

I wrote this article on the invitation of Abdellatif Chaouite, editor of *Ecarts d'identité*. This journal is published in Grenoble, France to show solidarity with immigrants and, in particular asylum seekers.

VICTIMS OF XENOPHOBIA: AFRICAN IMMIGRANTS IN SOUTH AFRICA

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It was on Sunday 11 May 2008 that xenophobia became a tangible and embarrassing reality in South Africa. What has been simmering under the surface for at least 15 years, suddenly exploded in the streets of the Alexandra township near Johannesburg. Mobs of angry residents took to the streets to launch attacks on legal and illegal immigrants. Shacks in informal settlements were plundered, property was stolen and people were assaulted. More attacks occurred elsewhere around Johannesburg.

1. Introduction

The question that is probably on everybody's lips worldwide, when they hear and read about the current events in South Africa, is: how is it possible for people, who have for so long been on the receiving end of discrimination and racism, now to hand out the same treatment to fellow human beings and fellow-Africans. It is this question that I will try to answer in this contribution.

I am writing with fear and my fear is threefold. My first fear is that I will over-simplify a very complex situation. I will therefore do my utmost to do justice to the many different issues that are involved. My second fear is that I will generalize my impressions to the point that all South Africans appear to be guilty of xenophobia. Although we are dealing with a serious situation, it is a very small minority who have taken out their frustrations on foreigners for reasons that I will deal with below. My third fear is that I will undermine the laudable work that *Ecarts d'identité* has been doing in defense of immigrants and asylum seekers. However, the story below, is so complex and unique that it can under no circumstances be used as justification for the harsh and inhumane application of laws on immigration and asylum.

2. Causes of migration

An important question to ask right at the outset, is why people from other African countries have migrated to South Africa. 'Normal' reasons for people moving from one country to another, certainly also apply here. Opportunities for trade, selling of expert knowledge, study and visits do bring people from other, also African, countries to South Africa. However, there are several 'abnormal' reasons for the influx of foreigners into South Africa and we will briefly look at the most important ones in this regard.

2.1 Migrant labor system

For many years people from Botswana, Lesotho, Malawi, Zambia and other African countries have been migrating to South Africa to work in the gold mining industry for a

specific period of time. Whilst they had valid working permits, they could, in terms of Apartheid legislation that existed until 1994, not qualify for permanent residence because they were black. Through their labor, they not only contributed to the South African economy but also to those of their countries of origin, in the sense that much of the money they earned, was sent back to their dependants.

2.2 War

Africa has been ravaged by war over many decades. Revolution and revolt, coups and counter coups have forced instability on Africa . Countries such as Angola, Burundi, Democratic Republic of the Congo, Eritrea, Ethiopia, Liberia, Nigeria, Rwanda, Sierra Leone, Sudan and Somalia were or are areas where war erupted. Many more examples can be added to this list. In 1999, (*Sowetan*, December 10, 1999) it was already estimated that a third of the world's refugees is to be found in Africa. Refugees and asylum-seekers in South Africa appear to come mainly for Angola, Burundi, Ethiopia, Nigeria, Somalia and Senegal.

2.3 Economic reasons

War is by no means the only reason for people to leave their countries of origin to look for better living conditions elsewhere. African people have in large numbers also become the victims of poverty and starvation, due to droughts and dwindling economies. South Africa, especially since 1994 when democracy was established, has become a favorite destination, since it is viewed as rich and prosperous. In spite of South Africa's problems of an unemployment rate of 23 percent, food prices that have risen sharply and a crime rate that is among the highest in the world, it still remains a magnet that draws a continuing stream of job seekers. Many of these job seekers, or so-called economic refugees, often enter the country illegally.

2.4 Crisis in Zimbabwe

The fact that an estimated three million Zimbabweans have sought refuge in South Africa, is enough justification for this situation to be counted amongst the most important reasons for migration during the immediate past. Having fled here in recent months as Zimbabwe's economy totally collapsed and political violence intensified, these unfortunate people can neither claim to be war refugees nor asylum seekers. Officially there is no war raging in Zimbabwe and South Africa's President Thabo Mbeki has, after the recent elections in that country, declared, in a now infamous statement, that there is no crisis in Zimbabwe. His and his government's refusal to acknowledge a crisis in that country, has prevented Zimbabweans from receiving refugee status, excluded the establishment of refugee camps and caused the victims to forfeit aid from United Nations agencies.

3. Immigration Apparatus

Since white racism has been part of South African society for so long, it is to be expected that this attitude also infiltrated its immigration policy. On the other hand the question should be asked whether the present government has succeeded in moving away from the discriminatory immigration policy of the past.

3.1 Colonial past

South Africa is a country whose people have many roots. Besides the indigenous people who inhabited this southern sub-continent, the Dutch and British colonial powers caused many immigrants from those two countries to find their way here. Their numbers were boosted by French Huguenots, Germans, Jews from eastern Europe, inhabitants of the Malay archipelago and people from the Indian sub-continent. All these migrations took place between the seventeenth and nineteenth centuries.

The influx of people from abroad did however not stop here. Immigration to South Africa has been a very contentious issue during the reign of the Apartheid regime. In an effort to boost the numbers of the white community and to acquire people with much needed technical skills, the doors of the country were flung open wide to immigrants from Europe. In the process many people with much needed skills were attracted and came here to make South Africa their new home. Other people came for trading opportunities. The same welcoming attitude was however not extended to prospective immigrants from elsewhere in Africa. As seen above, black migrant workers could not receive the right of permanent residence during the Apartheid years. In general, it could therefore be said that the authorities were very negative towards the idea of black immigrants.

3.2 Democratic dispensation

The general expectation was that the negative attitude towards African immigration would disappear after 1994 when a new and democratically elected government took over. However, it would appear that the 'new' South African government's response to the problem of African immigrants was ambivalent and inconsistent. On the one hand a lenient approach could be observed, whilst an increasing stricter attitude could be observed on the other hand.

The lenient approach was largely motivated by an obligation to repay past favors. During the oppressive years of Apartheid, other African countries, such as Botswana, Lesotho, Tanzania and Zimbabwe extended a helping hand towards South African political refugees. The citizens of these countries harbored, fed and educated their fellow Africans and did so at great risk, because their countries often became the targets of cross-border raids by the South African Defense Force. This unconditional hospitality of neighboring countries during the years of Apartheid has, in recent days, often been quoted by leading figures such as President Thabo Mbeki and Archbishop Desmond Tutu as the major reason why hostilities against African immigrants should be ended.

Whilst much gratitude is obviously owed to the open hearts and homes experienced by South African during those years, it should however be pointed out that there are differences between that situation and the present one. In the first place the number of South African refugees were much smaller than the numbers of African foreigners who presently find themselves in South Africa. Secondly, their exile was by and large controlled and structured according to the requirements of host countries. Thirdly, the

South Africans were political refugees and did not involve themselves in economic activities. Lastly, they were cared for in refugee camps and acquired international financial assistance.

3.3 Refugees Act

Under the previous dispensation, there was no protection given to refugees, even though South Africa was a signatory to the 1951 United Nations convention. It was only in 1998 that a separate act on refugees was formulated and signed into law. Although this law brought new hope for asylum-seekers, it still contains highly problematic aspects. The most controversial of these is the stipulation that asylum-seekers may not look for or take up employment pending the outcome of their asylum application. The fact that it could take up to six months to process an application for political asylum, raises the question of the welfare of an applicant during the interim. The argument of many is that this could encourage asylum-seekers to resort to crime unless they are properly cared for by their host country.

3.4 New immigration act

In 2002, the South African parliament accepted a new immigration act, known as act 13 of 2002. A White Paper on International Migration that preceded the promulgation of the new law, contained a proposal that sparked much controversy. This proposal encouraged ordinary citizens and service providers to report foreigners they suspect of breaking immigration laws. The opponents of this clause argued that it encouraged and promoted xenophobia and violent attacks on foreigners. Whilst the chairperson of the Parliamentary Portfolio Committee on Home Affairs defended this clause as harmless and well-intended, the Human rights Commission also expressed its concern. It regarded the clause as unconstitutional since it was, in reality, putting state policing functions in the domain of ordinary civilians.

3.5 Lack of border control

To detect a sense of desperation from the above with regard to the control of illegal immigrants, would be correct. In reality South Africa's borders are in total disarray. In a report to parliament earlier this year, the auditor general held the lack of proper border control by the police, directly responsible for the presence of between three and five million illegal immigrants in the country. (IOL March 22, 2008). The report stated that there are just 19 police officers to control 3 600km of coastline and 283 officers to control its nearly 5 000km-long land border. In stead, there should be 448 officers controlling the coastline and 970 officers on the land border. The SAPS has been responsible for border control since 2004, when it started a five-year process to take over from the defense force, but it doesn't have the specialized equipment that the army used.

4. Problems Surrounding African Immigrants

In this section, I briefly want to look at allegations against and the exploitation of African immigrants.

4.1 Allegations

4.1.1 Involvement in crime

Crime in South Africa has risen to very high levels and in the minds of many South Africans, African immigrants are responsible of this state of affairs. Although statistics supplied by the South African Police Service do indicate that some African immigrants are involved in criminal activities, these also show that their committing crime is not as high as is often portrayed. South Africans themselves are in fact responsible for the high levels of crime.

4.1.2 Strain on scarce resources

Many black South Africans have, in the past, been deprived of proper and sufficient services such as health care, education and housing. Now that they, in a democratic dispensation, are looking forward to improving their lives, it would appear that African immigrants are competing with them for these resources and putting strain on resources such as hospitals, schools and employment. The general feeling that prevail in South Africa, both from the side of government and the general public, is that the economy and infrastructure cannot cope with all the demands.

4.1.3 Aggravating unemployment situation

African immigrants are competing with South Africans for jobs in a country where unemployment is already very high. Because many of these immigrants entered the country illegally, they are prepared to do the most menial work for low wages.

4.1.4 Overcrowded living conditions

Accommodation is a problem in South African cities. When immigrants come to the country, they are desperate for accommodation and are forced to pay very high rentals to greedy landlords. To be able to meet these demands, the immigrants tend to share accommodation which leads to severe overcrowding. This in turn leads to unhygienic conditions. In the process South Africans feel deprived of places to live.

4.2 Exploitation of immigrants

4.2.1 Victims of cheap labor

As we have already seen, immigrants become the victims of unscrupulous employers. Because they are desperate for a living, they often end up working for low pay under poor working conditions.

4.2.2 Victims of crime

Because immigrants, especially illegal ones, are very vulnerable, they often become the victims of crime. Their small businesses are vandalized and their possessions stolen, leaving them nowhere to turn to. Many foreigners hold the view that police either turn a blind eye to the crimes committed against them, or are often amongst the perpetrators.

4.2.3 Victims of corruption

When illegal immigrants want to enter the country or want to avoid arrest or deportation, there are unfortunately often police or immigration officials who are prepared to accept bribes. In this way the very system that is suppose to control access into or stay in the country, is subverted.

4.2.4 Victims of eviction

Immigrants are often at the receiving end of organized evictions. Assuming that immigrants had no right to be here and were not entitled to property, local residents take part in campaigns to drive foreigners away from a particular area.

4.2.5 Victims of assault

African immigrants often become the victims of physical assaults. In expressing their hatred and frustration, some South Africans have resorted to physical violence and have injured and even killed foreigners.

5. Complicating Factors

Whilst the above problems and bad conditions are in themselves enough to adversely affect human relations, there are a number of complicating factors that most probably caused the deterioration of societal stability during the last week or so.

5.1 Warnings ignored

In several submissions more than a month ago, the Zimbabwe Exiles Forum has warned the South African department of foreign affairs and the department of home affairs, that xenophobia is getting out of hand. They cited instances of violence, assault, theft and even murder perpetrated against foreigners in the Western Cape, Gauteng and the North West province. Whilst some events were seen as systematic and coordinated, the general impression is that the police were either too scared or too involved to act. Well meant warnings have fallen on deaf ears.

5.2 Poor service delivery

What is seen by many South Africans as the single most important factor contributing to the present situation, is the poor service delivery that is experienced in many poor areas around the country. Services like electricity supply, water supply, sewerage and rubbish removal are sadly lacking. When foreigners move into such an area and thereby increase the number of consumers, frustration and anger know no bounds.

5.3 Criminal elements

Several observers have in recent days accused the authorities of blame politics in the sense that politicians are trying to find instigators responsible for the violent attacks. Although this would be an exercise in futility, since the causes are clear, there is the element of criminal activity that has made things worse. It would seem that criminals have been using the idea of xenophobia to make concerted attacks on foreigners and to steal their belongings. Relations between South Africans and foreign nationals are certainly not improved by these ruthless incidents.

5.4 Political impasse

Seemingly totally unrelated to violence that explodes around immigrants from outside of our borders, is the political impasse that is presently experienced in South Africa. And yet it is a reality which is perceived by many as a lack of political will. The deadlock I refer to is the one that originated from the election of Mr Jacob Zuma as president of the ruling party, the African National Congress. In effect, President Thabo Mbeki has been rendered powerless and is in many circles seen as a 'lame duck' president. With two centers of power, namely the ANC and the government, decisive action in times of crises, seems to be coming forth very slowly. It took more than four days for either Mr Zuma or President Mbeki to respond to the outbreak of violence against African immigrants. It is this same lack of action *vis-à-vis* Zimbabwe that appears to leave this country almost leaderless.

6. Conclusion

We started off by asking the question: "How is it possible for people, who have for so long been on the receiving end of discrimination and racism, now to hand out the same treatment to fellow human beings and fellow-Africans?" In our discussion we have looked at a number of issues that have influenced the situation and that turned it into a very complex matter.

The long and short of it all is that we are witnessing a war of the poorest against the poorest for limited resources in a country that is perceived as the richest in Africa. This situation is crying out for creative, dedicated and courageous leadership.

In recent days, several ministers and other prominent leaders have condemned the violence and have called for the restoration of peace and stability. The clearest protest has however come from the religious sector and other non-governmental organizations. As in

the past, these bodies will again be in the forefront, not only in providing in the most immediate needs, but also in advocating and working for long lasting solutions.

In a passionate call, Archbishop Desmond Tutu acted as the voice of reason as he reflected the feeling of the majority of South Africans:

Nobel peace laureate and struggle icon Desmond Tutu yesterday pleaded for calm as xenophobic violence continued to ravage Gauteng . “Please, stop. Please, stop the violence now. This is not how we behave. These are our brothers and sisters,” the churchman said in an impassioned statement.

Tutu said that when South Africans were fighting against apartheid, they had been supported by people around the world, and particularly in Africa. “We can’t repay them by killing their children. We can’t disgrace our struggle by these acts of violence. It is as if we are back in the days of the necklace.

“The world is shocked and is going to laugh at us and mock us. We are disgracing our struggle heroes. Our children will condemn us in the future.” (The Sowetan, 20 May 2008)

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