Int. Migration & Integration (2017) 18:881–895
DOI 10.1007/s12134-016-0508-7

In the Shadow of a State: Self-Settlement Strategies and Informal Governance Amongst Somalis in Johannesburg

Zaheera Jinnah [1,2]

Published online: 9 November 2016

Abstract This article explores the role of informal governance and institutions in the self-settlement strategies of Somalis in South Africa. Based on 3 years of ethnographic fieldwork with Somalis in Johannesburg, this article argues that informal governance operated though kin, clan and social networks, and personal, localised relationship with state authorities and community leaders are instrumental in governing settlement. Moreover, this form of governance is located within the multiple systems of Somali social order.

Keywords Forced migration · Governance · Johannesburg · Self-settlement · Somali diaspora

Introduction

The 1998 Refugees Act introduced a policy of self-settlement to refugee integration in South Africa. This means that the country's estimated 114,000 refugees and 798,000 asylum seekers (UNHCR 2015) have full rights to movement within the country, and access to work, trade or study opportunities. But with limited state and international institutional support for forced migrants, most have to compete for basic services such as housing, employment, health and education with South Africans and other residents. This occurs largely within cities and town in post apartheid South Africa that are defined by high poverty, unemployment and inequality rates, and weak governance structures at local level (Jacobsen 2006). Consequently, local integration has been

✉ Zaheera Jinnah
Zaheera.jinnah@wits.ac.za

[1] African Centre for Migration and Society, University of the Witwatersrand, P.O. BOX 76, Wits 2050, Johannesburg, South Africa

[2] Centre for Refugee Studies, York University, Toronto, Canada

fraught with tensions between non-nationals and host communities (Jacobsen 2006; (Landau 2013), which has spilled over into significant hostility toward non-nationals over the last two decades in the country and ongoing xenophobic attacks (Misago 2009: Xenophobic violence in South Africa: Reflections on causal factors and implications (2009; Neocosmos 2010; Crush 2001; Harris 2002). Non-nationals in South Africa therefore face a daily struggle economically and to remain safe physically.

Somali migration to South Africa is one of the largest and most rapidly growing flows amongst forced migrants in the country. Somalis constitute almost a quarter of all refugees in South Africa. According to official figures, there are between 24,000 and 27,000 Somalis in the country, of which 18,000 arrived in the country between 2005 and 2011 (Statistics South Africa 2012). The majority of Somalis are based in three nodes in South Africa: 66% of Somalis reside in just two provinces: the Western Cape and Gauteng and a further 16% in the Eastern Cape, suggesting a purposeful pattern in work and settlement. Most Somalis are refugees with just 8% holding South Africa citizenship thorough naturalisation. Despite their documented status, Somalis face marginilisation in their efforts to settle in the country. This together with other challenges, such as employment, and accessing services make for precarious settlement (Jinnah 2010). Within this context, this article examines governance mechanisms amongst Somali refugees and asylum seekers in Johannesburg. The article argues that Somalis settlement and everyday strategies to earn a living and to belong can be explained by informal governance structures and systems, which stress relational contracts over formal rules. Moreover, these systems of informality can be better understood within the context of Somali social norms, which are themselves highly structured informal rules and channels of authority that govern everyday transactions.

Methodology

This article is drawn from ethnographic fieldwork that spanned 20 months over a 3-year period (August 2009–May 2011) and which formed the basis of a doctoral thesis. In addition, the article relied on analysis of the South African census 2011 survey, in particular the Somali-born sample.

The ethnographic fieldwork consisted of three strands: individual informal discussions and interviews, key informant interviews and participant observation. A total of 60 in-depth repeat interviews with Somalis across both sexes, all four clan groups and Somali Bantus, and ranging in age from 17 and 73, were done in Mayfair a suburb of Johannesburg located about 1 km west of the city centre and home to the city's Somali population. The interviews were done informally and followed a loose script that explored themes pertaining to identity, migration, livelihoods and family and community. Interview notes were taken during the discussion to record key points, phrases and issues instead of audio recording the interviews, which many respondents objected to and which disrupted the trust that had been built between the researcher and participants,

Four key informants were identified for this study based on interviews with Somalis and desktop research. These included representatives of three community organisations, of which two were Somali and one which was South African, and a key Somali business leader. All the Somali leaders were men. The representatives of the South African community organisations included a South African woman and a Somali

woman. At least one, and in two instances, two interviews each were held with these key informants. The interviews focused on how these organisations understand Somali migration to and settlement in South Africa, what type of services they provide to Somalis, what the rationale for this is, what their overall experiences in working with Somalis was and how this might differ from other groups. All the interviews were conducted in English.

Atkinson and Hammersley (1994) describe participant observation as a 'uniquely humanistic, interpretative approach as opposed to a scientific and positivist positions' (p. 249). Over a 3-year period from August 2009 to May 2011, the author undertook participant observation in Fordsburg and Mayfair, with Somalis as they went about their daily lives taking notes prompting discussions and engaging in debates on key issues related to the research enquiry. The world of everyday life is defined as the 'ordinary, usual, typical, routine or natural environment of human existence' (Jorgensen 1989, p. 22). The author observed and noted practices and discussions relating to food, weddings, parties, shopping, household work, businesses, child rearing, socialisation, religion and class. Field notes were taken and documented each day to ensure that my observations and experiences were recorded (see Jorgensen 1989), and these were shared with the same group at a later date. These debriefing sessions were invaluable in correcting, contextualising and deepening an understanding of what was observed.

The main sites for general observation were homes, restaurants, shops and streets. In particular, three sites were selected for more focused observation. The first, a more public space, was a shop in Amal, the second was a female-owned street-front shop in Mayfair, and the third was a more private site, a popular meeting place at a temporary lodging. At the first site, the majority of patrons and business owners were Somali women, making observation of interaction patterns between and amongst Somalis and South Africans possible. The second site was mixed in terms of patrons and customers. The third site had a male-dominated clientele, although a few women worked as cooks, cleaners and traders. This site allowed for observation of the interaction between Somali men and women.

Secondary Data

The 2011 South African census asked a number of questions of each household member including the country of birth of each person; the country of citizenship; the usual living location (where they usually spent at least four nights a week), where the person was living 5 years prior to the time of the census; and, if relevant, when they moved; occupation, age, educational level, and household size. The 2011 census identified 24,409 people who were born in Somalia. This data was analysed to reveal dynamics of migration flows, economic activity and demographics.

Background

Since the end of apartheid, South Africa's urban spaces have undergone significant social and political transformation. The relaxation of stringent influx control laws, the re-connection to the international community and a democratic dispensation, which resulted in a rights-based progressive refugee framework, have all contributed to growing and diverse cities. In 2015, 63% of the population lived in urban centres, an

increase from 54% in 1991. However, higher urbanisation rates have also resulted in pressures on service delivery and governance. High unemployment, an increase in informal housing and poor service delivery remain persistent features of major cities, which struggle to accommodate their burgeoning populations.

Local governance has undergone significant transformation over the last two decades moving from a racially segregated and oppressive arm of apartheid to a democratic institution, which because of its close position to residents becomes the site where citizens and the state interact daily (Atkinson 2007). Municipalities are regarded in the Constitution to have the responsibility to 'give priority to their communities and … promote their social and economic development'. This transformation however is incomplete (de Visser 2009). Studies point to increasing corruption, inefficient use of resources, poor service delivery and strong informal systems of rule and order (Rapley 2012; Hornberger 2010). This becomes more acute when dealing with mobile populations. For refugees and other non-nationals, a strong disconnect between levels of government results in conditions in which city officials who are responsible for service delivery are not aware of or able to respond to the rights and needs of this group (Landau et al. 2013). Some studies have shown how documentation means little in the every day practices of living in the city (Jacobsen 2006) where arbitrary arrests and detention are commonplace. Other studies have shown how limited and inaccurate knowledge amongst city officials leads to overt discrimination and policing. In Cape Town, for instance, a local business area management committee did not recognise refugee ID in application to obtain trading space. Obstacles to local integration are not restricted to state officials only. Groups such as local business and community forums create and enforce rules that govern access to housing, trading space and other services in townships trade that discriminate against non-nationals. Many of these groups have been found to play an instrumental role in mobilising locals against foreigners in xenophobic attacks (Misago 2009: Xenophobic violence in South Africa: Reflections on causal factors and implications, 2009) (SAHRC 2010) (Palmary 2002).

Given the limited range of state services and unreceptive local spaces, it is not surprising that migrants often turn to networks of their own to meet basic needs. A 2006 survey found that trust of state officials or civil society organisation is low and that most migrants would turn to family or friends for assistance with housing, employment, capital or schooling. Another study showed deep levels of dissatisfaction with the UNHCR and its implementing partners (Womens Refugee Commission 2011).

Amongst Somalis, research has shown that religious based networks are deployed to aid integration and access to resources at a local level (Sadouni 2009; Jinnah 2010) Alongside this local negotiation, Somalis also draw on transnational networks of support to aid their migratory and settlement projects (Al-Sharmani 2007; Atkinson and Hammersley 1994). But how do these informal systems of support and governance interplay with formal rules and institutions? To answer this, the article discusses the concepts of governance and informality and applies these to Somali social order.

Governance and Informality

Governance is fundamental to the creation and maintenance of social order. Broadly defined as 'how rules are managed and enforced, how power and authority are

exercised' (Scott 2004), it is widely used, studied and redeveloped across a range of disciplines. Bevir (2013) defines governance as 'all processes of governing, whether undertaken by a government, market, or network; whether over a family, tribe, corporation, or territory; and whether by laws, norms, power, or language'. This broader understanding of governance has increasingly taken root amongst scholars and practitioners of governance who advocate for the idea of 'governance without government'.

In the social sciences, there has been considerable attention paid to various aspects of this notion at two levels: how governance is made and how it is enforced. This includes processes and mechanisms such as participatory governance and social capital (Maloney, Social capital and urban governance: adding a more contextualized 'top-down' perspective. Political Studies, 48(4), 802–820, 2000). Central to this broader definition of governance is the concept of relational based governance, or the study of how relations are used, developed and maintained to make and enforce order. For instance, there is a vast body of literature on how informal processes and personal relations are used to govern (Peters 2006),[1] and in the economics and management literature, a focus on the effect of relations on contracts and transaction and management (Macneil 1980, 2000, 2002; Jones et al. 1997).

The literature on governance highlights two important characteristics that are relevant to the focus of this article. First, that the state is not the only, nor is it the most important actor in public governance. Instead, governance occurs in interplay with the social environment and includes actors and institutions beyond the state, who play a critical role in the formation and enforcement of rules and order. Second, that governance is not a static process but rather a dynamic and fluid system or as Bevir (p. 1) describes, 'diverse practices that people are constantly creating and recreating through their concrete activity'. His 'decentred theory of governance' departs precisely from the idea of governance outside of, or perhaps between, the two dominant forms of scholarship on governance: markets and networks. Instead, it embraces three alternate characteristics of governance: a bottom up approach of how people perceive, relate to, and develop power; an understanding of the language used by people to describe governance; and the ways and language people use to discuss governance, and on the contingency of social life, that is that social patterns and order are not governed entirely by law only (Bevir 2008).

As part of this decentred notion of governance is the concept of informal governance, the basis of this article. This can be defined as 'rules based on implicit understandings, which are not accessible in written documents and not necessarily sanctioned through formal power' (Zenger 2001). Informal governance can take a variety of forms and mechanisms but share some essential characteristics. First, although informal governance is rule-based, these rules are not codified. Instead, compliance and agreement is sought and maintained though trust. Trust within governance can be defined in a number of ways but is usually associated with relations, that is, the implicit understanding that trust is embedded in any relational based contract. Relational based governance is governance, or the bargaining of power and interests, or enforcements of norms, that takes place through personal relations organised along patron-client systems, or ethnic, clan or family lines.

[1] Bache, I., & Finders, M. (2004) Multi-level governance (Oxford, UK: Oxford University Press)

The main differences between formal and informal governance are in the ways which rules are made and enforced. A formal view of governance vests power in a central state and central public objectives enforced through hierarchical lines of authority, whereas relational based governance is a hybrid of networks and relations in which social norms and values are strongly embedded, maintained and enforced for often narrow and private interests. Formal governance relies on objective and public information to determine objectives and maintain order whereas informally, information is private and often subjective; formal governance relies on explicit and verifiable agreements, which is not the case in formal systems of authority where agreements are implicit. Finally, entry and exit into informal institutions are arbitrary differ from the open and universal nature of formal institutions (Boesen 2007)

The relationship between formal and informal governance is a complex one. Historically, governance was carried in an informal way and was only codified during the industrial age. Indeed, even today, informal governance exists alongside, or in place of formal governance throughout the world with mixed results. In South East Asia, for instance, informal relational governance is thought to have spurred the economic success in that region over the last 20 years, whereas in Africa, patronage is considered to undermine governance structures. Helmke and Levitsky (2004) postulate a useful framework for understanding the relationship between formal and formal governance and its outcomes. They identity four types of formal-informal connections: converging, complementary, substitutive or accommodating. Converging relationship suggests that there are common objectives amongst most actors and that informal governance can therefore complement formal governance or act as 'substitute for ineffective formal governance'. This model is relied on as the basis for discussing the Somali case study.

Somali Social Order

Somalis have found and used multiple forms of governance, and social order throughout history. Four broad and overlapping systems are identified: first in the fifth and sixth centuries, the prevalence of a clan-based system in which members of the same clan occupied land. This later developed into a TGS, or traditional system of governance, which consists of a set of contractual agreements known as *xeer* in Somali. These agreements function within and between kin-based groups. They define the rights and responsibilities of the individual within a group, and lay out a series of agreements that regulate the group's relations with other neighbouring groups (Farah 1993). For centuries, this was considered the norm and basis of state rule (Lewis 2002).

Secondly, from the seventh century, Islam entered the country through commerce and had a profound effect over the next 1200 years on the governance of the country and mobility of its population. The religious aspect of Somali life is important for three reasons: it has historically shaped migratory and mobility routes through trade with Arab Muslims and during the pilgrimage to Mecca; second, Islam has been suggested to play either an instrumental role in facilitating integration with host communities in the contemporary era, including South Africa (Sadouni S., Sadouni 2013) or, in contrast, serving as a factor for exclusion in secular societies (Kleist 2008; Tiilikainen 2003; Fangen 2006), and finally, it has served as an authority, which at home and in the diaspora, protects, persecutes and provides access to resources, in place of, or at times, in parallel to the state.

Thirdly, the colonial era in which Somalia was divided and ruled by Italy and then Britain both of whom play an indirect role in everyday life leaving governance to local leaders, and resulting in the formation of networks of mostly clan-based power, hierarchies of authority, and widespread deterioration of the quality of everyday life (Turton 1972).

Finally, the post independent stage, which consists of two periods: following independence in 1960 until 1991 in which the Supreme Revolutionary Council with Mohamed Barre as leader ruled a largely secular and centralised form of government, and the period after 1991 in which the central state collapsed and warring tribes, established local nodes of governance and authority. From 2000 to 2012, a series of temporary arrangements to restore order were established leading to the Transitional Federal Government (TFG) in 2004 as the official state authority. This was dissolved and replaced by the first indirectly elected parliament in 2012. At present, there are still significant challenges between national and local authorities, worsened by a crumbling economy and the presence of Islamist groups such as al-Shabab (Menkhaus 2007; Samatar, Somali reconstruction and local initiative: Amoud University. World Development, 29(4), 641–656., 2001).

What is evident from Somali social order is twofold: first, that informal governance has been at the heart of Somali social order for centuries. They are both conditioned by, and a response to the prevailing political and economic landscape and resulting from a history of clan-based social ordering. Second, that the clan, despite criticisms of its overemphasis by Somali scholars (Farah 1993) (Samatar 1992), plays a critical role in governance.

In sum, this article therefore is rooted in the concept of non-state-centred governance categorised into two mechanisms: the making of rules and their enforcement. The rest of the article applies aspects to explain governance of everyday life amongst Somalis in Johannesburg.

Discussion

Somalis are successful business owners and traders in South Africa and have some of the lowest unemployment rates in the country. Only 10% of Somalis are unemployed compared to a national average of 25% in the labour market, and 18% amongst all migrant groups. In recent years, Somali forced migrants have been a target of xenophobic attacks, and negative public discourse from locals and public figures, due to their perceived 'success' economically. A number of studies have investigated the causes and dynamics of xenophobia in South Africa (Misago 2009: Xenophobic violence in South Africa: reflections on causal factors and implications 2009; Misago 2011), pointing to a mixture of weak state institutions and channels of law and order, and the rise of competing business groups and local politicians who have used foreigners as a mobilising point to further their own political and economic interests. Yet, Somali migration to the country remains robust and even increases after the 2008 attacks by between 2 and 5% in the following 2 years (Statistics South Africa 2012).

The continued migration and economic success amongst Somalis can be attributed to informal governance at the local level. By drawing on and actively creating informal governance systems in the spaces in which they live and work, Somalis are able to

settle and integrate successfully in the face of wider discrimination and hostility. Two forms of informal governance—internally within the Somali community, largely but not exclusively, along clan lines; and externally with local political, and religious actors in urban spaces—are identified. These highly complex but informal strategies that Somalis develop, devise and deploy for survival is instrumental to their resilience and continued mobility.

Localised Everyday Governance Based on Relations

Under apartheid South Africa's Group Areas legislation created racially demarked areas. As part of this elaborate scheme of segregation, Mayfair was declared a Whites only area. However, toward the end of the 1980s, as apartheid structures began dissolving, many middle-class South Africans of South Asian origin began moving into the suburb from townships classified 'Indian'.[2] By the mid-1990s, Mayfair had transformed from a predominantly White, and working-class suburb to an increasingly diverse area. After 1994, an increasing number of migrants and asylum seekers from East Africa and South Asia settled in the area.

Alongside this social transformation, Mayfair has also experienced a change in political structure. Since 1994, governance has shifted from a strong state-controlled regime to a series of localised and loose structures of governance. In Mayfair, this has been strongly related to a severe weakness of formal governance from politicians across the political spectrum. As Helmke and Levitsky (2004) show informal governance can result from precisely these conditions where formal mechanisms of governance are absent or lack credibility. Mayfair has seen aspects of both in the last decade. Since 2009, there have been four local ward councillors, elected officials who are responsible for identifying and resolving issues that each area face at the municipal level. In 2009, when the author began research in Mayfair, the area was governed by the African National Congress (ANC), the liberation party of Nelson Mandela, which had swept into power in the first democratic elections of 1994. The councillor of the area was Junaid Pahad, who came from a politically influential family that had close ties to the ANC. His form of governance rested on friendly relations with the residents, a kind of concerned neighbourliness, which while pleasant and accessible did not address any of the major problems in the area. As neighbouring areas underwent urban regeneration programmes, Mayfair and adjoining Fordsburg generally was left to wither the forces of urbanisation, crime, economic downturns and infrastructural neglect on its own. Pahad was defeated in the local municipal elections of 2011 leading one commentator to remark:

> I'm not surprised that the candidate Junaid Pahad lost. While he's a good neighbour, he hasn't called us to a single meeting in the past five years, nor has the ANC responded as it did in the 1980s to all the very real local challenges.[3]

The distance between local leaders and communities at a formal level was becoming apparent. For although Pahad was a regular in the coffee shops in Fordsburg, the suburb

[2] The apartheid classification of persons of South Asian ethnicity.
[3] City Press editor Ferial Haffeejee quoted in the Huffington Post, 23 September 2012

adjoining Mayfair, his public office achievements were non-existent, and he did little to address the major problems in the area: reducing crime, improving sanitation or maintaining infrastructure let alone attention to the housing crises or spiralling unemployment. His successor, from the national opposition, the Democratic Alliance's (DA), Zeitoon Waja, was a woman with little connections to the area, who was elected in 2011. In 2012, she resigned citing difficulties with the ANC who accused her of not attending ward meetings or being in touch with the locals. Her successor crossed to the ANC in 2013, leaving the seat vacant yet again after which the ANC narrowly reclaimed the ward in 2014. This political uncertainty was reflected in voter turnout, which has hovered around the 25% mark in all elections in the last decade pointing to apathy amongst many residents.

Slowly, this apathy turned to a sort of pragmatism. What formal city plans and elected councillors have failed to achieve in Mayfair, or perhaps because they failed, as (Helmke and Levitsky 2004) would argue, private connections and informal conversations have stepped in. As a result, there is a deep layering of formal-informal power, authority and governance in Mayfair, stretching from city officials, front level bureaucrats and local politicians, to community leaders, prominent businessmen and everyday residents. It is within this complex system of networks and everyday relationships that access to resources, protection and recourse are negotiated. In the face of a deteriorating formal governance, a small group of Somalis have actively sought and maintained relations with local politicians and public officials to create a sense of order. The following two forms of governance help to outline this everyday practice between Somalis and local authorities.

'They Need Us, We Need Them'—the Unwritten Laws of Street Governance

Police raids for by-law infringements were almost a daily occurrence in Mayfair during my fieldwork. Police were a common sight on the streets as they confiscated goods of street traders, arrested people who had no identity documents and issued fines to businesses who transgressed by-laws. On one such occasion, I was in the office of a Somali leader, Hasan, when a Somali trader walked in to say that some Somalis had been arrested in a raid for trading without a permit. Hasan immediately worked the phone to the local police commander, engaging in along exchange. It transpired that the police commander was not aware of the arrests but promised to arrange their release, which he subsequently did. When I asked Hasan about this, he said: 'we have a good understanding, they need us, we need them'. What he was referring to was a carefully crafted relationship with the police that he and several others had maintained. As part of this unwritten contract, Somalis who were involved in by-law or immigration raids would be represented by Hasan who would try to secure a resolution though either the payment of an admission of guilt fine, or dropping of charges.

On another occasion, I was sitting in my car interviewing a woman outside a cafe. I knew the owner of the café well, she was an enterprising Somali woman, called Sara with a successful business. As I watched, a police van parked and two officers in full uniform entered the café only to return a short time thereafter. I asked Sara later what had transpired, and she said that part of avoiding arbitrary searches of her patrons for documents required that she pay a bribe regularly to the policemen who patrolled the area. The officers I had seen were merely collecting their monthly 'dues'. The café was

a licensed; the owner was registered for tax; she herself was a documented refugee who under South Africa's Refugee Law had the full right to live, trade and work in the country. Why, did I ask her did she need to resort to bribery to claim a right that she was legally entitled to? Her response was pragmatic. 'Yes I have rights I know about them and I can go to the court as I am doing now for my divorce, but I also have to be careful, this is the way it works here. I f I want to argue there will be trouble for me'. What she was saying is that were different nodes of authority and governance in her life. A national order governed by laws and norms set in policy, and a local reality shaped by the everyday engagements that I had just witnessed. Her response is a pragmatic approach to navigating the terrain that enables her to live.

Thirdly, I heard of a 'crime heist' by a gang of armed robbers in a popular Somali shopping mall—Amal. When I arrived, I heard two conflicting reports from traders, workers and passers-by: the first, that plain clothes policemen had raided the centre as they apparently had done in the past; and the second, that it was a gang of criminals who had robbed the centre. There was a lot of anger that day; people showed me videos of the brutal and violent attacks caught on their cellphones. Whether this was the police or not, it was clear that this was a violation of the rights of the traders as I saw people being physically assaulted for no reason, good rifled and general authority being displayed. The reaction of the Somali leaders was interesting. A phone call to a local politician who assured them of his support, a delegation dispatched to the local police station to meet with the station commander and updates posted on Facebook and twitter to publicise the raid. In the end, no charges were pressed against anyone; there was no investigation into who the members of the raid or crime were. No action was taken by the police as no formal charges were raised, and the Somalis who lost their goods, were injured or had damages or loss to their property were not compensated in any way. What did happen is that some Somali leaders worked to have the area cleaned and reopened the stores with a public message assuring them that this would not happen again. On the face of it, it seemed that the traders were hard done by, they suffered losses to their property, income was lost, and many were visibly upset and distraught at being man-handled physically or threatened with a gun. It also showed a complete disregard for the law, little formal interaction with authority, and a general breakdown in order and rights. Yet again, there was more to the incident and the response than was immediately revealed.

As I spoke to some of the some of the people involved in this, I realised that for the Somali community leadership, the outcome of the event was a success. They had managed to mobilise into action, 'represent' the community and use their contacts to ensure that calm prevailed. Their meeting with the station commander was centred on them being able to 'raise important concerns whilst at the same time "reign in" elements of the Somali community'. As unjust as it seemed from a normative perspective, for many Somalis who were affected knowing that important meetings had been held to discuss their situation gave them a sense that their security was being treated seriously. Many were aware that the Somali leadership had their own business and political interests, and therefore did not feel represented by them. But in general, the sense was of relief that the raid/crime did not result in the arrest of Somalis or bigger disruptions to their everyday life, which as one woman said to me, 'would have been the norm under similar circumstances in Kenya or Zambia'.

What these incidents reveal is an active structure of informal processes, in some cases led by self-appointed Somalis who had their own interests, whether these are political or business-related, which are mobilised to ensure that people get by. And this is an important point in the governance of everyday life, which is less about norms and laws than about making ones way in a city. Thus, the objective behind authority or power is not to feel that justice will be served, or have recourse to action but simply to be protected and to get by. This was the underlying sentiment amongst the traders affected by the raid that day. It also reflects a convergence of objectives as Helmke and Levitsky (2004) would argue. The Somalis and local authorities have a vested interest in ensuring that order remain in Mayfair, regardless of the means taken to enforce these. For Somalis, the relationship with the police is vested in an understanding that they will seek access to protection not on the basis of their 'rights' but in a context of a relationship they have built as local residents in Mayfair. For the police, it is important to be seen by the public to be enforcing by-laws and to police migrant areas, as part of crime prevention and migration control measures.

Relational Based Governance: Clan and Beyond

While governance in Mayfair operates through informal means such as the pragmatic mutuality between residents and formal authority, it also is undertaken through relations. Two central relations are identified: clan and religious. There are four noble or principal clans, namely the Dirod, Hawiye, Dir and Isac, amongst Somalis. In South Africa, members of each clan are present. The Dirod are the more prominent in political and economic structures in Johannesburg and found in Amal, a Somali-owned shopping centre, which is a private sector and which was a principle site for fieldwork. The Dirod are prominent traders, although historically they come from a lineage of fisherman. The Hawiye are from southern Somalia, and particularly from Mogadishu. They are commonly associated with political power; indeed, the current Somali president is Hawiye, and in South Africa, one of the Somali community organisations, namely the Somali Community Board, has a prominent Hawiye membership. Most Hawiye in South Africa live in Cape Town. The Dir are from northern Somalia and are known as 'the soldiers' as they were historically famed for their fierce and brave fighting during pre-colonial and colonial periods. In more recent time, many of the Dir are responsible for manning security check points in Somalia. Lastly, the Isac, or Digil Mirifile, are a tribe of farmers. Many today, are linked to Al-Shabab, the Islamist rebel group.

Clan membership is instrumental to life in Johannesburg. In the first instance, newly arrived Somalis would contact a member of their clan who would arrange temporary housing, food and even employment. A clan member would assist in transferring of skills, such as how to obtain an asylum seeker permit, how to make purchases in shops, some basic English skills if needed, how to take public transport etc. As one respondent said:

It is who you know here that matters, fi you are from Dirod you have no problem, you drive a fancy car, but if you are not, you suffer like me.

For those who have strong clan networks, there are reciprocal duties and obligations attached to membership. Members are expected to remain loyal to the clan and maintain relations within it. There is an implicit understanding that a member will limit socialising outside the clan, will work for, or employ members of their own clan

and will not engage in behaviour that is frowned on by clan leaders. For women, this includes chewing *kat* in public, wearing pants or not covering their heads; for men, it is causing disturbances in public, colluding with non-clan members for business, and not respecting clan members or paying dues to clan leaders. One respondent, a young Somali woman, told me how she avoids going to Amal as much as possible as Somalis who work and socialise there often publicly humiliate her for 'dressing like a man'. By this, she meant her preference for jeans rather dresses. Her aversion to conform to social norms led her to being ostracised by large swathes of Somalis over a 3-year period. She was denied access to employment within the Somali community and had just small group of friends. By 2012, she was received death threats for being disloyal to her clan and moved away from Mayfair and later from South Africa.

These unwritten rules of entry and exit into a group, and firm enforcement of rules are strong characteristics of informal institutions (Helmke and Levitsky 2004). Amongst Somalis, the clan has maintained a firm position in governing social norms and access to the city and its resources. In the absence of alternate employment and housing, the clan-based system of governance is an effective if discriminatory substitute.

Beyond Clans

Beyond the clan, there are at least two other informal ways of governance in Mayfair amongst Somalis. First is a gender-based saving scheme. This is an informal but highly regulated arrangement called *ayuuto*, which consists of about six to eight women who commit to save a set amount of money each day, which is used to pay out one member of the group. The pay-out rotates so that a cycle of payment for each member becomes fixed. The key point of this system is that it has been created by women to meet their needs outside of formal or traditional market-oriented mechanisms for earning, saving or obtaining cash. It also strengthens social ties amongst members of the savings group as people are dependent on each other for financial and social needs and more likely to understand and support members of their own group with whom they have daily contact (Schaffer 2012). One woman who is part of a savings group describes it as follows:

It is very important for me to have this support. It helps me to remain committed, to save and also not to get stressed. I know that if things are going bad for me a few days, I am going to have money after six days, so things will be better then.[4]

The savings scheme is particular useful as a substitute mechanism for financial affairs for two reasons: it is an opportunity for women to mitigate against a volatility in sales, and it provides a reasonably safe way for them to 'bank' their daily income. The latter is particularly pertinent in light of the low usage of regular banking institutions amongst respondents because of a combination of distrust of financial institutions, high fees and difficulty in obtaining banking account as non-nationals in South Africa.

A second informal system of governance is through religious based organisations. Based on Scot's definition of governance, the ways in which power is organised and enforced helps to understand how Somalis use an Islamic identity to gain credibility

[4] Interview, 23 August 2009.

with the Mayfair-based non-profits who leverage significant social, political and economic weight in the area. A close relationship between Somalis and non-profits allows the former to access important services such as educational bursaries, material welfare and housing assistance. Moreover, these organisations also act as a bridge between the city and state and the community. Somalis learn about developments in immigration and asylum seeker law, complain about arrests and detention, and to raise concerns about local issues in the area such as payment of school fees, crime and harassment by police. The non-profits enjoy good relations in the city and are able to act as intermediaries between Somalis and the state. The Islamic non-profits are recognised as an important act in the 'decentred' notion of power that is characteristic of governance in post apartheid South Africa. And by aligning with these non-profits, Somalis are able to create an alternate form of governance that maintains a sense of order

Conclusion

The modes of incorporation and survival in Johannesburg is conditioned by Somalis experiences of living outside state sponsored regulation, support or protection in Somalia and Kenya, and later in South Africa. Their strategies in Johannesburg need to be understood within a broader historical and spatial context that informs their interactions with the city, with authority and nodes of power. In as much as the specifics of a post apartheid Johannesburg characterised by a the presence of a formal-informal economy and authority, rapid urbanisation rates, and a poorly implemented refugee policy shape this groups behaviour, the history, expectations, and resources of this group and in turn play as critical a role in the making and governance of everyday life in the city.

This article argued that Somali refuges and asylum seekers in Johannesburg live within and produce a particular system of informal governance and authority that regulates everyday life. This system is both a combination of these groups in historical and contemporary political and social contexts, and the everyday reality of governance in Johannesburg, a city facing urbanisation, and informality in the post apartheid era. The narratives presented in this paper point to the emergence of multiple nodes of power, within and outside the Somali community. This includes a combination of formal-informal systems and processes, consisting of official state authority at national and local level, state officials operating in private capacities, personal networks with public officials and informal social, clan-based, community and religious spaces of authority and power. Each of these points to the highly 'decentred' notion of governance, in which power and authority is vested largely outside the state. Instead, it is through personal relations and collective strategies that access to services and enforcement of norms and order are carried out.

Each of the blocks of the informal system adds additional complexities, in the form of barriers, opportunities and dynamics, that shape the inclusion or marginilisation of a particular group, or sub group. What this suggests is the need to understand the city and its governance in more fluid ways and to relook at the power and agency of non-nationals themselves in shaping the cities they live in.

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