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Xenophobia in SA: Six Years On

"I knew . . . inside my heart [that] this was not normal violence or normal crime; it is xenophobia. It is not something that will go away in a few moments and finish. The chaos will just continue and get worse and worse."

– Victim of xenophobic violence in Durban in 1999.¹

1. Introduction

Nearly six years ago in April 2008, South Africa faced a series of xenophobic attacks against immigrants. In Gauteng province, where at least 42 people died, thousands were injured, more than 16 000 were displaced, and 400 arrested. In all, 62 people were killed during the attacks, with thousands more injured and displaced,² and President Thabo Mbeki was forced to deploy troops to quell the violence. The brutality of the killings (some foreigners were 'necklaced') shocked the nation, and led to questions about South Africa's identity as a 'rainbow nation.' While xenophobia had been acknowledged as pervasive before 2008, the attacks brought an international spotlight and government attention to the problem.

Over the ensuing period, xenophobia has by no means disappeared. Xenophobic attacks have continued in the wake of the World Cup and through 2013, when violence spread in Diepsloot and Port Elizabeth. The continued violence makes it clear that the underlying issues behind the attacks of 2008 have not been addressed, and though not at the same intensity as 2008, violence against immigrants continues today. The government's response to this issue has not been enough, and a sustained strategy is needed. Xenophobia cannot be solved in isolation from other issues, such as unemployment, crime, and

service delivery. Efforts to combat xenophobia must be holistic and must address the challenges faced by communities throughout South Africa.

2. Xenophobia Is a Symptom, Not the Cause

The problem of xenophobia is by no means limited to just South Africa. Discrimination against foreigners takes place around the world, especially in countries experiencing political or economic upheaval. Even though studies have shown that in many cases immigrants are job creators, not job stealers, particularly in situations where there is economic inequality immigrants are viewed as competition for scarce jobs. Foreigners are a convenient scapegoat for the ills being experienced by those at the margins of society, and while negative attitudes towards them are often informed by misguided perceptions, they are rooted in people's realities.³ Though these attitudes are prevalent in many countries, the effects have had devastating consequences in South Africa. Nahla Valji of the Centre for the Study of Violence and Reconciliation says that "xenophobia in the South African context is not just an attitude: it is an activity. It is a violent practice that results in bodily harm and damage."⁴ Xenophobic attitudes are not only expressed in the media or in conversations, but overflow into violence.

CPLO's 2008 briefing paper on the violence⁵ listed eight different 'points of concern' surrounding the attacks: competition for resources; criminality and opportunism; inadequate intelligence; inefficient procedures at the Department of Home Affairs; a culture of violence; lack of leadership; the international pervasiveness of xenophobia; and finally, failure of the security forces to quell the violence. South African experts gave many reasons for what caused the violence, with many agreeing that the underlying factor was the desperation felt by the very poor: faced with the problem of a lack of service delivery, some South Africans reacted to perceived competition from foreigners over resources. African immigrants in particular were perceived as being direct competition for poor people's jobs and resources.⁶ It is clear, therefore, that xenophobic violence must be regarded through the prism of anger within poor communities. It is not isolated, but is rather a response to unemployment, poverty crime, and a lack of trust in the justice system.

The fact that mainly citizens of other African nations were, and are, targeted, suggests a clear prejudice not unlike the racial hierarchies established under apartheid, in which a person's ability to find security under the rule of law was determined by their race. Xenophobic violence has not distinguished between the many different reasons foreigners live in South Africa. Whether documented or undocumented, legal or illegal, asylum seekers, refugees, or ordinary immigrants, foreigners were targeted as 'illegal aliens.' Immigrants in South Africa are one of the weaker groups in society, and as a result, an easy target for the frustrations felt by many groups due to their economic circumstances.

3. Violence Continuing Beyond 2008

While there has been no similar overwhelming outbreak of xenophobic attacks since 2008, the situation has been by no means resolved. The attacks in 2008 were not an isolated incident – studies show recurrent victimization faced by migrants within the country.⁷ Particular attention was given to the issue in 2010 during the World Cup. Xenophobic violence was in direct contrast to South Africa's image as a peaceful nation welcoming to all, and there were reports of another possible wave of attacks after the World Cup.

However, with substantial police action and government attention, there was no similar outbreak to 2008, even as isolated episodes continued to occur.

A look at reports over the last five years shows consistent accounts of xenophobic violence and the targeting of foreigners. Somali shopkeepers report continued lootings and robberies of their stores, and three Somali men were killed in Cape Town in one week in 2012.⁸ In the same year, there were 50 xenophobic attacks in September alone.⁹ In 2013, news outlets reported another surge in violence, with a Somali man killed after being stabbed repeatedly in the chest, head, and stomach.¹⁰

Marches that begin as protests against the government's poor service delivery or failure to provide housing can devolve into xenophobic attacks and looting. The UNHCR took steps to protect Somali shops during a protest in 2010, but there have been many protests where the shopkeepers were not as fortunate. In the fall of 2013, a protest in front of the Western Cape Legislature against a lack of service delivery ended with the looting of shops and stalls in the central business district, many of them owned by foreigners. Much of the xenophobic violence is directed at foreign nationals running small grocery stores in townships and informal settlements, with Somalians, Nigerians, Zimbabweans, and other African nationalities targeted. Since they are often isolated from the local community, they do not have the same recourse within informal justice mechanisms that other South Africans have.¹¹

In some cases, attacks are committed because foreigners are perceived as members of a criminal element within a community. When the bodies of two girls aged two and three were found in a public toilet, and a Mozambican man was identified as the primary perpetrator, residents looted foreign-owned shops, stoned passing vehicles and burned tyres.¹² The trend towards mob justice reflects the lack of faith that South Africa's citizens have in formal institutions, resulting in a resort to violence.¹³

Another issue is the difficulty immigrants face in receiving justice from the legal system in South Africa. Only one perpetrator of the 2008 attacks was punished by the legal system.¹⁴ Of the 62 deaths in 2008, only 33 cases of murder or

attempted murder were reflected in the records of the Justice Department.¹⁵ Cases faced multiple challenges, with witnesses failing to appear and delays within the judicial system.¹⁶ Families of the deceased have not received closure, and the lack of punishment means that there continues to be impunity for perpetrators and despair for immigrants who do not see the judicial system working for them.

4. The Government's Response to Xenophobia

While there has been a general increase in awareness of xenophobia as a problem, few concrete policy steps have been taken to combat the violent attacks.¹⁷ After 2008, an inter-ministerial committee headed by the Minister of Police was established to deal with cases of xenophobia. However, today it is no longer active.¹⁸ On the positive side, in collaboration with UNHCR, the SA police service established a 'rapid force response team' to address individual attacks on a community level.¹⁹ As a result, police action has been much more swift in recent years than in 2008.

Yet it is clear that these government efforts are not part of a long-term sustainable strategy to address the issue. The South African government insists that the attacks are criminal in nature and not inspired by xenophobia. In response, the government says it "accepts that the pace of service delivery needs to be expedited ... to address the developmental needs of our communities."²⁰ Justice Minister Jeff Radebe called attacks against foreigners in Diepsloot in 2013 criminal acts that should not necessarily be branded xenophobic in nature.²¹

While understandable, this denial by the government fails to understand and acknowledge the root causes behind xenophobic attacks. Simply naming attackers as criminals does not answer the question of why foreign nationals were targeted in the first place. In an Afrobarometer survey, 44% of South Africans disagreed with the idea of providing protection to asylum seekers, and 45% agreed that foreigners should not be allowed to live in SA as they take away jobs and benefits from locals.²² These numbers are significant, and point to the pervasiveness of xenophobic attitudes which allow attacks to seem justified.

Politicians and civil society must lead efforts to emphasize that economic hardship does not justify violence against foreigners. Inherent in xenophobia is the exclusion of others from the political community.²³ The state must acknowledge its own culpability in this issue, through alarmist language and in marginalizing foreigners in its service delivery and justice system. Many refugees feel discriminated against by the Department of Home Affairs, the police, and other government departments, with an increase in denials for legal documents, for example.²⁴ The 1998 Refugee Act provides for the needs of forcibly displaced persons, granting refugees the ability to seek employment and to access education, as well as being entitled to the rights enshrined in the Constitution. The government must follow through on these guarantees.

While a national strategy to combat xenophobia is necessary, local government and community initiatives also have a critical role to play. In many cases, xenophobic violence stems from local issues, from crime to poverty, and the importance of building relationships between different groups cannot be overstated. Training of local officials would also be beneficial, in order to ensure that refugees and other immigrants receive full protection under the law.²⁵ South Africa's leaders have a particular role to play. Many of them were in exile during the apartheid regime and benefited from the hospitality of other African nations. Drawing from the struggle's history, the ANC and other parties have a responsibility to make any xenophobic language or policies unacceptable.

5. Conclusion

The events of the past six years give further proof that the xenophobic attacks of 2008 were not isolated incidents, but part of the wider issues of identity, poverty, and insecurity throughout the country. While the media has been accused of sensationalism, the attacks should not be ignored. When Somalians are returning to their homes in the middle of war zones instead of facing discrimination and violence in South Africa, it is clear that the problem is growing and has not been resolved.²⁶ Rumors that Somali nationals were arming themselves after the attacks in 2013²⁷ point to the possibility that, as bad as the violence has been, it could quickly become much worse.

While the government needs a cohesive strategy for combating this issue, it cannot solve the problem merely through good policies. All South Africans, and the foreigners living in their midst, must be involved. The answer to xenophobia lies in the ability of South Africans to create communities that protect one another and that include the foreigners and aliens who join them. While the root cause of xenophobia may be poverty, xenophobic attacks are never justified. South Africa's politicians

must follow Desmond Tutu's example in outright condemnation of the attacks; as he said in 2008, "We won't tolerate this. Those who have been victims, we want to tell them we are sorry and we will not repeat this."

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¹ Vromans, Lyn, Schweitzer, Robert D., Knoetze, Katharine, & Kagee, Ashraf (2011).

The experience of xenophobia in South Africa. *American Journal of Orthopsychiatry*, 81(1), pp. 90 - 93.
<http://eprints.qut.edu.au/40402/1/c40402.pdf>.

² Mail and Guardian, "Toll from Xenophobic Attacks Rises", 31 May 2008. <http://mg.co.za/article/2008-05-31-toll-from-xenophobic-attacks-rises>. See also CRAI's (2009) report entitled: "Tolerating Intolerance: Xenophobic Violence in South Africa", Citizenship Rights in Africa Initiative (CRAI). Other reports put the number killed at 63.

³ Li Jianmin. "News Analysis: What is behind xenophobia in S. Africa." *The Centre for the Study of Violence and Reconciliation*. 2008. <http://www.csvr.org.za/index.php/media-articles/latest-csvr-in-the-media/2337-news-analysis-what-is-behind-xenophobia-in-s-africa-.html>

⁴ Franny Rabkin. "Alexandra, South Africa: Frustration boils over into violence." *The Centre for the Study of Violence and Reconciliation*. <http://www.csvr.org.za/index.php/media-articles/latest-csvr-in-the-media/2256-alexandra-south-africa-frustration-boils-over-into-violence-.html>.

⁵ BP 187 Xenophobia, June 2008

⁶ Franny Rabkin. "Alexandra, South Africa: Frustration boils over into violence."

⁷ Vromans, L., Schweitzer, R. D., Knoetze, K. and Kagee, A. (2011), The Experience of Xenophobia in South Africa. *American Journal of Orthopsychiatry*, 81: 90-93.

⁸ "Somalis in South Africa said increasingly falling victims of xenophobic attacks." *BBC Monitoring International Reports* 11 Oct. 2012. *Business Insights: Essentials*. Web. 12 Nov. 2013.

⁹ IRIN, "South Africa: Foreigners Still at Risk." 19 October 2012. <http://www.irinnews.org/report/96589/south-africa-foreigners-still-at-risk>

¹⁰ Patel, Khadija. "'Xenophobic' violence spreads, threatens chaos." 31 May 2013.

<http://www.dailymaverick.co.za/article/2013-05-31-xenophobic-violence-spreads-threatens-chaos/#.UqdtLo3eUfp>

¹¹ IRIN, "South Africa: Foreigners Still at Risk."

¹² "South African police identify prime suspect in 2 children's murder." *Xinhua News Daily*, 17 October, 2013.

<http://english.peopledaily.com.cn/90777/8427597.html>.

¹³ Roelf, Wendell, "In South Africa's slums, mob justice rules," 12 July 2012.

<http://www.reuters.com/article/2012/07/12/us-safrica-crime-idUSBRE86B0U320120712>

¹⁴ IRIN, "South Africa: Foreigners Still at Risk."

¹⁵ Underhill, Glynnis, and Sibonile Khumalo. "No Justice for Burning Man" 30 July 2013. <http://mg.co.za/article/2010-07-30-no-justice-for-burning-man>.

¹⁶ Ibid

¹⁷ IRIN, "South Africa: Foreigners Still at Risk."

¹⁸ IRIN, "South Africa: Government Gets Lowest Rating on Xenophobia." 4 July 2011.

<http://www.irinnews.org/report/93130/south-africa-government-gets-lowest-rating-on-xenophobia>

¹⁹ Stefanie Jost, Karoline Popp, Melanie Schuster, and Astrid Ziebarth. "The effects of xenophobia on the integration of migrants in South Africa: An NGO perspective." *International Organization for Migration*.

<http://www.iom.int/cms/en/sites/iom/home/what-we-do/migration-policy-and-research/migration-policy-1/migration-policy-practice/issues/august-september-2012/the-effects-of-xenophobia-on-the.html>

²⁰ Mail and Guardian, "Toll from Xenophobic Attacks Rises", 31 May 2008. <http://mg.co.za/article/2008-05-31-toll-from-xenophobic-attacks-rises>.

²¹ Patel, Khadija. “Xenophobic’ violence spreads, threatens chaos.”

²² Mataure, Mandla. “Citizens Perception on Migration in South Africa” AfroBarometer, February 2013.

<http://www.afrobarometer.org/publications/afrobarometer-briefing-papers/item/717-citizen-perceptions-of-migration-in-south-africa>.

²³ Neocosmos, Michael. “From ‘Foreign Natives’ to ‘Native Foreigners’: Explaining Xenophobia in Post-Apartheid Africa.” Council for the Development of Social Science Research in Africa, 2006. <http://www.codesria.org/IMG/pdf/neocosmos-3.pdf>, p. 24.

²⁴ Wild, Franz. “Somalis Fear South African Violence More Than War at Home.” 22 October 2013.

<http://www.bloomberg.com/news/2013-10-21/somalis-fear-south-african-violence-more-than-war-at-home.html>.

²⁵ Palmay, Ingrid. “Refugees, Safety and Xenophobia in South African Cities.” Centre for the Study of Violence and Reconciliation. <http://www.csvr.org.za/docs/foreigners/refugeessafteyand.pdf>.

²⁶ Wild, Franz. “Somalis Fear South African Violence More Than War at Home.”

²⁷ Patel, Khadija. “SA Government Reiterates: It’s Crime, Not Xenophobia.” Daily Maverick, 8 June 2013.

<http://www.dailymaverick.co.za/article/2013-06-08-sa-government-reiterates-its-crime-not-xenophobia/#.Uqd3r43eUfp>.