines: The Changing Social and Economic Landscape of Malawi – South Africa migration”, Jessica Johnson lamented the fact that there is indeed significant uncertainty and insecurity for Malawian migrants in South Africa. In an oral interview with Lucius, a resident of Chiradzulu district, Johnson says he told her that one should be happy to see that one can go to South Africa and return alive. He reportedly said in Johannesburg one cannot walk about freely without being stopped by police and asked to produce valid papers (Johnson 2017).

It is indeed apparent that the rainbow nation is no longer rosy with its ever-rising

levels of youth unemployment. Recently, Derrick Chihana confided in Malawinews24 that the situation in South Africa has rendered many Malawian youth in the rainbow nation destitute and prone to promiscuous conduct for their survival. Like Lucius, Chihana recalled untold suffering during his stay in South Africa. Chihana, who hails from traditional authority Wasambo in Karonga district, alleged that after failing to secure employment, most Malawian girls were involved in sex work for survival (Malawinews24 2022).

This common language of traumatic experiences of Malawian undocumented migrants in South Africa from various sources of literature including oral literature is evidence enough that the challenges of being an undocumented migrant in South Africa far outweigh the benefits. The hostility and inhospitality, the anti-fraternity and anti-cosmopolitanism of South Africa, and hence its contribution to the derailing of the SADC bloc's regional integration efforts, are loud and clear in these Malawian undocumented immigrants' testimonies of arbitrary arrests, police beatings, extortion, detentions and deportations.

Conclusion

This paper drew on Kantian philosophy, particularly his concepts of the “cosmopolitan right” and “fraternity” in order to support the paper's position that all Southern Africans in particular, and all Africans in general are brothers and sisters. Evoking the cosmopolitan right and the spirit of fraternity [brotherhood/sisterhood] as well as Ubuntu hospitality — people who wish to migrate can relocate and stay permanently or temporarily in any country within the SADC subregion, in sub-Saharan Africa as well as in the rest of Africa. Xenophobia runs counter to and defeats the whole purpose of both fraternity and Ubuntu. Xenophobia violates cosmopolitan rights. Essentially, decrying and bemoaning the slow pace of policy implementation especially at the SADC subregional level, the paper

argued for the speedy implementation of the various treaties, or multilateral agreements, aimed at regional integration, and at improving migration governance primarily in the SADC subregion where Malawi and South Africa are located. The paper argued that free-market capitalism or the neo-liberal system in Malawi is responsible for the continued flight of youth to South Africa. Malawi's predominantly agricultural economy is youth-unfriendly as most of the youth have no access to land and even when they gain access to land through inheritance, they have no start-up capital to cultivate it productively. Climate change adverse effects leading to drought and erratic rains (i.e., flash floods and tropical cyclones) have exacerbated food insecurity. Worse still, government anti-poverty and anti-hunger interventions such as the ongoing Affordable Input Program (AIP) have yielded negative results and hence no impact on poverty and hunger because they are marred by serious planning and policy implementation as well as logistical challenges.

This study focused on the plight of 'undocumented' Malawian migrants, tentatively categorizing them as "economic refugees" because it is poverty and economic hardship back at home that force them to migrate southwards, most often to South Africa. The study emphasized that Malawians are forced by their economic circumstances to migrate southwards, especially to South Africa. Malawians in South Africa end up as 'undocumented migrants' or what this study has characterized as 'economic refugees'. Neoliberal economic conditions force migrants out of Malawi to South Africa, which itself has embraced neoliberalism. Thus, the embrace of migration as a solution has limited utility. Neoliberalism exacerbates economic and social stressors. The COVID-19 pandemic and climate change further intensified the challenges faced by Malawian migrants. They also contribute to increased xenophobia and the anti-immigrant violence that it provokes.

Bibliography

Oral Sources

Mr. Ndemeka Bakili. M'baluku Village, T/A Chowe, Mangochi, 18th April 2022.

Mai Estele Maloko. M'baluku Village, T/A Chowe, Mangochi, 11th April 2021.

Mai Stella Lifa. M'baluku Village, T/A Chowe, Mangochi, 18th April 2021.

Mr. Rafiki M'bwana. M'baluku Village, T/A Chowe, Mangochi, 11th April 2021.

Mai Malita Lifa. M'baluku Village, T/A Chowe, Mangochi, 11th April 2021.

Mai Zainab Muhammad. M'baluku Village, T/A Chowe, Mangochi, 11th April 2021.

Mai Lunia M'bwana. M'baluku Village, T/A Chowe, Mangochi, 18th April 2021.

Mr. Khumalo [not real name]. Phone Interview, Kwazulu natal, 25th April 2022.

Mr. Mike Magalasi [Not real name]. Phone interview, KwaZulu-Natal, 26th April 2022.

Mr. Amin Shukurani [not real name]. Phone interview, Johannesburg, 27th May 2022.

Mr. John Jafali. Phone interview, M'baluku Village, T/A Chowe, Mangochi, 27th May 2022.

Mr. Fahaji Mtenje. Phone interview, Cape Town, 29th May 2022.

Mr. Charles Malekano. Phone interview, Johannesburg, 29th May 2022.

Books and Articles

African Union Commission, Department of Social Affairs, Addis Ababa. (2008). *Migration Policy Framework for Africa and Plan of Action (2018 - 2030)*.

Ayanda C., and Tamasin Ford. Inside South Africa's Operation Dudula: 'Why We Hate Foreigners'. AlJazeera online breaking news, www.Aljazeera.com. News live, 18th

September 2023.

Altman, M. C. (2017). The Limits of Kant's Cosmopolitanism: Theory, Practice, and the Crisis in Syria. *Kantian Review*, 22 (2): 179–204.

<https://doi.org/10.1017/S1369415417000012>.

Banda, H. (2019). *The Dynamics of Labor Migration from Northern Malawi to South Africa since 1974*. PhD Diss. University of the Witwatersrand, Johannesburg.

Banda, H. (2017). The Decline in Mine Migrancy and increase in Informal Labor Migration from Northern Malawi to South Africa, 1970s-1980s. *New Contree*, 79(4): 65–85.

Banda, H. (2008). *Gendered Patterns of Malawian Contemporary Migrancy: The Case of Zubayumo Makamo Area in Mzimba District, 1970s–2005*. (MA Thesis). Zomba. University of Malawi.

Banda, H. (2000). *Competition for the Labor Supply in Mzimba District: The Case of Wenela and Mthandizi, 1906–1956*. Zomba. University of Malawi.

Bhoosedhur S. and Isbell, T. (2019). Almost Half of Malawians Consider Emigration; Most Educated are Most Likely to Look Overseas. *Afro barometer Survey*, 2–4. no. 281.

Brown, G.W. (2006). Kantian Cosmopolitan Law and the Idea of a Cosmopolitan Constitution, *History of Political Thought*, 27(4): 661–684.

Castles, S., and Wise, R.D. (eds.). (2008). *Migration Development: Perspectives from the South*. Geneva: International Organization for Migration

Carmack, D., Kelsall, T. and Booth, D. (2010). Developmental Patrimonialism? The Case of Malawi, Working Paper no. 2, 10–12.

Chinsinga, B. and O'Brien, A. (2007). *Planting Ideas: How Agricultural Subsidies Are Working in Malawi*. African Research Institute.

- Chirambo, R. (2004). 'Operation Bwezani': The Army, Political Change, and Dr Banda's Hegemony in Malawi. *Nordic Journal of African studies*, 13(2):147.
- Chirwa, W. C. (1996). The Malawi Government and South African Labor Recruiters, 1974-92. *The Journal of Modern African Studies*, 34(4): 623–642.
- Chirwa, W. C. (1992). "TEBA is Power": Rural Labor, Migrancy and Fishing in Malawi, 1890s–1985". PhD Thesis. Queens University, Canada.
- Chirwa, W. C. (1997). "Migrant Labor, Sexual Networking and Multi-Partnered Sex in Malawi", Sexual Networking, Knowledge and Risk: Contextual Social Research for Confronting AIDS and STDs in Eastern and Southern Africa. *Health Transition Review*, 7(3):5-15
- Crush, J. and Ramachandran, S. (2014). Migrant Entrepreneurship, Collective Violence and Xenophobia in South Africa. *Migration Policy Series No. 67*.
- Dorward, A., Guenther, B., and Wheeler R. S. (2008). *Linking Social Protection and Support to Small Farmer Development: Malawi Case Study*, Paper Commissioned by FAO 5–7. <https://www.fao.org>
- Gathogo, J. (2008). African Philosophy as Expressed in the Concepts of Hospitality and Ubuntu. *Journal of Theology for Southern Africa*, 130(1): 39–53.
- Groves, Z. R. (2020). *Malawian Migration to Zimbabwe, 1900–1965: Tracing Machona*. Palgrave: MacMillan.
- Government of Malawi. (2020). *Malawi Poverty Report*. Lilongwe.
- Government of Malawi. (2022). *Report on Employment Statistics*. Ministry of Labor, Lilongwe.
- Hicks, T. (1999). The Constitution, Aliens Control Act, and Xenophobia: The Struggle to Protect South Africa's Pariah-The Undocumented Immigrant. *Indiana Journal of Global Legal Studies*, 7(39):393–417.
- Johnson, J. (2017). After the Mines: The Changing Social and Economic Landscape of Malawi-

- South Africa Migration, *Review of African Political Economy*, 44(152): 237–251.
- Kant, I [1795]. (1917). *Perpetual Peace: A Philosophical Essay*. Translated with an Introduction by Campbell Smith, with a Preface by Professor Latta. London: George Allen & Unwin Ltd. and New York: The Macmillan Company.
- Kant, I [1784]. (1991). *Idea for a Universal History with a Cosmopolitan Purpose*. Ed. Reiss, H. S. Kant. Cambridge Texts in the History of Political Thought (2nd Ed.), pp. 41–53. Cambridge: Cambridge University Press.
- Kaunda, M. J. (1995). *Malawi: The Post-colonial State, Development, and Democracy*. *Rivista trimestrale di studi e documentazione dell'Istituto italiano per l'Africa e l'Oriente*, 50(3): 314–318.
- Kaungu, M. G. (2021). Reflections on the Role of Ubuntu as an Antidote to Afrophobia. *Journal of African Law*, 65(1):153–170.
- Khamula, O. (2020). Malawians in South Africa Face starvation, lack of medicine in prolonged lockdown. Nyasa Times Malawi breaking news online, www.Nyasatimes.com online news.
- Latest Justice News in South Africa Today- Opera News (n.d)
<https://opera.news.za.en.justice>
- Malawi Country Assistance Evaluation. (2000). Memorandum to The Executive Directors and The President. Subject: Malawi - Country Assistance Evaluation. Report No. 21395. November 14, 2000. Operations Evaluation Department. The World Bank, Washington, DC.
- Maharaj, B. (2002). Economic Refugees in Post-apartheid South Africa-Assets or Liabilities? Implications for Progressive Migration Policies, *GeoJournal*, 56(1):47–57.

- McCracken, J. (2012). *A History of Malawi, 1859–1966*. New York: James Currey.
- Mudeka, I. (2016). Gendered Exclusion and Contestation: Malawian Women’s Migration and Work in Colonial Harare, Zimbabwe, 1930s to 1963. *African Economic History*, 44:18–43.
- Ndegwa, D. (2015). *Migration in Malawi: A Country Profile 2014*, International Organization for Migration, 59–60.
- Nkhoma, B. (2011). Irrigation Development and its Social Economic Impact on Rural Communities in Malawi. *Development Southern Africa*, 28(2): 211–216.
- Nyirenda, Z., Mkumbwa, S., Chadza, W. and Muyanga, M. (2022). Cyclone Ana Impacts on Livelihoods and Agricultural Systems: Experiences and Voices from Chikwawa and Nsanje Districts. *Mwapata Institute, Policy Brief* 19. 1–6.
- SADC Executive Secretary Her Excellency Dr. Stegormena Tax. (19 October 2020). ‘SADC develops Regional Migration Policy Framework’. See [https://www.sadc.int/files/9513/5292/8363/Protocol on Facilitation of Movement of Persons 2005.pdf](https://www.sadc.int/files/9513/5292/8363/Protocol_on_Facilitation_of_Movement_of_Persons_2005.pdf). Retrieved on 17 May 2021.
- Williams, V. (2011). Interstate Cooperation in Migration Management in the Southern African Development Community (SADC). In Randall Hansen, Jobst Koehler, Jeannette Money (eds.). *Migration, Nation States, and International Cooperation*. London: Routledge.
- Williams, V. (2008). *Xenophobic Attacks in South Africa: Not a Completely New Phenomenon*.

Cape Town: Heinrich Böll Stiftung. The Green Political Foundation.

Williams, V. (2006). In Pursuit of Regional Citizenship and Identity: The Free Movement of Persons in the Southern African Development Community. *Policy Issues and Actors*, 19(2): 1–15.

Williams, V. (2006). Regional Cooperation and the Benefits of Migration for Development in Southern Africa. In K. Tamas and J. Palme (eds.). *How Migration can Benefit Development*. Stockholm: Institute for Futures Research.

Weerdt, J., and Duchoslav, J. (2022). Are Fertilizer Subsidies in Malawi Value for Money? *MaSSP Policy Notes 46*, International Food Policy Research Institute (IFPRI). <https://doi.org/10.2499/p15738coll2.135960>

Wood, A. W. (1970). Training Malawi's Youth: The Work of the Malawi Young Pioneers. *Community Development Journal*, 5(3): 130–133.

¹ Kant argues for the extension of 'the rights of man' beyond the nation, a right that he christens the 'cosmopolitan right.' Kant bases the cosmopolitan right on certain observations about the empirical conditions of human existence, particularly the sphericity of the earth. For Kant, the earth belongs to all of us—and so any one person can migrate and relocate anywhere in the world. By implication, the Southern African region belongs to all Southern Africans. For Kant, the cosmopolitan right is coterminous with laws of hospitality, defined broadly as 'the right of a stranger not to be treated with hostility when he arrives on someone's territory.' Kant came up with the ideas of cosmopolitan rights and laws of hospitality in order to counteract the growing 'nationalism' in Europe in the aftermath of the French Revolution of 1789. For him, this narcissistic nationalism led to lawlessness of international relations, and, more worrisomely, to the

exclusion and stigmatization of foreigners within states—leading to xenophobia in nation-states. Kant argues strongly that individuals have a right as citizens of the world to try to establish community with all, and to this end, to visit all regions of the earth.’ The phrase ‘community with all’ can be rendered as ‘fraternity’ or brotherhood and sisterhood. *Fraternity* is etymologically derived from the Latin noun ‘*fraternitas*’ meaning a state or condition of being brethren. Thus, in the Kantian spirit of fraternity, it can be contended that all the peoples of the SADC bloc belong to one community as brothers and sisters. Invoking the cosmopolitan principle of fraternity, South Africans should look at foreign nationals entering their country as their brothers and sisters. Kant further argues that all humans can claim a right to such travel [i.e., migration], arguing that ‘[Humans] may only claim a right to resort, for all men [and women] are entitled to present themselves in the society of others by virtue of their right to communal possession of the earth’s surface.’

² *Pan African News Agency (PANA)* reported that on 19 March 2021, Mali’s Minister of Malians Abroad and African Integration, Alhamdou Ag Ilyene inaugurated CAREM in Bamako, Mali.

³ There is also the UN-supported Pan-African Forum on Migration (PAFOM), which is a continental consultative process on migration and human mobility issues in Africa.

⁴ Of course, we approach the idea of a United States of Africa (USA) with caution. The United Nations Organisation (UNO) was envisaged over two thousand years ago by Immanuel Kant. Even then, Kant struggled to construe such a global organization of states due to the issue of the sovereignty of nation-states. Matthew Altman (2017) argues, “If the United Nations is a deliberative body in the Kantian mold, as some people believe it is, then military force would seem to be ruled out as counterproductive and contrary to the terms of international cooperation. Instead, states would engineer the reform of other states by means of UN resolutions and other kinds of diplomatic and economic pressure. Kant conceives of the league as ‘a federalism of free states’, not despotic states.” (Altman, 2017: 184)

⁵ For several decades, since independence, tobacco has been the topmost cash crop in Malawi, contributing more than 60 per cent of forex earnings. This is no longer the case now. For example, burley tobacco that was grown mostly by smallholder farmers mostly in the Central and Northern regions is now a thing of the past. Diversification from tobacco to alternative cash crops in contemporary Malawi has been and still is happening at a tortoise speed.

⁶ An ordinary passport-36 pages costs 90,000 kwacha (83.20\$), express service at 160,000 kwachas while ordinary passport normal service with 48 pages costs 130,000 kwacha and an express passport 48 pages costs 180, 000

kwacha. This is too expensive for an ordinary Malawian living below the poverty line. 1\$ was at 1,081.76 Malawi kwacha at the time of writing. (Standard Bank Forex Rates, as at 21st August 2023).

⁷ We carried out fieldwork in Mangochi rural from April 1st to 30th 2021, and then returned from April to May 30th 2022.

LIST OF ABBREVIATIONS

AU	African Union
AFCFTA	African Continental Free Trade Agreement
AIP	Affordable Input Program
CAREM	African Centre for studies and Research on Migration
GoM	Government of Malawi
IMF	The International Monetary Fund
IFIs	International Financing Institutions
KZN	KwaZulu-Natal
MCP	Malawi Congress Party
MYP	Malawi Young Pioneer
MPFA	Migration Policy Framework for Action
PoA	Plan of Action
REC	Regional Economic Communities
SADC	The Southern African Development Community
TEBA	The Employment Bureau of Africa
WNLA	Witwatersrand Native Labor Association
ZEPs	Zimbabwean Exemption Permits

Dr. Pascal Newbourne Mwale earned his PhD from the University of the Witwatersrand, Johannesburg. He is a Senior Lecturer in the Department of Philosophy, School of Humanities

and Social Sciences, University of Malawi. He has a considerable, track record of publications. Some of his articles have appeared in internationally recognized peer-reviewed journals. He has also contributed book chapters in his areas of research interest. Recent book chapters have appeared in the following volumes: *Ethics in Malawi* (2021) and *Babel Unbound: Rage, Reason and Rethinking Public Life* (2020). In addition, he has several book chapters in forthcoming volumes. His wide-ranging research interests include media ethics, critical theory, and phenomenology and existentialism.

Cobbener Sungani has an MA in African Social and Economic History from the Department of History, Heritage and Archaeology studies at the University of Malawi. He also teaches in the same department. Previously he was a Teaching assistant in the Department of Social Sciences Education, School of Education, University of Malawi. He holds a Bachelor of Education (Social Sciences) degree from the same institution. Sungani has overarching interests in the history of migration, gender, agrarian studies, peasantry, heritage studies and political history. He has recently published in *African Studies Quarterly*.

