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Undocumented and marginalised: Gendered experiences of victimisation and exclusions amongst women migrants in Tshwane city, South Africa

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ABSTRACT

Undocumented migration has emerged as a growing problem in South Africa, particularly in its urban centres. This study aimed to understand the experiences of undocumented women in Tshwane from an intersectional perspective, examining the intersection of institutional victimisation, systemic exclusion, and gendered vulnerabilities, while also offering possibilities for social work responses to these realities. The research questions were: A qualitative exploratory design was employed, involving seven purposively selected undocumented women migrants (chosen from a larger purposive sample of 15 undocumented migrants) who were interviewed using semi-structured interviews. What were the experiences and challenges faced by undocumented women migrants in Tshwane, and how can social work practice be strengthened to address these challenges? Social justice theory and Ubuntu were used as theoretical lens. Data were subjected to thematic analysis using Braun and Clarke's six-phase analytical framework. Trustworthiness was ensured through Lincoln and Guba's model. Although these frameworks originate from Western methodological traditions and may not fully capture African relational contexts, they were applied reflexively and adapted to remain culturally responsive. The findings include persistent vulnerabilities and systemic exclusion from education, employment, and healthcare. The study recommends strengthening rights-based, gender-responsive, and advocacy-driven social work interventions in migrant-dense communities.

KEY TERMS: exclusion, experiences; gendered victimisation, migration, Tshwane, undocumented women migrants, Social Work

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INTRODUCTION

Migration is a multifaceted phenomenon encompassing economic, social, political, and environmental aspects. Globally, millions of people migrate in search of safety, employment opportunities, and improved living conditions. South Africa has a long history of attracting migrants for various reasons, including fleeing conflict-affected countries to seek safety, better employment opportunities, and security. Gauteng Province remains one of the primary destinations for migrants, with the City of Tshwane recognised as a key urban centre that attracts immigrants due to the perceived availability of employment and improved quality of life. However, undocumented migrants face significant challenges, particularly undocumented women whose irregular legal status exposes them to heightened vulnerability, including homelessness, poverty, exclusion from formal welfare systems, and gendered forms of victimisation. Non-profit organisations are often the primary providers of services to undocumented migrants, yet they are critically under-resourced and operate within donor-driven and short-term funding environments, which limits their capacity to provide sustainable, gender-responsive, and migrant-centred interventions. Despite increasing attention to migration in South Africa, limited research has explored the lived experiences of undocumented migrant women from a social work perspective, particularly in relation to gendered victimisation, multi-sectoral exclusion, and the implications for social work practice. This study therefore seeks to explore the experiences and challenges faced by undocumented migrant women in Tshwane and to provide recommendations for social work practice that promote inclusion, protection, and rights-based interventions.

LITERATURE

Challenges faced by undocumented migrant women

An undocumented migrant is defined by South Africa's Immigration Act 13 of 2002 as "a foreigner who has not been issued with a permit or refugee status as prescribed by this Act" (Geddes, 2021). Similarly, an undocumented migrant is a person in a country without permission and without any valid documents to stay there and is liable to arrest and deportation. This state of being undocumented can also result from system inefficiencies that discourage undocumented migrants from undergoing renewal processes, with such status often being passed down through generations in families (Mukumbang, Ambe, & Adebisi, 2020; Issah, Amali, Sibanyoni, & Fitz, 2023).

The problem of lack of documentation in South Africa has various intersecting and related consequences for undocumented migrants, leading to and exacerbating several human rights violations and further marginalisation. These issues include police harassment, arrest and detention, as well as exploitation and human trafficking (Human Rights Watch, 2022). Undocumented migrant women also experience exclusion from accessing essential services, including healthcare, education, housing, and social assistance, despite constitutional rights and legislation (Palmary & de Gruchy, 2019; Fortuin & Lutchman, 2023). Violations of labour rights are also widespread, as undocumented migrant women are frequently limited to informal, low-skilled, low-paid, and precarious jobs, where they are vulnerable to exploitation and abuse (Crush & Tawodzera, 2017). The legal and policy framework itself also criminalises the lack of documentation, resulting in a fear of, and deterrence from, seeking justice and protection, as well as access to social security and services (Issah Amali, Sibanyoni, & Fitz, 2023). These challenges highlight significant service delivery gaps and a substantial need for migrant-responsive, rights-based approaches.

Social work services for undocumented migrant women

Undocumented migrant women face heightened psychosocial vulnerabilities shaped by poverty, exclusion, and insecure legal status, creating complex ethical dilemmas for social workers (Anis & Turtiainen, 2021; Potocky & Naseh, 2020). While obliged to uphold dignity and human rights, social workers must navigate restrictive policies that often criminalise their clients (Androff & Mathis, 2022; Dawood & Seedat-Khan, 2023). In Tshwane, NGOs such as the Tshwane Leadership Foundation and Jesuit Refugee Services provide shelter, health referrals, education, and legal aid, yet scarce resources and legal barriers limit their reach (Machokonye, 2019; Muza, 2016; Matlin, Depoux, Schütte, Flahault, & Saso, 2018). Social workers employ person-centred and rights-based approaches, but sustainable, gender-responsive interventions remain critically constrained (Gebereselassie, 2022; Ziegler, 2020).

THEORETICAL FRAMEWORKS

Social justice theory, as articulated by Metz (2011), underpins the study's focus on fairness, equality and the equitable distribution of rights and resources, particularly for undocumented migrant women Metz's Ubuntu-informed moral reasoning advances an understanding of justice rooted in human dignity and harmonious social

relations, and therefore helps interrogate the social structures that perpetuate exclusion, including restricted access to healthcare, education and legal protection (Sabbagh & Schmitt, 2016). African philosophical concepts, such as ubuntu, deepen this perspective by promoting community care, relational justice, and human dignity. Family and solidarity are Ubuntu values, and one of its essential values is the need for Ubuntu to stand together in the face of exclusion, victimisation and the structural problems that undocumented migrants face (Sekudu, 2019; van Breda, 2019). Within social work, this framework affirms the role of Ubuntu in fostering inclusive, contextually grounded interventions that promote resilience and shared humanity (Sekudu, 2019). The theory of social justice advocates for the dismantling of oppression through inclusive and rights-based practice, and Ubuntu focuses on solidarity and shared responsibility; these principles inform the social work response towards the dignity and well-being of undocumented migrant women in Tshwane.

METHODOLOGY

This study used a qualitative exploratory design to gain an understanding of the lived experiences of undocumented women migrants in Tshwane. The article included seven undocumented women migrants who were part of a purposive sample of 15 undocumented migrants. Focusing on a sub-sample is not uncommon in exploratory research, which values “depth of information about a topic over breadth” (Chilisa, 2020) and seeks to understand experiences within their broader social and cultural contexts. The inclusion criteria for participants were that they had to be at least 18 years old, have lived in the Tshwane metro for a minimum of two years, and have no valid documentation. Ethical clearance for the study was obtained from the University of South Africa’s Research Ethics Committee (Ref: 48259136_CREC_CHS_2023). Afrocentric ethics, which are relational, accountable, reciprocal, and dignified, were employed to underscore the ethics in the study (Chilisa, 2020). Participants were approached as relational partners, in keeping with the “I/we” principle and Ubuntu’s emphasis on relational personhood and shared humanity, which shaped the power-sharing ethos of the study, affirming participants’ agency and right to self-determination (Letseka, 2013). Data were collected through semi-structured face-to-face interviews, which were digitally recorded with written consent and transcribed verbatim. After obtaining written permission from gatekeepers, namely organisations that deliver services to undocumented migrants in Tshwane, the gatekeepers requested authorisation from the prospective participants for the researcher to contact them. The researcher explained the study to prospective participants and obtained written informed consent before the interviews proceeded. A debriefer was appointed to assist, should it be necessary to refer the participants for debriefing services.

Data were analysed using Braun and Clarke’s (2021) six-phase reflexive thematic analysis, which included familiarisation with transcripts, code generation, theme development and review, definition and naming of themes, and report production. Lincoln and Guba’s framework of trustworthiness guided data credibility, transferability, dependability and confirmability (Lietz & Zayas, 2010). Critical engagement with the coding and theme development process by an independent qualitative researcher provided reflexive engagement and rigour in analysis. While these analytic frameworks originate from Western qualitative paradigms, they were applied reflexively through an Ubuntu-informed lens, acknowledging contextual constraints. Afrocentric or author-developed analytical frameworks may offer complementary approaches that more explicitly centre indigenous epistemologies in African research contexts.

FINDINGS

The biographic profiles in Table 1 highlight how undocumented women migrants face multiple, intersecting vulnerabilities. The undocumented women are already long-term undocumented residents, from 5 to 15 years and from various African countries. Low levels of education, unemployment, and caregiving responsibilities, when combined with insecure legal status, intensify their social and economic marginalisation.

Table 1: Biographic profile summary of undocumented women migrants

Characteristic	Details
Nationality	Democratic Republic of Congo, Burundi, Zimbabwe, Malawi, Lesotho
Years in South Africa	5–15 years
Education	Varied educational levels aligned with each country's schooling system; one participant held a diploma, while most had completed secondary schooling (Grade 12 equivalent) or below.
Employment	Six unemployed; one engaged in informal vending
Family/Caregiving	Most are married with children, serving as primary caregivers within their households.
Socio-economic Status	Marked by unemployment, low education, and caregiving burdens, which exacerbate vulnerability

Theme 1: Gendered exclusions and everyday victimisation of undocumented migrant women

Most of the participants described enduring harsh and precarious living conditions upon their arrival in South Africa. Some were trafficked and coerced into exploitative environments such as brothels, while others were forced to sleep on the streets before eventually securing temporary shelter through non-governmental organisations. The lived experiences of undocumented migrant women in Tshwane reflect deeply entrenched patterns of victimisation, marginalisation and gendered exclusion. Their narratives illustrate how undocumented status, compounded by gender, renders them particularly vulnerable to poverty, exploitation, and abuse. Scholars similarly highlight that undocumented women migrants face heightened risks of trafficking, sexual violence, and exclusion from essential services (Crush & Tawodzera, 2017; Masolane, 2019; Lourens, 2019; Fakhoury, Consoli, & Duvoisin, 2022). Within this context, the Ubuntu framework calls for a collective ethic of care, compassion, and solidarity, while social justice theory emphasises dismantling structural barriers that perpetuate these exclusions (Chilisa, 2020).

The following excerpts from the participants highlight the daily struggles, fears, and systemic marginalisation faced:

I am currently staying with a pastor who is leading a church. I am unable to apply for a job because no one wants to employ an undocumented migrant. The police patrol the streets, and when they find someone without documents, they immediately arrest them. The police and traffic wardens are seeking free services and refuse to pay. They often threaten me and say that either I provide them with services, or they will arrest me.” (Participant 2).

When you are undocumented, you have no access to many things, such as jobs and education opportunities. My first child was rejected from a public school due to documents, as the Department uses an online system. Police are always coming to take my small table of sweets because I do not have a street vending license. I am unable to get it because I do not have documents. (Participant 6)
I am staying with a lady from Burundi. She works in a salon and owns a one-bedroom flat with her boyfriend. I am occupying a sitting room. I can say that being undocumented means being unrecognised. No one recognises you anywhere, and no one can help you; instead, you become a suspect in all sorts of crimes. I used to do some piecework, and on my way back, I got raped, and that is how I conceived my son. (Participant 7).

I was trafficked to South Africa. After completing my studies, I started applying for jobs worldwide and received an interview to come to South Africa. A company was looking for junior economists. I started the conversation online and prepared myself. I took a passport; they even paid for my tickets and all the travelling costs. When I landed at the airport, someone was waiting for me, and I got into the car to a place they had booked for me, only to find out it was all a lie. I was then taken to a brothel where I found other girls from other countries doing prostitution. I contracted HIV during the time I was a sex worker, and I am on ARVs. (Participant 8).

These narratives reveal the profound and multifaceted ways in which undocumented migrant women in Tshwane

endure systemic oppression and violence. The excerpts expose not only physical and economic vulnerabilities but also a persistent invisibility that silences their suffering and denies them basic human dignity. The authors Walker & Veary (2024) similarly argue that South Africa's current migration and health agenda, characterised by xenophobia and a prioritisation of punishment over protection, disproportionately undermines the health and well-being of distressed migrants.' Mutandiro (2022) stated that South Africa's dysfunctional asylum and documentation system contributes to the abuse of undocumented migrants and advances the destruction of human rights and social justice. Participant two's experience with police harassment and extortion further highlights this pattern, illustrating how state agents who are required to protect citizens instead marginalise and terrorise them. This highlights a paradox where the very institutions meant to uphold justice become sources of fear and exploitation for undocumented migrants.

Participant six's experience of exclusion from education and informal economic activities underscores how legal invisibility systematically restricts access to essential resources, reinforcing a cycle of poverty and vulnerability. Selling sweets, though modest, becomes an act of survival and resistance against systemic exclusion, consistent with findings that precarious informal work is a primary livelihood strategy among migrants in South African cities (Crush & Tawodzera, 2017). Through this informal labour, undocumented women assert their right to dignity and economic participation in a society that denies them recognition and protection. Participant seven's narrative distressingly reflects the gendered dimension of vulnerability. Her description of being "unrecognised" conveys a social death, where lack of documentation translates to a loss of identity and protection. The trauma of sexual violence and its consequences are not isolated incidents but symptomatic of broader structural violence that disproportionately targets undocumented migrant women. Participant eight's narrative is consistent with known trafficking patterns in South Africa: Migrants are offered fraudulent employment, travel expenses are provided, and, on arrival, trafficked for prostitution. Frankel (2016) and Cave (2016) note that such tactics are common in trafficking for sexual exploitation.

Theme 2: Gendered survival needs of undocumented migrant women

Undocumented migrant women in Tshwane face multiple intersecting forms of vulnerability rooted in their legal status, gender and socioeconomic position. Their narratives reveal how the absence of documentation not only undermines their ability to access basic services and employment but also entrenches their exclusion from education, emotional well-being, and long-term stability. The findings highlight their current needs and plans, illustrating how these women navigate survival under conditions of structural violence and systemic neglect. The following excerpts of the participants confirmed their survival needs:

I need birth certificates for the children so that they can go to school freely. I also need a job to help my husband pay the bills at home. I also need to get married legally. My husband and I approached the home affairs offices that deal with marriages, and I was told that an undocumented person cannot get married legally in South Africa. (Participant 1)

I am a woman, and I am a bit old now, so I am stressed about what is going to happen to me one day if I get old without documents; where will I go? Who will help me? Where will I be buried? (Participant 6)

Participant 7's experience directly resonates with Ubuntu's emphasis on dignity and the critique of gendered oppression by social justice:

I need to be seen as a woman of dignity who deserves respect and not as a sex object. Most men take advantage of me. I need to feel safe, something that I have longed for since birth. (Participant 7)
I need new clothes because mine are worn out, and I rely on donations that the landlord finds for me. Unfortunately, he doesn't have much money to buy clothes for me either. I also need to belong; I feel lost sometimes. (Participant 12)

I want to go back home or anywhere else in the world where I can feel safe and secure without having flashbacks. I need a more receptive country that protects victims of human trafficking like me and provides opportunities to live again without being harassed and judged. (Participant 8)

The survival needs expressed by undocumented migrant women in Tshwane extend beyond material deprivation to encompass deep existential concerns. Innes (2024) stated that insecure legal status creates existential insecurity, echoed by Angulo-Pasel's (2019) findings of undocumented women's fear and invisibility, while South African research highlights how precarious legality erodes dignity and belonging. Through a qualitative interpretive lens, their narratives reveal how undocumented status disrupts a fundamental sense of belonging, recognition and

dignity. Participant one's yearning for birth certificates and legal marriage signifies more than access to services; it reflects a desire for legitimacy within society and the affirmation of her identity as a wife and mother. Similarly, Participant six's fear of dying without documentation expresses ontological insecurity, a concern about being forgotten, unacknowledged, even in death. For Participant seven, being seen "as a woman of dignity" rather than "a sex object" highlights the gendered vulnerability of undocumented life. Without legal protection, she is reduced to her body, stripped of autonomy and safety. Her testimony highlights the importance of survival, emphasising the need for respect, protection, and psychological security.

Participant 12's request for clothing and sense of belonging speaks to the embodied experience of exclusion, where her worn-out clothes symbolise, a life lived on the margins. At the same time, her feeling of being "lost" captures the emotional dislocation of being legally invisible. Finally, Participant 8's longing for a country where she can live free from trauma reflects the search for a restored self, where survival is tied to healing, justice and the chance to rebuild a life of meaning. Together, these experiences reveal that survival for undocumented women is not merely physical; it is about reclaiming personhood in the face of systemic neglect and gendered erasure. The excerpts suggest that survival for undocumented women is not simply corporeal but about re-establishing dignity, place, and visibility in a world that has rendered them invisible (Masolane, 2019; Human Rights Watch, 2022).

DISCUSSION

The lives of undocumented migrant women can be characterised as a series of incidents that, when grouped, point to social exclusion, marginality, inhumanity and a silent structural gendered violence (Borrell, Palència, Bartoll, Ikram, & Malmusi, 2017; Moloisane, 2018). Within Metz's (2011) Ubuntu-informed theory of justice, denying individuals full moral recognition and communal inclusion raise the question of whether dignity is possible for those rendered effectively stateless or undocumented. Justice contributes to the greater good, and dignity must be understood not only as respect but also as a legitimate status within society. Undocumented women instead face insecurity, fear and invisibility, reflecting the ontological insecurity that Innes (2024) and Angulo-Pasel (2019) link to precarious immigration status. These conditions echo social justice critiques of systemic failures that undermine human dignity and entrench marginalisation (Metz 2011; Sabbagh & Schmitt, 2016). From an African perspective, Ubuntu reinforces this, as humanity is affirmed only in a community of: "I am because we are." The exclusion of undocumented women denies this collective recognition, breaching Ubuntu's ethic of shared humanity (Sekudu, 2019; van Breda, 2019).

Undocumented women often reside in overcrowded informal settlements lacking basic services and marked by xenophobic hostility (Moloisane, 2018). In such spaces, gender intensifies harm through domestic, institutional and economic violence (Machokonye, 2019). Their plight is exacerbated by South African laws, such as Section 34 of the Immigration Act 13 of 2002 (Republic of South Africa, 2002, s.34), which permits warrantless arrests and prolonged detention (Republic of South Africa, 2002, Vearey, 2021). These structures illustrate how systems designed for protection instead perpetuate control and exclusion, supporting Dombrowski, Harmon, & Fox's (2016) view that inequitable distribution of protection compromises the rights of the least advantaged. Ubuntu, by contrast, requires that justice restore belonging and protection to those most marginalised.

Gendered marginalisation is further evident in trafficking. Frankel (2016) and Cave (2016) note that deception through false job offers remains a strategy for sexual exploitation, while Matlin et al. (2018) highlight the health risks, including heightened exposure to HIV. These intersections of gender, legal precarity and systemic dysfunction strip undocumented women of autonomy, safety and dignity. Xenophobic attitudes also dehumanise them through scapegoating and derogatory labels, blaming them for unemployment and poverty (Cinini & Singh, 2019). This produces what Adepoju (2022) terms 'legalised marginality', characterised by poverty, homelessness, and health vulnerability. Exclusion from work and services fuels trauma, isolation and disposability (Ngcamu, 2025). Social justice theory identifies such denial of identity, belonging and acceptance as a violation of dignity and equal opportunity (van Breda, 2019), while Ubuntu insists that humanity is shared and indivisible.

In the final analysis, undocumented migrant women face rejection not only from services but from recognition as women and human beings. Their marginalisation is political, institutional and discursive, producing a form of gendered rights apartheid.

CONCLUSIONS

The research highlights the myriad ways in which undocumented migrant women living in Tshwane are subject to exclusion, along gendered and structural lines. Their experiences of legal invisibility, poverty, violence, and institutional neglect intersect to create a vicious cycle of marginalisation. Their vulnerability to trafficking, sexual exploitation, and systemic abuse is not just a legal and social concern but a fundamental injustice and a betrayal of their right to protection. Guided by the framework of Social Justice Theory and Ubuntu, our research revealed that human dignity is intrinsically linked to recognition, legitimacy, and a sense of belonging. The denial of these

rights to undocumented migrant women is a denial of their humanity and calls for a radical structural reimagining of our immigration, social services, and law enforcement systems towards equity and protection. It also necessitates advocacy, community-driven interventions, and policy reforms to combat xenophobia, gendered violence, and the broader social and structural injustices that perpetuate them. This is not just a policy imperative, but a moral and ethical imperative, grounded in principles of fairness, dignity, and the fundamental human right to belong.

RECOMMENDATIONS AND IMPLICATIONS FOR SOCIAL WORK

The results of this study have significant implications for policy, practice, and research. At a policy level, the results highlight the disjuncture between South Africa's constitutional ideals and the reality of undocumented existence. The laws and practices that underpin warrantless arrests and indefinite detention, such as Section 34 of the Immigration Act 13 of 2002, entrench insecurity rather than protection and may be inconsistent with international human rights principles. What is needed is a fundamental rethinking of migration governance based on a rights and Ubuntu framework where belonging and rights are not conditional upon citizenship but are recognised as essential to all human beings.

From a social work practice perspective, the results highlight the need for advocacy and trauma-informed, rights-based interventions that restore dignity and recognition. Social workers need to respond to individual crises and vulnerabilities but also challenge the structures of exclusion and xenophobia that perpetuate them. Practice informed by Ubuntu should affirm the belonging and humanity of undocumented women, centering solidarity and dignity. This requires not only greater capacity to identify and protect victims of trafficking but also to provide culturally sensitive psychosocial support that responds to the multiple and intersecting harms of gender, poverty, and legal precarity.

The findings also emphasise the need for collaboration across sectors and organisations. NGOs, community organisations, health services, and law enforcement need to work together to help undocumented migrant women secure documentation, access healthcare, and protect themselves against gender-based violence. When Ubuntu informs collaboration, it is a moral imperative to affirm shared humanity and dismantle the systemic barriers to justice. Finally, further research is needed to deepen the understanding of the existential insecurities and survival strategies of undocumented migrant women.

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