



# **Xenophobia in South Africa: Reflections, Narratives and Recommendations**

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## **Abstract**

Xenophobia, simply put, is the fear or hatred of foreigners or strangers; it is embodied in discriminatory attitudes and behaviour, and often culminates in violence, abuses of all types, and exhibitions of hatred. Theoretically, the best, and only, solution is to remove enemy images; however, it is debatable whether this can be done. This paper looks at why xenophobia has pervaded South African attitudes, what has contributed to enemy images of foreigners, and how, if at all, such images can be removed from the national consciousness and we can better the current situation. It will also look at the issue from the perspective of those who experienced xenophobia through qualitative research conducted in Mbekweni, Paarl, Eastern Cape and Bloemfontein, Free State in August 2013.

## **Introduction**

Xenophobia, simply put, is the fear or hatred of foreigners or strangers; it is embodied in discriminatory attitudes and behaviour, and often culminates in violence, abuses of all types, and exhibitions of hatred (Mogekwu 2005). Studies on xenophobia have attributed such hatred of foreigners to a number of causes: the fear of loss of social status and identity; a threat, perceived or real, to citizens' economic success; a way of reassuring the national self and its boundaries in times of national crisis (Harris 2001); a feeling of superiority; and poor intercultural information (Mogekwu 2005). According to the latter argument, Mogekwu (2005) states that xenophobes presumably do not have adequate information about the people they hate and, since they do not know how to deal with such people, they see them as a threat.

Xenophobia basically derives from the sense that non-citizens pose some sort of a threat to the recipients' identity or their individual rights, and is also closely connected with the concept of nationalism: the sense in each individual of membership in the political nation as an essential ingredient in his or her sense of identity (Kaysen). To this end, a notion of citizenship can lead to xenophobia when it becomes apparent that the government does not guarantee protection of individual rights. This is all the more apparent where poverty and unemployment is rampant.

Whilst xenophobia has been described as something of a global phenomenon, closely associated with the process of globalization, it has been noted that it is particularly prevalent in countries undergoing transition. According to Neocosmos (2006), this is because xenophobia is a problem of post-coloniality, one which is associated with the politics of the dominant groups in the period following independence. This is to do with a feeling of superiority, but is also, perhaps, part of a ‘scapegoating’ process described by Harris (2001), where unfulfilled expectations of a new democracy result in the foreigner coming to embody unemployment, poverty and deprivation.

Theoretically, the best, and only, solution is to remove enemy images; however, it is debatable whether this can be done. Enemy images may have their origin in a variety of genuine or perceived conflicts of interest, in racial prejudices, in traditional antagonisms between neighbouring competing tribes or groups, in imagined irreconcilable religious differences and so on (Gottstein 1996). This paper will look at why xenophobia has pervaded South African attitudes, what has contributed to enemy images of foreigners, and how, if at all, such images can be removed from the national consciousness and we can better the current situation.

### **How much of a problem does it pose for South Africa?**

According to a South African Migration Project (SAMP) survey conducted in 2001, South Africans take an extremely restrictive view towards immigration by international standards. 21 per cent wanted a complete ban on the entry of foreigners and 64 per cent wanted strict limits on the numbers allowed entry. South African respondents were also asked what percentage of their population they believed to be ‘foreign’ and what percentage of that number was perceived to be in the country illegally. The answers were 26.9 and 47.9 respectively, demonstrating that perception is at the heart of xenophobic discourse (Crush and Pendleton 2004). Nyamnjoh (2006) expresses the problem succinctly:

With inspiration from the apartheid years, South Africans sometimes subject Makwerekwere [a derogatory term used for a black person who cannot demonstrate mastery of local South African languages and who hails from a country assumed to be economically and culturally backward in relation to South Africa] to the excesses of abuse, exploitation and dehumanising treatment on the basis that they have the ‘wrong colour’ to invest in citizenship. The rights of undocumented Makwerekwere are particularly severely circumscribed as they are reduced to living clandestinely and being exploited with virtual impunity by locals enjoying the prerogatives of citizenship (2006: xx).

The manifestation of xenophobia undermines social cohesion, peaceful co-existence, and good governance, and constitutes a violation of human rights. Furthermore, as South Africa is party to international human rights and humanitarian treaties, especially on refugees and asylum seekers, obligations to combat xenophobia have both a legal and a moral force. As a liberal democratic country fostering the New Partnership for Africa’s Development (NEPAD), the Southern African Development Community (SADC) and the Africa Union (AU), South Africa is

hardly in an ethical or an economic position to close its borders. Such organisations were set up to encourage fraternity and greater regional cooperation and integration. To allow citizens of one member state to think and act in xenophobic ways about citizens of another, is ultimately extremely destructive of regional cooperation and harmony (Crush and Pendleton 2004).

Beyond the moral implications of allowing xenophobia to continue unabated, an additional worry for the government should be its international image. The South African expression of intolerance towards their fellow Africans has attracted analysis from all over the globe due to its somewhat hypocritical nature. Migration is a sign of South Africa's emergence as Africa's pre-eminent economic, educational and cultural centre; and from an international perspective it is seen as something of a duty to share this prosperity with its African counterparts. As Landau (2004) contends, 'the promises of freedom and prosperity are resonating beyond the country's borders' and so it seems only reasonable that this ray of hope for the rest of Africa will attract migrants from less privileged situations.

Of course, this is a somewhat liberal perspective, but the point is that South Africa cannot afford to appear xenophobic and at present, the issue is manifesting itself in a way that is attracting an increasing amount of international attention. Riots and violent attacks have been the result of hatred targeted at immigrants; for example, in the Eastern Cape in early 2007, resentment towards Somalis from locals for supposedly stealing trade and jobs led to rioting that caused the death of over three dozen Somalis. In a similar but more serious case, rioting in Zandspruit due to the mere presence of 'illegal' immigrants, culminated in more than 100 informal Zimbabwean dwellings being burnt down.

Even more alarmingly, such discrimination seems to have been exhibited by the police; apparently, Zimbabweans frequently complain that they are targeted by criminals and harassed by the police in Johannesburg and other major cities (Independent Online 2007a). However, this does not come as much of a surprise – Centre for the Study of Violence and Reconciliation (CSVr) research in 2004 showed that only 35 per cent of the South African Police Service had received 'some' training on race and discrimination, and that diversity training is largely seen as irrelevant to police work by station commanders (Palmary 2004). The police can hardly be expected to police foreigners impartially if they do not understand their language or cultures and have no basic training in human rights. Indeed, the research suggested that a significant number of officers were predisposed to assume that 'foreigners lie all the time'. During our interviews, we often heard from our respondents who have small shops made of shipping containers that the police are not helpful even though they report the attacks to the police. One of the Somali respondents said, "whenever we phone them and try to tell them [to] come and help us, [...] they tell [us that there is] no documentation that allow us to make business [there]", despite the fact that refugees are somewhat forced to start up their own business since there is no other opportunities for them to be employed in the absence of a South African ID or bank account, or no integration program or such that could help them get a 'legal' job in South Africa.

African migrants have experienced systematic xenophobia in their contact with state authorities, in particular with the police but also with Home Affairs officials and Lindela (the

notorious repatriation centre for refugees) employees (Nyamnjah 2006). Whilst xenophobia persists amongst state authorities, it also persists amongst the general public and the issue of xenophobia can only continue to become ever more serious.

### **What is peculiar about the South African experience of xenophobia?**

Possibly the most remarkable feature of xenophobia experienced in South Africa is that it appears to have taken on a primarily racial form; it is directed at migrants, and especially black migrants, from elsewhere on the continent, as opposed to, for example, Europeans or Americans, who are, to a certain extent, practically welcomed with open arms. This racially selective xenophobia is exemplified by the fact that many of those in leadership positions are of 'foreign' origin, suggesting that exclusion is not simply directed against 'foreigners' but against those who seem to correspond to stereotypes of the stranger, especially that from Africa (Neocosmos 2006).

One of the most striking findings of the SAMP survey is that, not only are Africans discriminated against, but that SADC citizens are not regarded any more favourably than Africans elsewhere on the continent. South Africans appear to believe that other SADC citizens take jobs from locals, commit crime, send their earnings out of the country, use the country's welfare services and bring diseases (Crush and Pendleton 2004). Such xenophobia is particularly problematic because of the historical universality of the struggle against apartheid and the unprecedented international, but mostly African, support it received in the 1980s. It is somewhat ironic that the Africans that currently face such exclusionary rhetoric hail from the same nations that harboured and nurtured the liberation struggles by providing sanctuary, education and sustenance to the fleeing comrades and cadres of the ANC who are today's gatekeepers (Nyamnjoh 2006). Opposition to the apartheid state served to unite, irrespective of nationality, and the identities thus constructed took on a pan-African context. Far from harbouring feelings of resentment and hatred towards migrants from neighbouring countries, should South Africans, and particularly black citizens, not feel something nearing gratitude and possibly a sense of comradeship with them? Why is it, then, that xenophobia appears to be so deeply ingrained into South African attitudes?

According to Neocosmos (2006), the only way to make sense of this process is to acknowledge that the two defining features of the struggle – political agency and inclusiveness – were replaced by a narrowly defined citizenship of exclusiveness, one that lacked a significant active component. This shift is part of a wider trend of political alienation in South African politics, and possibly has its origins in the Truth and Reconciliation Commission, which interpellated black South African citizens as victims. The fact that the Commission did not devote anything like the same amount of time and effort to an examination of the gross violations of human rights by the apartheid state on the countries of the Southern African periphery, through which a sense of solidarity could have been established between the people of the region, contributed to narrowing a conception of citizenship and 'belonging' to indigeneity. Arriving late into the realm of bourgeois democracy, the dominant South African view is one which sees nationhood and birthplace as coinciding. However, once more emphasising the need for

education, citizenship as indigeneity suggests the reduction of citizenship to patriarchal descent within a territory, and has its origins in colonial state rule (Neocosmos 2006).

Whitaker (2005) describes this shift in attitudes as the result of a change in the patterns of migration, suggesting that refugees are no longer perceived as victims of conflict but instead as active participants. This is certainly supported by the perceptions endorsed in the mass media; there seems to be no trace of sympathy or even empathy towards the current crop of immigrants, which may be due to their association with crime, the perceived economic disadvantages that accompany them or, indeed, because they are seen as simply undeserving of South African citizenship because they originate from a 'failed state'. There is clearly little, if any, sense of comradeship with their former allies; as the head of the Human Rights Commission, Jody Kollapen, intimated, "There is an increasing feeling that while we appreciate what they (Mozambique, Zimbabwe, Angola and Zambia) had done, we cannot remain eternally obliged" (Independent Online 2007a).

Unlike many countries, South Africa has an urban-based refugee population, which means that access to basic services, such as housing, sanitation and water, are provided in the same way as they are provided to South African citizens, rather than specific service delivery to refugees, as there would be in a camp-based situation (Palmary 2004). Due to the severe problems experienced with service delivery, this places an extra strain on local government and calls for better training in regard to refugees and their rights, so that this information can be disseminated to the local community.

A final peculiarity of South African xenophobia, and one that is of some concern, is that there does not appear to be a 'xenophobe profile': no specific group or groups alone within society are culpable of xenophobia. The fact that negative attitudes are so pervasive and widespread runs counter to the traditional argument that only certain types of people are xenophobic and creates a massive public education challenge, of not only knowing who to target but also of simply where to begin (Crush and Pendleton 2004). It also suggests that the reasoning behind xenophobia (although by its very nature, xenophobia is irrational) is not based solely on economic grounds, as it is found across all socio-economic groups.

### **Why is xenophobia so prevalent in South Africa?**

On the annual celebration of Africa Day in 2001, President Thabo Mbeki urged all South Africans to be vigilant against racism and xenophobia, otherwise, it would undermine South Africa's young democracy; he blamed the levels of xenophobia on the lack of knowledge about the continent of Africa, international isolation and focus on Europe during apartheid and the mass media for not reporting the continent in a balanced way. He called for improved teaching about Africa in schools and institutions of higher learning, not only in history and geography but also in subjects about culture, language and current political and socio-economic activity (Mogekwu 2005). Mbeki's address was fairly consistent with the ANC's public approach towards xenophobia, which would wish to ascribe the problem to an effect of globalisation, South Africa's history of international exclusion, or relative economic deprivation. However,

none of these explanations can tell us why xenophobia in South Africa appears to be racially selective.

Undoubtedly, the system of apartheid has had a huge effect on the attitudes of South African citizens for a number of reasons. The end of apartheid meant the waiving of international borders and for South Africans to come into contact with people previously unknown. According to this argument, a brutal culture of hostility towards strangers and no history of incorporating them meant that South Africans were, and still are, unable to tolerate difference. Neocosmos (2006) dismisses this argument for two reasons, firstly because the system of apartheid did not distinguish between black South Africans and foreign Africans, all were interpellated and oppressed as foreigners and so united in the struggle against the system; and secondly, because it does not explain why racism is directed towards African foreigners rather than, for example, European foreigners (Neocosmos 2006). Neocosmos does, however, accept that in some regards xenophobia can be directly linked to apartheid, in particular: the dismantling of the migrant labour system and the rejection of a notion of group rights.

Under apartheid, the recruitment of migrant workers was seen as a method of acquiring cheap labour for white capitalists, apartheid was effectively a form of labour control. For this reason, liberation and democratisation were equated with the demise of the migrant labour system, and adherence to the latter as support for the oppression of apartheid. The positive sides to migrant labour (that it enabled development, survival and even accumulation for some in peasant agriculture) were ignored.

The second argument, a rejection of a 'groups-rights' based culture, is due to the fact that conceptions of citizenship have developed in post-apartheid South Africa in direct contrast to apartheid nationalism. Neocosmos maintains that South Africans can only see an individualistic notion of rights as democratic, and anything else as a threat to the unity of the nation (Neocosmos 2006). Whilst these latter arguments are persuasive, they do not explain why xenophobia has increased steadily since the end of apartheid; under such circumstances, one would expect there to be a sharp increase in xenophobic attitudes in the immediate aftermath of apartheid but for it to subside once the reality had been distanced from the emotional struggle against apartheid, especially in the case of the migrant labour system. What Neocosmos is presumably arguing is that these feelings are ingrained into a notion of South African citizenship and that nationals are unable to distance them from their conception of democracy. Surely this would not necessarily extend to all South African citizens, however, but would primarily affect those involved in the struggle.

A generation on from apartheid, we find such arguments hard to swallow. In reality, the psychology behind xenophobia is much less complex and, in our opinion, the principal factor is economic. The reason that most respondents to the SAMP survey gave for foreigners not being allowed entry into the country was economic harm, and furthermore, the majority believed that economic reasons were the main reason that foreigners were attracted to South Africa (Crush and Pendleton 2004). This highlights the sole reason why xenophobia is quite so prevalent in South Africa: the perception that foreigners cause economic harm to South African citizens. The South

African ‘economic miracle’ is a product of globalisation, which has catered to the needs of the affluent few, whilst ordinary South Africans are still trapped in shacks, shanty towns, poverty and uncertainty, struggling with black African immigrants for survival. Hatred and bitterness directed towards black Africans, whose marginal and vulnerable status makes them easy targets, allows South African blacks to ward off the feeling that their long struggle for democracy has not fulfilled expectations and to tell themselves that at the very least, it allows them to differentiate themselves from backward others. According to Harris (2001), in such contexts of compounding frustrations and disappointments, it is easy to turn migrants and foreigners into scapegoats.

Once again, it is important to note that it is merely the perception of economic harm that has resulted in xenophobia; hard facts and figures do not seem to have any bearing on this whatsoever. For example, over 40 per cent of respondents believed that foreign citizens should be denied South African citizenship because they cause economic harm, whilst almost 60 per cent had never heard of anyone who was denied a job because it went to a foreigner, and over 70 per cent had no personal knowledge or experience of such an occurrence (Crush and Pendleton 2004). In addition, research has been conducted on migrant entrepreneurs in Gauteng, which has showed that small, medium and micro enterprises (SMMEs) and hawking operations create an average of three jobs per business, which directly challenges the view that immigrants, particularly street traders, reduce the number of jobs available for South Africans (Palmary 2004). Clearly, the need for education on the positive role of migrants is necessary here.

On the other side of the coin, citizens appear to welcome foreigners whose economic impact is demonstrably positive, xenophobic hatred is only directed towards those who ‘take away’ jobs. This may explain why xenophobia is mostly directed towards Africans, as the rest of Africa is seen as backward, poverty-stricken and comprised of ‘failed states’. This aspect was strongly mirrored in an interview (interview 7)<sup>1</sup> with a local businessman in Paarl. A male respondent, a local business man, stated that ‘illegal foreigners’ such as Somalis, Ethiopians, Congolese, Nigerians and Bangladeshis are causing the current recession in South Africa, while explaining that Chinese people are taking over South Africans’ business, and yet still contributing to the economy by living here and spending some money. The following is an excerpt from interview 7:

The foreigners came [to South Africa], with nothing [...] in the sense [that] they’ve got no papers, nothing, nothing, they jump the border, [...] go to their brothers, get money from him, they go to the informal areas, get a small little shop, cut the prices, [...] and what happens: creates competition. [...] So they have affected our business. They have taken over the business from the local people.

The same respondent also mentioned, referring to the ‘illegal’ immigrants, that “they are living in poverty there *on that side*”. According to Neocosmos (2006), this is thanks to a ‘dominant arrogant political discourse’ that forms part of South African nationalism, regarding

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<sup>1</sup> See the methodology section below for information on the interview process. Information about the individual interviews can be found in Appendix 2.

the apparent exceptionalism of the country on the continent. They therefore see its inhabitants as wishing only to partake of South African resources and wealth at the expense of its citizens (Neocosmos 2006). This view is reinforced by unbalanced reporting in the mass media, state discourse and a lack of education and knowledge about citizens' fellow African counterparts.

Such a feeling of superiority has been intensified by South African economic dominance but also by the fact that South African citizens seem to have very little direct contact with foreigners, which allows stereotypes to form. The term 'African' has become conflated with 'Black' in state and popular discourse, so that national and racial categories have collapsed into one another. According to Fine and Bird (2003), South Africans not only hold negative attitudes towards foreigners, they also have a readily accessible set of stereotypes with which to justify or rationalise their negative attitudes. It is these assumptions that have led to the belief that 'Fortress South Africa' must be defended against 'hordes of illegal immigrants' and barbarians that are waiting to scale the battlements and flood the country (Neocosmos 2006) – an image that provides the basis for xenophobia in South Africa, and, as already alluded to, is greatly enhanced by the manner in which migration issues are covered in the media.

According to the SAMP survey, the main sources of information regarding migrants for respondents were television, followed by radio, personal interaction and newspapers (Crush and Pendleton 2004). This suggests that the mass media are placed in a strategic position to inform opinion on migration and to deal with the problems associated with xenophobia. The media have been a preponderantly white-controlled business, and although the end of apartheid has led to some degree of black ownership and partnership, this has not necessarily made the newspapers more representative of South African society. Several studies have been conducted on the South African media and the majority have found that although reporting is not racist as such, representations of foreigners are largely of a negative bias and extremely unanalytical in nature, as the majority of the press has tended to reproduce problematic research and anti-immigrant terminology uncritically. There is a complete lack of reference to crime and illegality on the part of Western Europeans and North Americans in South Africa, despite the fact that nationals from these regions also commit crimes and many are in the country illegally.

There is also a damaging tendency to nationalise crime attributed to foreigners: Nigerians are associated with controlling the drug trade; Congolese are identified with passport racketeering and diamond smuggling; Mozambicans with car theft; and Zimbabwean women as indulging in prostitution (Nyamnjoh 2006). Such criminalisation is aggravated by the more subtle use of terms like 'illegal' and 'alien', despite the fact that they are widely criticised by institutions such as the UN. Such catch-all phrases do not distinguish between 'migrants', 'immigrants', 'asylum seekers' and 'refugees' and thereby echo erroneous public perceptions. This tendency was seen during one of the interviews when the interviewer asked who affected the business the most, in response to the respondent's claim that xenophobia started because the 'illegal' immigrants started 'mess[ing] up' the local people's business. The respondent, a local business man explained that Somalis were associated with the 'illegal' business, where they do not charge taxes to the end-customers and sell things at much cheaper price than the local stores.



Zimbabweans and Congolese were associated with cheap labour, such as those at farms and factories (interview 7). The SAMP calls for more neutral terminology, such as ‘undocumented’ or ‘irregular’ migrants, which appear free of negative ideological constraints (Fine and Bird 2003).

This association of economic and political migrants with crime is possibly the driving force behind xenophobia in South Africa; it is far easier to blame the intolerable crime rates on ‘illegal immigrants’ than to tackle the social causes of the problem. However, such accusations are rarely supported by any statistical evidence. For example, 1998 crime figures showed that over 98 per cent of arrests were of South African citizens and the percentage of foreigners rarely exceeded one in any crime category (Harris 2001), further exemplifying the power of perception and the need for education to fight xenophobia.

Even the refugees who are to be legally protected are considered to be in South Africa ‘illegally’. In the interviews, the same respondent, a local business man in Paarl was mixing up refugees with undocumented immigrants and talking about coming to South Africa to get asylum as if it were already an illegal act, although it is the whole concept of Refugee Convention and its Protocol (interview 7). Moreover, the refugees who start their businesses in South Africa without permission from the government to open a shop in a government-owned places are somewhat forced to be in that situation. Some of the refugees who experienced xenophobia in the locations explained to us that they did not have any other choice but to start their own business in the location, in the absence of South African ID, bank account, or any support from the government regarding job opportunities (interviews 18 and 22).

The media has a positive responsibility to ensure that they do not contribute to xenophobic attitudes by portraying stereotypes, internalising xenophobic language or uncritically reproducing anti-immigrant stories and research. According to the SAMP, highly sensationalised Africanised and negative reporting of migration issues is generally in the form of ‘superficial, statistics-happy articles’ that do little to inform the reader about the complexities of migration. They suggest that newspapers and wire services should assign one or two journalists to migration issues on a regular basis to allow for meaningful coverage, given the importance of the issue at national and regional level (Danso and Macdonald 2000). In addition, the media has a responsibility to actively challenge racial profiling and stereotyping, especially within the domain of crime. The 1978 UNESCO Declaration on Fundamental Principles tasked the mass media with the crucial role in promoting peace, human rights and anti-racism in international contexts, whilst the South African Human Rights Commission stated in 1999 that the best guarantor of press freedom is a society that respects human rights. The press therefore has the same responsibility to protect human rights as everyone else in society (Bird and Fine 2003).

If we accept, as Moge kwu (2005) does, that xenophobes are guided by the limitations of their thought, then the remedy must be education and an increase in knowledge of foreigners, their cultures and their reasons behind immigration. The mass media, therefore, has a further responsibility to increase the amount of information intended to enhance intercultural understanding and expand thought. For example, attitudes towards Zimbabweans seem to be

based on the reporting of their economic crisis. Whilst the media obviously must report on the situation, it must also take into account the effect it has on popular perceptions of Zimbabwe and its citizens, and ensure balanced and fair coverage.

### **How has the government responded to the problem of xenophobia?**

Although the government has, in recent years, begun to recognise the magnitude of the problem of xenophobia and the need to tackle it in order to prevent it undermining their ‘young democracy’, politicians have frequently expressed xenophobic views and have been allowed to present them as the views of, not only their department, but even of the government itself.

Perhaps most notorious in this respect, was the previous Home Affairs Minister, Dr. Mangosuthu Buthelezi, who described the influx of “illegal immigrants” as his “biggest headache” (BBC New 2003), and in his introductory speech to Parliament explicitly stated that “aliens” “pouring into South Africa” would hamper economic growth.<sup>2</sup> Contemporary statements from ANC spokespersons have intimated that human rights are largely inapplicable to foreigners in general and migrants in particular, for example, ANC MP, Desmond Lockey: “There are very few countries in the world which would extend human rights to non-citizens” (Neocosmos 2006). However, xenophobic sentiments are not confined to the ruling party, and criticisms against immigrants have spanned the political spectrum. In the run-up to the 1999 elections, for example, a range of political parties used anti-immigration discourse to attract votes. Reitzes (1999) observes that:

[i]n an unlikely show of alliance politics, the Pan African Congress (PAC) and Freedom Alliance (FA), as well as the New National Party (NNP) and the United Democratic Movement (UDM), raised the spectre of the negative impact that foreigners are assumed to have on South Africa's economy and society. The election manifestos of the UDM and the FA explicitly advocated stricter immigration controls. Images of the NNP's Marthinus van Schalkwyk walking along South Africa's borders and promising to seal them against illegal immigrants were flashed across our television screens (Quoted in Harris 2001: xx).

Clearly, immigrants are not only stereotyped in the media, they are branded as potential criminals, drug smugglers and murderers by politicians and unreliable figures are bandied around Parliament. The government has also been criticised for its legislation and its focus on reducing the number of immigrants through repressive measures (Palmary 2004). The Immigration Act 2002, for example, gave police and immigration officers powers to stop anyone and ask them to prove their immigration status. The 1999 White Paper also contained provisions for a “community enforcement policy” of the detection, apprehension and deportation of undocumented migrants, which could be construed as representing a form of state-sanctioned

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<sup>2</sup> “If we, as South Africans, are going to compete for scarce resources with millions of aliens who are pouring into South Africa, then we can bid goodbye to our Reconstruction and Development Programme” (Human Rights Watch 1998).

xenophobia, however this section was dropped by the time the Bill was re-submitted for comment in 2002. Significantly, whilst the Bill was replete with clear and explicit law enforcement measures to reduce immigration, conspicuous in their absence were specific strategies to prevent xenophobia or to protect and promote the rights of foreigners, as Neocosmos (2006) points out.

Possibly the most contentious piece of legislation is the 1991 Aliens Control Act, amended in 1995 and 1996, which has been described as “an archaic piece of apartheid legislation, at odds with international human rights norms and the new South African constitution” (Human Rights Watch 1998). The act has its roots in the 1937 Aliens Act, which was intended to exclude German Jews fleeing Nazi persecution from coming to South Africa, and has led to the term ‘alien’ becoming synonymous with ‘unwanted immigrant’. Subsequent amendments of the act were almost invariably designed to increase the repressive power of officials, to place greater control on people’s mobility, to circumscribe the legal rights of ‘aliens’ and to extend the range of people to which the act applied (Crush and Pendleton 2004). This term, ‘alien’ is unfortunate as it not only suggests that migrants do not belong, but also implies difference, strangeness and ‘otherness’.

The government must do more to combat, not only xenophobia as a general concept, but also the specific negative attitudes directed towards other SADC countries. At present, it could even be accused of contributing to such attitudes as immigration authorities have been known to introduce tougher entry procedures (for example, higher visa application fees, restriction of multiple entry visas, requirements to show bank statements and other documentation) for citizens of certain countries such as Mozambique and Zimbabwe (Crush and Pendleton 2004). Such restrictions may result instead in more ‘border jumpers’ among those denied formal entry, in more employers securing the cheap labour of such undocumented or illegal ‘border jumpers’ and in greater exploitation and impunity by employers.

The 1998 Refugee Act was somewhat more progressive, as it allows any person to apply for asylum and states that no person should be denied the right to apply. Whilst the application is being processed, they are not allowed to work or access education. If, after six months, their status has not been determined, the applicant is entitled to apply for permission to work and receive education. However, the law is silent on whether other public services, for example, housing and health care can be accessed during this time and if these services should be delivered under the same conditions as South Africans, for example, free primary health care. Once status is granted, all refugees are entitled to health care, to seek employment and to education. They are also entitled to rights enshrined in chapter two of the constitution, with the exception of political rights and rights to freedom of trade occupation and profession (Palmary 2004).

The government has, on occasions, explicitly stated that foreigners have a definite potential to contribute to the local economy, and in some cases, the use of foreign labour may not only be

positive but also necessary.<sup>3</sup> All that remains is for this attitude to be translated into legislation and to allow it to permeate the public consciousness. This can be achieved through government- and NGO-led campaigns such as the Roll Back Xenophobia Campaign which was launched in December 1998 by the South African Human Rights Commission, the National Consortium on Refugee Affairs and the United Nations High Commissioner for Refugees. A further option for the government would be to bestow a kind of legitimacy on immigrants as it did in September 1996, with a one-off indemnity that gave citizenship rights to undocumented migrants from SADC countries that could prove they had lived in South Africa for longer than five years, had a job, or had married a South African citizen and had no criminal record (Neocosmos 2006).

One issue that the government faces is that on one hand, the constitution states that “the state may not discriminate directly or indirectly against anyone on one or more grounds including race, gender ... social origin ... birth”, yet it then continues to distinguish between two types of people: citizens and non-citizens. Neocosmos (2006) makes the valid point that it is difficult to see how xenophobia will be overcome if distinctions are consistently made in state discourse between citizens and ‘others’, whilst the former is still based on indigeneity.

### **What does international law say?**

The government is also bound, legally and morally, to a number of international conventions and treaties. According to Article 1 of the 1951 UN Convention on the Status of Refugees, the term refugee applies to any person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable, or owing to such fear, is unwilling to return to it.

Refugees enjoy first and foremost the protection afforded them by refugee law and the mandate of the Office of the United Nations High Commissioner for Refugees (UNHCR). If they are in a State involved in an armed conflict, refugees are also protected by international humanitarian law. Apart from the general protection afforded by international humanitarian law to civilians, refugees also receive special protection under the Fourth Geneva Convention and Additional Protocol I. This additional protection recognizes the vulnerability of refugees as aliens in the hands of a party to the conflict and the absence of protection by their State of nationality (International Committee of the Red Cross 2015).

Article 4(a) of the International Convention on the Elimination of All Forms of Racial Discrimination, to which South Africa is a signatory, requires States Parties to declare, amongst others, an offence punishable by law, all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin.

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<sup>3</sup> One of the government objectives stated by the African National Congress (2001) was “To promote economic development by allowing South African business to employ foreign citizens where necessary”.

The International Covenant on Civil and Political Rights (1966) guarantees migrants a number of basic rights, including: the right to life; to not be subjected to torture, or cruel, inhuman or degrading treatment or punishment; to the liberty and security of person; to liberty of movement; to the freedom to choose one's residence for those lawfully within the territory of a state; and to the right to protection from arbitrary or unlawful interference with their right to privacy. The covenant also states that migrants lawfully within the territory of a state may be expelled only in pursuance of a decision reached in accordance with law (International Covenant on Civil and Political Rights 1966).

The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) guarantees fundamental rights to workers and their families, as well as equality before the Courts and Tribunals and to treat migrant workers not less favourably than nationals in respect of remuneration for employment and conditions of work in terms of employment. Emergency medical care and basic education are also guaranteed and regular migrant workers are to have the right to vote (Office of the United Nations High Commissioner for Human Rights 2015).

### **How have other democracies responded?**

The following countries have experienced xenophobia in varying degrees, but in each case, it has been to such an extent that their respective governments have had to take harsh measures, invariably at the request of international organisations such as Human Rights Watch.

#### **Germany**

In recent years, Germany has experienced an increasing amount of xenophobia in its public sentiments and a growth in support of its extreme-right nationalist parties. With its disturbing history of Nazism, it cannot afford to let these sentiments go unchecked and has established the following measures to combat the phenomenon:

- Expansion of the number of police and prosecutors trained to investigate and prosecute cases of xenophobic violence. It has also restricted the right to asylum, thereby expropriating a major aspect of the far right's political platform, at least temporarily, and police response to attacks on foreigners appear to have improved significantly;
- Monitoring and reporting of the results of the prosecution of crimes against foreigners;
- Monitoring and reporting of the types of sentences imposed on those convicted of committing crimes against foreigners;
- Investigations of the patterns of police brutality against foreigners that come to the attention of the state authorities. Publicising the findings of the investigations, including any officers guilty of brutality, the disciplinary measures recommended, the disciplinary measures imposed, and the changes in procedures recommended to prevent similar brutality in the future;

- Prosecution to the fullest extent of the law of all parties to crimes against foreigners, including accomplices and those who incite violent action, but not those who merely advocate hateful sentiments;
- Intensification of efforts to recruit police officers from different ethnic and national backgrounds;

The state of Saxony in particular has a well-deserved reputation for effectiveness in combating right-wing violence, even though Dresden, the state capital, has been a magnet for right-wing extremists. In 1992 the state criminal police in Saxony established "Soko Rex," a special commission on right-wing and xenophobic violence. The commission is "well-staffed, with over thirty officers working for it. Soko Rex has adopted two parallel approaches: prevention and prosecution". Its officers "work with the public and the media to inform and educate them about right-wing violence. Simultaneously, Soko Rex police gather information on right-wing groups and their members" (Human Rights Watch 1995).

In terms of prosecution, Soko Rex agents become active as soon as a crime occurs that appears to be right-wing or xenophobic in motive. Their strategy is to investigate the crime intensively from the beginning. Although there is coordination between the regular police and the officers in the special commission, once Soko Rex officers take over an investigation, they exclusively form the investigating team.

Saxony has responded to violent attacks on foreigners using a variety of other approaches. The Commissioner for Foreigners' Affairs, herself, "has started programs to reach out to right-wing youth. She has worked to gain their confidence and then slowly to teach them about other cultures and other people", taking a group of right-wing youth on a trip to Israel (in October 1993), "so they could meet many ordinary Jewish people and begin to question the anti-Semitic notions that many have" (Human Rights Watch 1995).

## **Finland**

According to a study conducted by the International Helsinki Federation for human rights (IHF) ten per cent of the Finnish population held strongly xenophobic sentiments. The most innovative method the government employed was the Act on Integration of Immigrants and Reception of Asylum Seekers 493/1999, the objective of which was "to promote integration, equality and freedom of choice of immigrants through measures which help them to acquire the essential knowledge and skills they need to function in society and to ensure the essential livelihood and welfare of asylum seekers by arranging for their reception" (European Commission on Employment and Social Affairs 2006). The act made provisions for local authorities to draw up an integration programme with NGOs and employee and employer organisations. This constituted an agreement between the authority, the employment office and an immigrant on measures to support the immigrant and their family in acquiring the essential knowledge and skills needed in society and working life.

The Finnish government have also made a concerted effort to engage anti-racist NGOs in legal processes, and to aid them in raising awareness regarding humanitarian and anti-discriminatory law (IHF Focus 2001).

### **Russia**

Since the 1980s, Russian liberals have been decrying the rise of Nazism in Russia, the increase in the number of extremist youth organisations, the rising number of violent attacks and murders of non-Russians and the worryingly high levels of support that nationalist parties have received. However, it is only very recently that the Kremlin has recognised the problem and resolved to react. This is mainly due to the fact that a type of anti-American xenophobia has been used by elites for their own political purposes. However, it is becoming clear that supporting such sentiments is an extremely dangerous game, and that even a strong state can be overwhelmed by the public's passions of hatred and the anarchy that is likely to ensue (Shlapentokh 2007).

Therefore, Vladimir Putin and his government have noted the "seriousness of the problem" and instructed the chief prosecutor to enact legislation that bans organisations seen to promote xenophobia, racism and fascism. Security services have also been instructed to be more visible in certain public places, and to act against perpetrators (Nyamnjoh 2006). In addition, the president has resolved to combat the problem at a legislative level and through education, in particular, working with young people.

### **Switzerland**

During the 1960s and '70s, the buzzword in Switzerland was 'assimilation'; the dominant view was that immigrants should suppress their own foreign identities and become 100 per cent Swiss. Now, integration is more popular in the socio-political arena, which involves adapting to the requirements of Swiss society but keeping their own native identities.

The government has allocated 10 million USD per year since 2001 to integration projects, the primary objective is funding for language courses for immigrants, but also to finance support programmes for people who work with immigrant populations. The ultimate goal is to enlarge the participation and decision-making opportunities of foreigners in the social, political and cultural domains.

They have also established a national forum for immigration, which brings together representatives from all foreign communities living in Switzerland. This gives foreigners their own voice in the political debate (Cooke 2000).

## **How do those who actually experienced xenophobia see the issue?**

### **Methodology**

Another crucial point that we should look at is the victims' actual experiences. In addition to the secondary source-based research, we conducted a qualitative research in order to also look at the issue from the perspective of those who experienced xenophobia, and incorporate their perspectives in upon making recommendations. A series of interviews were conducted in Paarl,

Western Cape and Bloemfontein, Free State, in August 2013. In contrast to the quantitative research, we focused on a small number of people as samples. Respondents were recruited under any of the following categories: (1) those of foreign origin who have been attacked; (2) those of local origin who live in the local community where the interviews were conducted; (3) those of foreign origin who own/keep a shop(s) in the same area as (1); and (4) female persons of foreign origin. Out of 22 respondents that we interviewed, eleven fell within category (1), seven within category (2), two within category (3), and three within category (4), including an overlap between categories (1) and (4). Out of the eleven within category (1), according to the date and the situation of the attacks, at least five respondents experienced ‘xenophobic’ attack. Open-ended questions were adopted, meaning the respondents, especially those who are in category (1), were free to speak to the interviewer<sup>4</sup> about their experience in xenophobia. The interviewer then went into details depending on the type of the story shared by each respondent. The focus was less on the actual reason why xenophobia is happening, but rather on how they experienced it and how they felt and feel. Most of the interviews were conducted in English and recorded consensually, with a few exceptions. The interviewer visited each respondent at a place where he or she lives, works, or visits on a daily basis.

### **Experiences of xenophobia**

One of the symbolic incidents of xenophobia took place in May 2008. During our interview in Mbekweni, one of the Somali informants shared his experience of xenophobia. According to him, his experience is as follows (interview 6). The xenophobic attacks started in Johannesburg on Thursday, and reached the Western Cape on Friday. The local police warned him to close his shop and so did he at around 11 am. However, at around 12:30 pm, more than 40 people, including Somalis, Ethiopians and a few Kenyans, rushed into his shop, seeking for a place to take a refuge, after having had their shops broken in, looted, and/or set on fire, and after some people having been beaten or even killed. They gathered at the corner of the shop and had been waiting for the situation to be stabilized. He could not open the door of his shop at all since he heard local people gathered around the shop shouting “kwirikwiri”, or “you took our business”, and throwing stones. One week later, when the police informed them that it was safe outside, he finally opened the door. Another Somali informant who experienced the same 2008 attack in Mbekweni managed to flee his shop and took a refuge elsewhere (interview 8):

[W]hen the people started attacking the Somalis from [one] shop to another, we went to the police, and talked to them, and we asked them if they can do anything about the situation, but they said the only thing that [they] can do [is for us to] come out of the shop so that [they] can take us to the police station. [...] I had to close [my shop], I had to run away, people sh[o]t, c[a]me and loot[ed] my place, take my stuff, and I couldn’t do anything!

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<sup>4</sup> The interviewer was a 24-year-old female graduate student from Japan. She explained to each respondent that she is a student working on a project on xenophobia and would like to write an academic paper based on their stories.



In Bloemfontein, a group of Somali refugees were attacked in their shops at the same time early in the morning in April 2012 (interview 18). First the shop made of concrete was attacked, and the brother of one informant was shot to death. When other informants in the other two shops got phone calls from the first shop, they were already surrounded by several people trying to break in their shops made of shipping containers. One of the shops was set on fire. The informant who was sleeping inside when the people outside covered the shop with petrol and set on fire, explained to us that it was the strategy to force shop keepers outside so that the attackers could go inside and loot everything inside.

### **Relationship with the local community**

Interestingly, in the aftermath of the xenophobic attacks, there were requests from the side of the local community for those foreign shops to come back in business, both in Mbekweni and Bloemfontein (interviews 8, 11). One of the Bangladeshi informants even said the locals liked them more than before the attacks (interview 11). One Somali informant explained that the foreign-owned shops sell a smaller portion of products at a cheaper price which is seen favourably by many people in the township areas, where poverty and unemployment is prevalent (interview 8).

In this regard, one of our key findings from the interviews is that there are issues other than the xenophobic view of foreigners at play here. In Bloemfontein, one South African female shop keeper said those attacks were “50% xenophobia, 50% crime” (interview 14). Other South African shops in that area already closed their shops because of the lootings, she said. Some of the informants who experienced xenophobia also said that the people who were acting violently towards them were only a small part of the local people. This suggests that xenophobic attacks are also rooted in poverty, unemployment, and a generally high crime rate.

Another unique aspect of the relationship between the foreign shop keepers and the local community is that some of the Somali informants who were affected by xenophobic attacks tried to alter the ‘image’ of Somalis, by contributing to the local community. In Mbekweni, one Congolese informant who claims that he has never experienced xenophobia in South Africa explained to us that problems occurring in the community must be solved within the community (interview 5). Coincidentally, after this interview, we heard that Somalis had collected 50 rand from each of their shops and gave it to the committee of the local community, since the committee asked them to pay in order to stop the xenophobic attacks in 2008. However, the committee asked them to pay the money again one-two weeks after the first payment, to keep the situation under control. Where did the money go? Did the local committee actually have control over the xenophobic attacks? Who were the attackers? At this stage, we cannot answer these questions. Nevertheless, more attention should be paid to the local community and the power dynamics there, in working on the issue of xenophobia.

Besides the corruption and non-acceptance of outsiders, regardless of their efforts, there is also an issue of access to necessary medical care and assistance in general. A local woman, who

used to lend her yard to a Somali shop, witnessed some local people setting the shop on fire while two Somalis were sleeping inside (interview 4). According to her, the Somalis were scared of getting killed if they come outside the shop, they did not open the door to the container (interview 4). Fire fighters on duty in the township came almost one hour later, apparently yawning, and without enough water in their tanks to put out the fire. The two Somalis were later rescued and brought to a hospital which was half-an-hour away from the location, because the closest hospital was not sufficiently well-equipped.

### **Who made them an ‘easy target’?**

The question of why refugees start up businesses on their own in the townships in the first place, which makes them easy targets, arose during the interviews. One major factor is the absence of other types of job opportunities. A few informants commented that they did not have any other choice because they did not have South African IDs or a bank account, which one can get based on their income, but with an asylum paper (interviews 18, 22). Another aspect is that doing business is common in their countries of origin. One of the Somali informants with refugee background said it is common in Somalia for a family to open up a small shop to make ends meet. One Bangladeshi informant also said running their own business is “in our nature” (interview 22).

Putting aside the perception that refugees are ‘illegal’ foreigners (interview 7), it is there would appear to be some truth to the assertion that such foreign shops do put many South African shops at a disadvantage by selling products at a lower price. This seems to have much to do with the fact that most of the shop keepers are actually residing in the container ships, allowing them to cut their living costs considerably compared to South Africans who own shops and live somewhere else. One male informant from Djibouti explained to us that since those shops run by foreigners started coming to the townships, South African shops started decreasing as a result of the severe competition (interview 19). It is also true that those container shops are run without any legal permit in the townships.

But the question we must ask here is why, in the first place, do those foreign shop keepers end up at those container shops and become ‘easy targets’? Why are they not “part of the system”, where they pay the taxes, and “live like South Africans”, as one of the informants claimed (interview 7)? For them to be part of ‘the system’, they have to be informed of what the system is, and there needs to be a framework where those refugees are accommodated. Clearly, such a framework, a form of integration program in terms of refugee protection, is the missing element. One South African informant who works for the government in Free State told us that once refugees arrive in South Africa, they are basically “free to go” anywhere they want, and the tracking of refugees is extremely difficult (interview 20). In short, they are somewhat forced to be in a position where they ‘fit’ the image of ‘illegal’ immigrants who ‘mess up’ the South African economy.

**Resentment, fear and trauma**

What we saw in common amongst all the informants who experienced xenophobia was that they carry a fear or a threat to their lives on a daily basis. Surprisingly, the majority of them have heard, many times, some local people telling them that “when Mandela dies, you foreigners go back to where you came from. Otherwise you will get killed” (interviews 6, 8, 18). The Somali informant who kept more than 40 foreigners inside his shop in Mbekweni in 2008 told us that he had not been sleeping well since he came to South Africa as a refugee because local people sometimes come to his shop from the back door and throw stones at it the middle of the night (interview 6).

Feelings of unfairness and resentment were also seen in the informants. A Somali informant in Mbekweni, referring to the South African people telling them that Somalis are taking away their job by selling the products at cheaper price than South African shops, said (interview 8):

Am I going to take someone’s job that way? *No!* I go take my 50 rand [...] and buy [a] packet of cheese, and sell [each piece] for 1 rand on the street where people are passing by. Am I taking someone’s job? All what I did is something which I, I have *created*. [...] I try my best to survive. I didn’t rob no one, in the country, I’m legal, the Department of Home Affairs give me a permit, so I don’t know why the people are treating us [like that]. [...] We are here, to *survive*.

Xenophobic attacks at that time have also affected the future mental condition and decisions of its victims. One Bangladeshi informant with a refugee background experienced xenophobia in Port Elizabeth in 2008 when he was sitting at his shop counter (interview 22). After having fled from the backdoor to his shop and having lost everything he owned, he did not go back into business for 2 years simply because he did not want put himself in the same situation again (interview 22). He described his feelings as “emotional”, “painful”, and “terrible”, referring to the fear when he saw several people already attacking other shops outside and now coming towards him, and the feeling of emptiness when he had lost all the money he invested into his business (interview 22). A Somali informant, whose biological brother was shot to death in the attack in Bloemfontein in 2012, said he could not go back to his shop in the township since then. He said he had felt like he was a crazy person in the aftermath. Although he now feels different from that time, he cannot help thinking about his dead brother every time when he sees his family calling him on his phone even before picking it up.

**Future prospects in South Africa?**

It comes as no surprise to us that the answers to our final question “would you like to stay in South Africa?” were all negative (with one exception) amongst those who went through the xenophobic attacks. Some of them are looking for the opportunities to resettle in Europe or North America (interviews 6, 11, 18, 22). One of the Somali informants in Bloemfontein said, “we don’t know where, which direction we are going. [...] The circumstances force us [to stay] here. We don’t know where else we can go” (interview 18), referring to both Somalia and South

Africa where different kinds of difficult situations are waiting for them. A Bangladeshi refugee said to us that he would like to stay in South Africa for now since he has been there for a decade and therefore it is his second home (interview 22). However, he continued, “[but] with the challenge”.

### **Policy implications and recommendations**

First and foremost, it must be made clear that the primary challenge that the government faces is an educational one, as it is unable to focus on any one group in society. It has a duty to provide citizens with vicarious knowledge of migrants, immigrants and refugees as *people* through the media. Also helpful would be to encourage a greater sense of continentalism and internationalism through the media and through the public pronouncements of opinion-makers (Crush and Pendleton 2004). This can be achieved by working with schools, colleges and universities to include issues such as citizenship and xenophobia in their curricula, and to stress the positive impact that immigration can have on South Africa’s economy and society, by using examples from countries such as the UK and Switzerland.<sup>5</sup> The media must also play a vital role in this educational process, and the following suggestions are in reference to this:

1. The curriculum for journalism education should be re-examined to determine how best journalists can be trained to help create an environment that is more conducive to effective intercultural communication, understanding and harmony, especially as it relates to black-on-black discrimination in most of the continent (Mogekwu 2005);
2. Tertiary institutions that offer courses on communication and journalism should incorporate information on refugees, asylum seekers and migrants in learning modules;
3. Editors should spell out a clear and deliberate editorial policy for coverage on refugee and migrant issues;
4. Stakeholders and experts on refugees, asylum seeker and migrant issues should publish a catalogue of possible sources to be used by journalists in covering these issues;
5. Sensational and criminalising language should be dropped completely; different categories of migrants should be recognised as such (Danso and Macdonald 2000);
6. Journalists and editors should pay particular attention to how they report immigration statistics they receive from ‘official sources’, there should be critical assessment of the source;
7. The media should individually and through collective bodies actively seek ways of ridding their pages, bulletins and programmes of harmful racial stereotypes;
8. Journalists, trade unions and other professional media forums should develop a media network against xenophobia that will define a code of conduct and spearhead campaigns for its implementation as common practice;

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<sup>5</sup> The UK’s open-door employment policy for new entrants to the EU contributes on average 1% per year to GDP growth, quoted in ‘Foreigners in South Africa have plenty to offer’ 24<sup>th</sup> September 2001.

9. NGOs, refugees, asylum seekers and migrant communities should provide information packs and regular newsletter with factual, timely and country-specific information to the media.

As for specific government policy, it is obvious that the government has to go beyond detecting, detaining and deporting migrants in order to tackle crime, disease and joblessness. These issues need to be treated completely separately from that of migration. One important aspect of xenophobia is the virtual absence of any sense of solidarity with other countries in the SADC; the government must work with other SADC countries in order to improve, or even create, a real sense of regional consciousness amongst citizens and policy makers. The starting point could be for individual state and regional organisations to devise and implement public education programmes that emphasise tolerance and common interests (Crush and Pendleton 2004).

It is also important to note that citizens seem prepared to accept and welcome non-citizens if their economic impact is demonstrably positive. Hence, skills and investor-friendly immigration policies would not be a difficult sell to citizens, and perhaps policy that favours period-specific immigrants over those with the intention of obtaining permanent residence (Campbell 2003). Neocosmos (2006) makes the following suggestion with regard to this:

If temporary residential and social rights were to be granted to all who wish to settle and work in South Africa, then after a period of one or two years, extension or even permanent residence could be provided solely on the basis of gainful employment. In this way migration could be regularised, the police and other state agents would have less power over migrants, and the state would give a lead on democratic anti-xenophobic practices. At the same time any criminals could be more easily controlled as they would be traceable by the state. Moreover, such a demand is likely to gather widespread support as research shows that South Africans are likely to welcome foreigners whose economic impact is demonstrably positive (Neocosmos 2006).

In relation to the fact that local governments provide service delivery for most refugees, it is also vital that they are familiar with refugee legislation as well as services and rights that refugee groups are entitled to as stated in the Refugee Act 1998, and that they disseminate such information to the community, in order to avoid feelings of resentment.

In terms of South Africa's treatment of refugees, we propose that the government introduce an integration program which specifically caters to the newly arriving refugees, and better tracking system of refugees. Also, in cooperation with NGOs, religious groups and other organizations, monitoring of refugees' mental conditions would be necessary especially in the aftermath of xenophobic attacks. Community-perspective is also important in this regard.

Finally, police and immigration officers must be trained and sensitised about human rights and in particular the rights of foreigners and refugees to enjoy freedom from discrimination and full protection from the South African Police Service. There should be an increased focus on

diversity training in the service and attention should be paid to *who* gets trained, not only the quality of training, as station commanders have been disposed to send civilians and not those officers that come into contact most frequently with foreigners (Masuku 2006). Corruption should also be tackled within the police service and officers should be punished severely for any abuse of foreigners or the immigration system as a whole. This approach should be expanded to the criminal justice system as a whole, where citizens should be punished to the full extent of the law for racially motivated crimes and attacks on foreigners.

## Conclusion

The most important reasons behind the prevalence of xenophobia in South Africa are economic and the tendency to criminalise foreigners. Existing explanations in terms of economic crises, political transition, relative deprivation, or remnants of apartheid all contain an element of truth but are not in themselves sufficient. Proclamations from politicians coupled with media reporting on drug syndicates, prostitution and human trafficking, all feed and in turn feed off a popular perception that migrants are bad for South African society and its economy. It is all too easy for the media and the government to place blame on immigrants for crime, unemployment and housing problems but it is not a long-term solution and, eventually, can only be detrimental for the economy, culture, society and international image of South Africa. The government faces a pressing need to find a way for citizens and foreigners to live peaceably together and to tackle the problems that xenophobes justify their actions by. Xenophobia may manifest itself violently through rioting and attacks on foreigners amongst the poorer, black population, but it is an issue for all sectors of South African society and one that is becoming increasingly urgent for the government to address. Perhaps the most important point to realise is that these misguided feelings of hatred and bitter resentment are based solely on the *perception* of economic harm and of immigrant involvement in criminal activities, therefore the primary focus for the government must be education and to correct these misperceptions.

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**Appendix 1: Map of South Africa and the places where the interviews were conducted and/or the related xenophobic attacks happened**



Map No. 3768 Rev. 6 UNITED NATIONS  
February 2007

Department of Peacekeeping Operations  
Cartographic Section

## Appendix 2: Interview details

<b>Respondents(s)</b>	<b>Position</b>	<b>Nature of the attack(s)</b>
Country of origin/sex/age [*2(3)]= 2(3) people were interviewed simultaneously [-]: data unavailable		[NNX]: Not necessarily xenophobic [MXA]: Major xenophobic attack(s) [-]: No experience in xenophobia
<b>12/08-13/08/2013 Mbekweni (township), Paarl, Western Cape</b>		
(1) Somalia/male/26	Refugee Works at internet cafe	NNX
(2) Ethiopia/male/-	Refugee	NNX
(3) Somalia/male/52	Refugee Shop owner	NNX
(4) South Africa (Xhosa)/female/28	Local resident	NNX
(5) Congo-Brazzaville/male/44	Local resident Hair salon owner	-
(6) Somalia/male/27	Refugee Shop owner/keeper	MXA (Mbekweni, May 2008)
(7) South Africa (Indian)/male/37	Supermarket owner	-
(8) Somalia/male/36	Refugee Shop owner	MXA (Mbekweni, May 2008)
(9) South Africa/male/40	P-African Congress	-
(10) Ethiopia/female/25	Refugee Restaurant owner in the downtown	NNX
(11) Bangladesh/male/39; - (*2)	Refugee Market shops owners	MXA (Bloemfontein, April 2012)
(12) Lesotho/male/29	Street Shop keeper	-
(13) China/male/-	Supermarket owner in the location	-
(14) South Africa/female/26	Shop keeper in the location	-
(15) Bangladesh/male/31	Shop keeper in the location	NNX
(16) Mozambique/female/29	-	-
(17) Ghana/female/26	-	-
(18) Somalia/male/33; 35; 36 (*3)	Shop owners/keepers	MXA (Bloemfontein, April 2012)
<b>24/08/2013 Bloemfontein, Free State</b>		
(19) Djibouti/male	Shop owner in the downtown	-
(20) South Africa/female/-	Works for the government; Regional leader of the Women's League FS	-
<b>26/08/2013 Bloemfontein, Free State</b>		
(21) South Africa/male/-	-	-
<b>29/08/2013 Bloemfontein, Free State</b>		
(22) Bangladesh/male/28	Refugee Market shop owner	MXA (Port Elizabeth, 2008)
(18) Somalia/male/35; 36 (*2)	Refugee Shop owners	MXA (Bloemfontein, April 2012)