

# **Xenophobia and Civil Society: Durban's Structured Social Divisions**

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**‘...fears about migrants taking the jobs or lowering the wages of local people, placing an unwelcome burden on local services, or costing the taxpayer money, are generally exaggerated.’**

Helen Clark, Administrator, UN Development Programme  
2009 *Human Development Report* –  
*Overcoming barriers: Human mobility and development*,  
New York, UNDP, p.v

**‘The response is for each and every stratum in society to use whatever powers of domination it can command (money, political influence, even violence) to try to seal itself off (or seal off others judged undesirable) in fragments of space within which processes of reproduction of social distinctions can be jealously protected.’**

David Harvey, *Consciousness and the Urban Experience*,  
Johns Hopkins University Press, Baltimore, 1985, pp.13-14

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## **Acronyms and abbreviations**

BFRA – Bayview Flats Residents Association  
CAXREP – Coalition Against Xenophobia, Racism, Ethnicism and Poverty  
CCS – Centre for Civil Society  
DAAX – Durban Action Against Xenophobia  
DHA - Department of Home Affairs  
DFA - Department of Foreign Affairs  
DSD - Department of Social Development  
LHR – Lawyers for Human Rights  
MCC – Mennonite Central Committee  
RSPN – Refugee Service Providers Network  
RSS – Refugee Social Services  
UNHCR – United Nations High Commission for Refugees  
WFRA – Westview Flats Residents Association

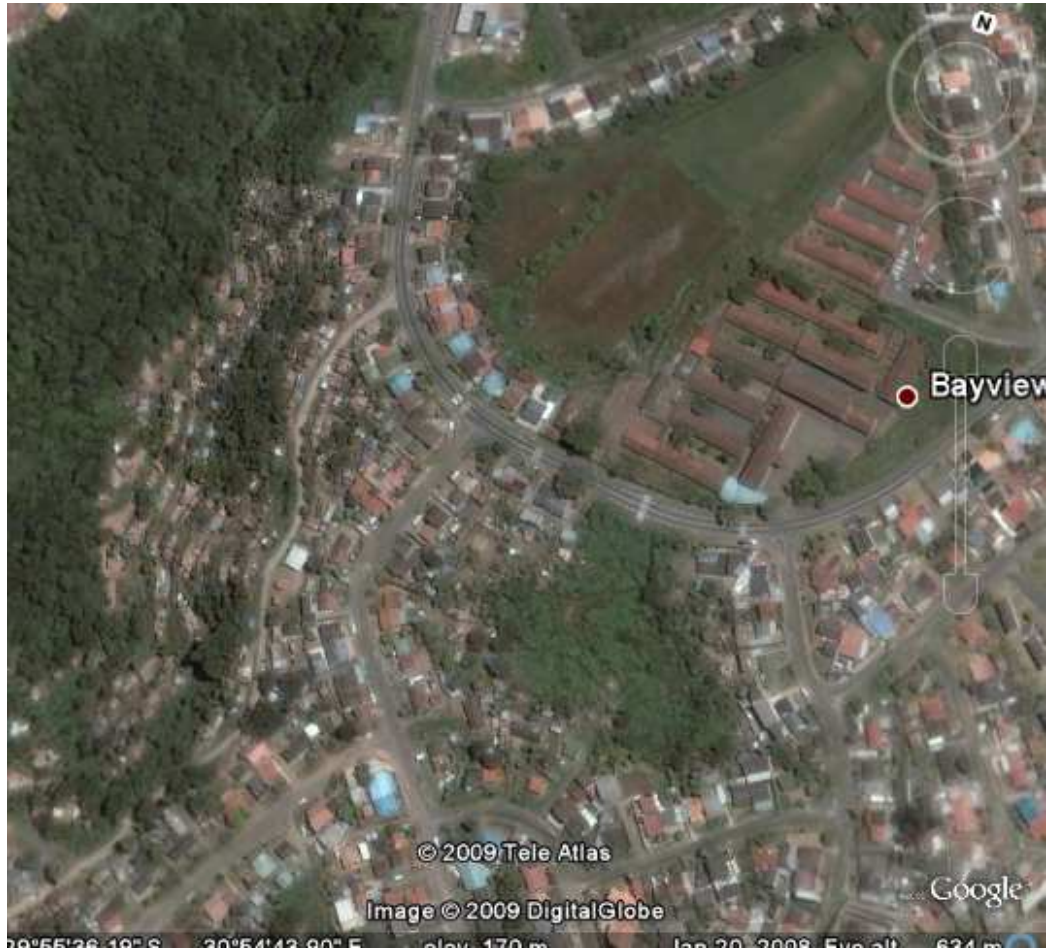
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## CASE STUDY SITES

**Figure 1: Chatsworth/Bottlebrush shack settlement**



**Figure 2: Chatsworth/Bayview/Unity Avenue**



**Figure 3: Cato Manor and Cato Crest**

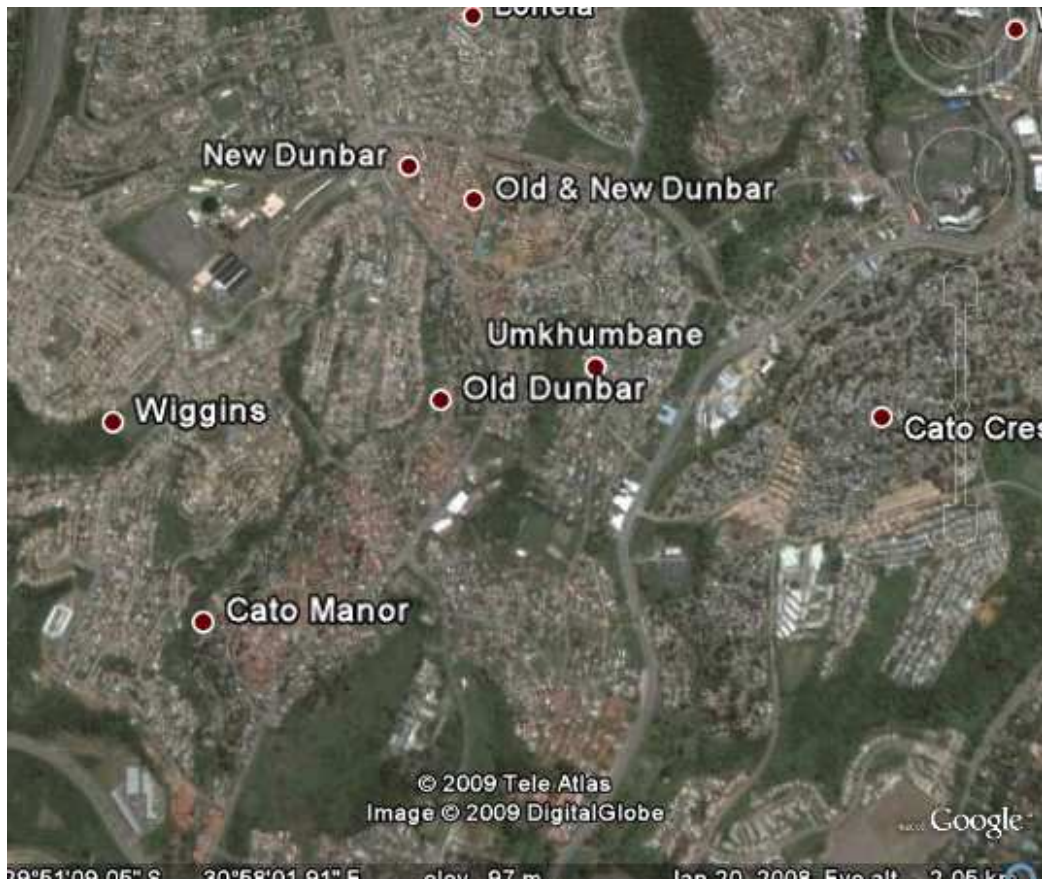


Figure 4: Central Business District



**Figure 5: Umbilo Road**





## Part I: Executive Summary

1. Describing xenophobic outbreaks and documenting the way local civil society responds are useful tasks for a journalist, but insufficient for critical scholars. What is required is to understand the profound *structural* crises associated with low-income communities in Durban that help contextualise the recent surge of xenophobic sentiments, and that also provide clues for long-term, bottom-up antidotes. These crises are being addressed only up to a point by Durban civil society. They have their roots in market and state failures that appear to be beyond the capacity of local organisations which are mainly equipped to do local advocacy, service delivery and in rare cases political solidarity. These failures include:
  - extremely high unemployment which exacerbates traditional and new migrancy patterns;
  - a tight housing market with residential stratification, exacerbating service delivery problems (water/sanitation, electricity and other municipal services);
  - extreme retail business competition;
  - world-leading crime rates;
  - corruption in the Home Affairs Department and other state agencies in a manner detrimental to perceptions regarding immigrants;
  - cultural conflicts; and
  - severe regional geopolitical stresses, particularly in relation to Zimbabwe and the Great Lakes region of Central Africa.
  
2. Because they did not tackle these root problems head on, Durban civil society organisations band-aided the local manifestations of xenophobia only in the short-run and only up to a point. As the case studies of community/church responses in Durban during 2008-09 show, the structural terrain for renewed conflict – probably in the wake of the 2010 World Cup - remains relatively undisturbed. Durable socio-economic and ‘local geopolitical’ problems remain as challenges for more visionary civil society strategists. Some of these can be found in sites like Chatsworth in South Durban, where the Bottlebrush shack settlement was one of Durban’s most brutal sites of displacement in part because of civil society organising failures over prior years. In other neighbourhoods which serve as case studies – Cato Manor and Cato Crest, the Central Business District and Umbilo – there are equally sobering lessons about the limits of social organising during a ‘moral panic’ such as xenophobia, at this stage of Durban civil society’s maturation. Ironically, there are hints of visionary breakthrough in several relationships established by regional (Southern African) organisations, including the celebrated solidarity expressed during the April 2008 dockworker refusal to unload three million bullets and weaponry destined for Robert Mugabe in Zimbabwe. There is hope for post-xenophobic Durban civil society, but only if we work through the processes that have taken us from here to here.
  
3. Although there are many issues that are important to address, the central problems we believe that can be tackled through public policy and civil society activities alike, are unemployment and the exclusion of the lower classes of society from access to adequate and secure living space. Whereas economic managers long ago introduced a dichotomy between living and working spaces, with ‘The Durban System’ amongst the most sophisticated of migrant labour schemes, this was an artificial division, one which xenophobic attacks traversed by allowing resentments born and kept alive in the workplace to be expressed in places of residence. Blame for xenophobic attacks thus generated should be placed squarely at the door of the economic and political leadership who, from the early 1990s, determined that post-apartheid arrangements

would perpetuate and even exacerbate the social divisions associated with migrant labour. Moreover, by placing limits on what Durban civil society can legitimately 'demand' (and in the process by excluding mass employment, housing for all, and an end to migrancy), the elites limited the ability of working-class people to respond to the problems the declining economy visits upon them. Amongst the limits are the character of working-class leadership, the politics and organizational forms they can generate, their ideology and struggle strategies/tactics, and their alliances.

4. In this context, we believe the *structural* problems that have adversely affected jammed Durban's low-income people – thus contributing to long-term xenophobic attitudinal norms – can be summarised as follows, with suggested recommendations for mitigation:

<b>Problem/issue/context</b>	<b>Recommendation</b>
<ul style="list-style-type: none"> <li>extremely high unemployment</li> </ul>	A unifying local/national/regional approach to lowering (durably high) unemployment, based upon a 'right to work' and sufficient public works resources, especially 'green jobs', directed to projects needed by poor people and their communities
<ul style="list-style-type: none"> <li>a tight housing market with residential stratification, and service delivery shortfalls</li> </ul>	A dramatic shift of state investment resources into housing/services, for both capital/infrastructure and ongoing operating/maintenance subsidies
<ul style="list-style-type: none"> <li>extreme retail business competition</li> </ul>	A rising level of disposable income for low-income people – e.g. through a Basic Income Grant - to accommodate the intensified desperation in the informal sector
<ul style="list-style-type: none"> <li>world-leading crime rates</li> </ul>	A commitment to dramatic increases in publicly-subsidised employment and to channelling investment resources into low-income areas, so as to mitigate the economic desperation that so often generates crime
<ul style="list-style-type: none"> <li>Home Affairs Department corruption</li> </ul>	Changes to SA state regulations that liberalise border restrictions (e.g. the Zimbabwean temporary work visa), and a very strong stance against such corruption, plus a dramatic increase in staff to accommodate the Department's rising clientele base
<ul style="list-style-type: none"> <li>cultural conflicts</li> </ul>	A much greater SA state commitment to promotion of cultural diversity and the 'melting pot' of regional citizenries within SA
<ul style="list-style-type: none"> <li>severe regional geopolitical stresses</li> </ul>	A shift of SA foreign policy – driven by regional solidaristic initiatives in civil society - away from strategies which exacerbated political-economic and geopolitical tensions in Southern and Central Africa

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## Part II: Introduction

5. May-June 2008 South Africa witnessed the country's worst-ever outbreak of xenophobic violence: 62 people including 21 South Africans were killed, 670 wounded, dozens of women raped, at least 100,000 people displaced, and property worth of millions of rand looted, destroyed or seized by South Africans and their leaders in the affected communities.<sup>1</sup> It didn't end then; latent hostility has been witnessed in various 'service delivery protests' in small cities across the country, as well as an explicit January 2009 attack on Durban immigrants in what was considered a United Nations place of safety, Venture Africa in Albert Park. (Subsequent attacks against immigrants have been documented, though not yet in sufficient detail to be certain about; moreover, two ethnic battles – between Zulu and Xhosa people - were apparently waged in Durban, in Hillcrest in May and the Kennedy Road settlement in September 2009.)
6. When it comes to explaining the way xenophobia emerges, there are two ways to deal with the deeper structural problems noted above. One approach is to *deny* xenophobia as a structural outcome of inequality and instead consider the billion people who engage in migratory labour in the world today as willing volunteers who enter labour markets with little impact upon local conditions. Hence, as United Nations Development Programme administrator Helen Clark puts it, '...fears about migrants taking the jobs or lowering the wages of local people, placing an unwelcome burden on local services, or costing the taxpayer money, are generally exaggerated.'<sup>2</sup> The then president of South Africa, Thabo Mbeki, reacted to a report of xenophobic tendencies brought to his attention through the African Peer Review Mechanism - 'xenophobia against other Africans is currently on the rise and must be nipped in the bud' - in December 2007: 'He said the report's assessment that xenophobic tendencies prevailed was "simply not true".'<sup>3</sup>
7. The second approach is to not deny but rather to *expect* structural roots of xenophobia to emerge under conditions of economic stress. As urban scholar David Harvey puts it, 'The response is for each and every stratum in society to use whatever powers of domination it can command (money, political influence, even violence) to try to seal itself off (or seal off others judged undesirable) in fragments of space within which processes of reproduction of social distinctions can be jealously protected.'<sup>4</sup> If Harvey is correct as a general proposition, and if the South African economy has generated some of the world's most severe stresses since the end of formal racial apartheid in 1994, with a rising Gini coefficient and far higher unemployment, what this means is that we require a *durable* epistemology to uncover both 'contingent' (momentary, conjunctural) and the 'necessary' (theoretically-derived) processes within South African political economy that help us understand xenophobia so as to transcend it.
8. These structural forces do not excuse or cancel agency. It is crucial to point out that xenophobic rhetoric and attacks are grounded in a politics that can be traced to leadership decisions (or vacuums), and to explicit discourses in both the apartheid and

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<sup>1</sup> Jean Pierre Misago; Loren B. Landau; and Tamlyn Monson (2009) 'Towards Tolerance, and Dignity: Addressing Violence against Foreign Nationals in South Africa'. (Johannesburg), pp7-12.

<sup>2</sup> Helen Clark (2009), 'Introduction', *Human Development Report - Overcoming barriers: Human mobility and development*, New York, UNDP, p.v

<sup>3</sup> SA Press Association (2007) 'Mbeki critical of crime issues in APRM report', Pretoria, 6 December.

<sup>4</sup> David Harvey (1989), *Consciousness and the Urban Experience*, Johns Hopkins University Press, Baltimore, 1985, pp.13-14.

post-apartheid eras. After all, politicians have long attempted divide-and-rule rhetorical strategies, and in South Africa, the history of organised, top-down xenophobia includes the appeal of Prime Minister Jan Smuts to Parliament in the 1930s:

We will prevent aliens from entering this land in such quantities as would alter the texture of our civilization. We intend to determine ourselves, the composition of our people... South Africa runs the danger of being flooded by undesirable elements of all kinds... owing to the extent of the borders of our country, it is easy for aliens to enter from Angola, from Bechuana-land and from Southern Rhodesia or from Lourenco Marques... We know that there are a great number of aliens in this country who are not legally here.<sup>5</sup>

9. In the same spirit, the first post-apartheid Home Affairs Minister, Mangosuthu Buthelezi, made the following claim, without supporting documents, to the National Parliament in 1997:

With an illegal population estimated at between 2.5 million and 5 million, it is obvious that the socio-economic resources of the country, which are under severe strain as it is, are further being burdened by the presence of illegal aliens... [citizens should] aid the Department and the South African Police Services in the detection, prosecution and removal of illegal aliens from the country... the cooperation of the community is required in the proper execution of the Department's functions.<sup>6</sup>

10. Migration researchers Jean Pierre Misago, Loren Landau and Tamlyn Monon contend that violence against [black] immigrants to South Africa has been a permanent attribute cross the apartheid and post-apartheid divide, where otherness/outsiderness, stereotypes, and structural exclusion prevent immigrants from exercising 'political rights and rights to residence in the cities'.<sup>7</sup> Durban geographer Brij Maharaj argues that the 'historical influx of migrants to South Africa has created a high proportion of rightless non-citizens, despite their length of residence which sometimes spans generations'.<sup>8</sup>
11. The combination of immigrant *rightlessness* and structural exclusion, amidst a perceived invasion of 'foreigners', resulted in organised social activism against individuals perceived as dangerous to the socio-cultural and moral fabric, and as threatening the economic opportunities of poor South Africans, within a system set up by wealthy South Africans to *superexploit* migrant labour from both South Africa and the wider region. Hence we require a framework to incorporate not only the flows of labour, the reproduction of labour in housing (especially during an unprecedented real estate bubble), the nature of extremely competitive retail trade in community reproduction, gender power delineations, and regional geopolitics, but also the consciousness that arises from these socio-economic relations, and the ways civil society organisations both contest the xenophobic reactions and in many cases fail to locate or address the root causes of xenophobia in structural oppressions.

<sup>5</sup> Sally Peberdy and Jonathan Crush (1998) 'Rooted in Racism: The Origin of Alien Control Act'. In Crush, Jonathan (ed.) *Beyond Control: Immigration and Human Rights in a Democratic South Africa*. (Cape Town), pp18-36.

<sup>6</sup> Jonathan Crush (2008) 'The Perfect Storm: The Realities of Xenophobia in Contemporary South Africa'. Southern African Migration Project. (Cape Town), pp17-18.

<sup>7</sup> Misago; Landau, and Monson, *op cit*.

<sup>8</sup> Brij Maharaj (2004) 'Immigration to post-apartheid South Africa'. (Geneva), pp2-3.

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## Terms of reference

12. The particular brief we have is to document civil society's response to xenophobia and assess its efficacy. Drawing from new research and existing community links, researchers of the Centre for Civil Society (CCS) in Durban have sought to better understand whether civil society reactions to the 2008-09 xenophobia incidents were limited to alleviating the short term symptoms of xenophobia – via service provision and social solidarity - or also aimed to generate long-term solutions. While some civil society organisations responded only to short-term (and vitally-necessary) challenges, providing food and shelter, others aimed to generate solidarity with immigrants in some of the most stressed geographical areas, while others adopted reintegration strategies which engaged local authorities. Some also sought to articulate and address the long-term structural processes associated with xenophobia, though with far less success.
13. To understand this complicated multi-scalar cross-temporal project, CCS's research analyses the way civil society organised in response to the crisis in 2008-09, bearing in mind structural factors such as employment, housing, retail trade and regional geopolitics. Without changes in these factors, we conclude, the conditions for another xenophobic upsurge remain. In the process, CCS witnessed some Durban organisations joining together sporadically (e.g. Durban Action Against Xenophobia) while others were part of a formal umbrella organisation (the Durban Refugee Service Provider Network) which formally dealt with the UN High Commission on Refugees (UNHCR), and yet another network - The Coalition Against Xenophobia, Racism, Ethnicism and Poverty – formed to address xenophobia through social activism.
14. The three networks responded very differently to the crisis, and had different levels of engagement with formal structures. The Durban SA Police Services engaged quite effectively with some civil society organisations to identify possible 'hot spots' of xenophobic violence following reports from other provinces. Yet the same police department itself showed clear signs of xenophobia when dealing with the Albert Park refugees in November 2008, as documented below.
15. While Durban did not suffer murders on the scale of Johannesburg and Cape Town (and had about 10% of the displacement problem), there are several case study sites of enquiry that enlighten us about these process. To take one example explored in depth below, Bottlebrush is located in Chatsworth's Crossmore community in South Durban. The foreign nationals living there before the xenophobic outbreak were very poor and sought temporary employment of any kind. They were primarily refugees from political violence or extreme economic deprivation in their home countries. Some reintegration has been witnessed of 'foreigners' into the Bottlebrush community in late 2008 following an ethnic cleaning in May-June. This has not been 'formal' via United Nations or national/provincial/municipal government efforts; instead it followed the interventions of civil society actors to supervise and monitor the process. Likewise in Cato Manor, many of the foreign nationals residing in the township prior to the outbreak of violence were from central Africa (fleeing violence) and the SADC region in general (seeking economic opportunities or in the case of Zimbabweans reacting in desperation to economic breakdown). During the xenophobia they fled first to a temporary shelter in Cato Manor and were then re-located to the official refugee camp in Albert Park where tents were provided by an individual philanthropist, along with food and general care provided by Durban Action Against Xenophobia. But for a group of 50 refugees from the Democratic Republic of the Congo, Albert Park was closed down as a place of safety on November 3. While some of the displaced had

stayed throughout this period, setting up their own makeshift shelters, the Durban police were ordered to displace them – to the wind. Given such signals from the municipality, it was not surprising in January 2009 when a Durban city councilor apparently led a paramilitary group of local South African xenophobes, ultimately throwing immigrants to their deaths from 6<sup>th</sup> floor windows at Venture Africa in Albert Park. It is this mix of organic and official brutality that must be discerned, in part by examining both structure and agency in Durban civil society.

## Methodology

16. The methodological strategy we adopt is common to structuralist social science research. The initial theoretically- and empirically-derived investigations are correlated through extended interviews with informants to capture, as much as possible, consciousness and discourse. The informants are individuals based in the case study communities, civil society leaders and state actors. The interviews seek to answer the following questions:
- Who was affected by the xenophobic violence in our case studies? [geography of conflict, social and political dynamics, structural factors]
  - Who were the actors involved in the response? How and why did they get involved? [community organisation and mobilisation]
  - How did civil society respond to the xenophobic violence in our case studies? What was the immediate response and how was it coordinated? What (if any) initiatives were undertaken in addition to immediate responses? [short- and long-term initiatives]
  - How do those affected (individuals and community members) feel about xenophobia today? Is it likely to happen again? [perceptions and attitudes]
  - How do those civil society actors involved feel about xenophobia today? Is it likely to happen again? Would the response be different? [perceptions and attitudes, future vision]

## Sampling Methods

17. The initial field research for the investigations was conducted from August to September 2009, with follow-up work scheduled for October-November 2009 once feedback is provided on this draft report. The investigation relied on purposive sampling and ‘snowballing’ techniques to gather respondents.<sup>9</sup> The CCS team initially identified participants according to researchers’ prerogative. Secondly, however, beyond this ‘purposive’ sampling, CCS engaged in ‘snowball’ sampling, so as to investigate a particular mind-set adopted by a specific group of people involved or excluded in the xenophobic violence. The objective is to assess underlying and immediate causes of the attacks and civil society’s responses. In addition, this research intended to understand why xenophobic violence did not happen in other locations with similar socio-economic backgrounds and sometimes with history of high crime rates and violence such as Inanda. The limitations of these methods is that the findings can be generalised by they are not probability sampling.<sup>10</sup>

## Sampling Area

<sup>9</sup> Kenneth D. Bailey (1982) *Methods of Social Research*. Second edition. (London), pp100.

<sup>10</sup> Earl Babbie and Jean Mouton (1998). *The Practice of Social Research*. (Oxford), pp166.

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18. Our sampling area consists of the Durban Central Business District (CBD) including Albert Park Area and Warwick Junction/ Avenue, the Dalton Hostel in Umbilo Road, Cato Manor and Cato Crest, Unit Avenue and Bottlebrush in Chatsworth, Lower Morningside, and areas with higher concentration of Zimbabweans (Umgeni Road, Red Hill, and Reservoir Hill). The first 6 sites were selected because of the history of cross-cultural and multi-racial characteristics, moderate or extreme xenophobic attacks; whereas the last sites was purposively included because of killings of refugees in the post-May-June 2008; whereas the last 2 have high density of Zimbabweans and its subsequent subject to exploitation by the employers, wage undercut by illegal and legal migrants, and subsequent potential for further xenophobic attacks.
  19. Indeed Albert Park has been a space where lower-income, formally unemployed South Africans of all races live side-by-side with non-South Africans of similar socio-economic backgrounds. Albert Park has been one of the areas where paradoxically the Community Policing Forum manifestly expressed the dislike of foreigners for several reasons including overcrowding the flats, lettering, and increasing crime rate. In deed, the Albert Community Policing Forum met 19th January 2008<sup>11</sup> to address the issue of non-nationals living amongst them. It is alleged that the CPF wrote to the e-Thekwini Municipality to remove all foreigners from the area. It is not surprising that the same institution led the mob who invaded Venture Africa to expel by force non-South Africans and killing one Tanzanian and one Mozambican dead. The Warwick Junction has been and continues to be a contested terrain where foreigners and South Africans fight together against their common threat(s). But once the menace is over, the two communities are back to square one of lack of trust, indifference, suspicion, and dislike resurfaces. Umbilo Road, Cato Manor and Cato Crest were included for being hotspots. As for Inanda, the aim is explore how different is this location which remained 'peaceful' from others which witnessed xenophobic violence with hope of reproducing the prevailing conditions of Inanda to several hotspots in Durban.

### Sampling Size

20. One hundred eighty-seven people participated in the Durban Case Study across the city. The breakdown of our participants include the following:
21. In Albert Park Area, 20 interviews were conducted using the questionnaire and making sure to include both males and females just after the attacks between June and July 2008. The break down of these interviews revealed that 5 in-depth interviews were also conducted with provincial government at the Department of Home Affairs (Head of Immigration Services) and amongst City of Durban local officials in the Department of Social Development whereas the rest 5 took place with government officials. Further in depth interviews were conducted with various civil society groups such as churches and Durban Action Against Xenophobia (DAAX), and 10 interviews with migrants. Five more interviews including occurred in the area between October and November 2009. In fact, three female and two male participants were interviewed.
22. In Warwick Junction/ Avenue, 25 people including 5 non-South Africans, were interviewed in the Warwick Avenue / around the Early Morning Market. In the South African group, there were 5 female and 15 male traders. The choice was made on the assumption that male traders are more likely to get involved in the xenophobic

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<sup>11</sup> CoRMSA newsletter Edition 6 – 22nd January 2008

violence than their female counterparts. The migrant group consisted of barbers who are members of the Siyagunda Association.

23. Ten participants were interviewed in Dalton Hostel from Umbilo Road. The group which invaded a Tavern Owned by a Nigerian national and so sparking the May-June 2008 Xenophobic Violence in KwaZulu Natal after Johannesburg, Cape Town, and other cities.
24. In Cato Manor and Cato Crest, 17 interviews were conducted including 9 Shebeen owners, 4 landlords, 2 police officers, 2 South African women living together with non-South Africans, 2 tuck shop owners, 3 hawkers and small business owners, 4 general workers and residents.
25. In Bottlebrush, 22 open-ended interviews were conducted with residents of Bottlebrush and, in addition, 6 key informants from the nearby Ekupholeni (Crossmore) informal settlement were interviewed, 4 of whom previously lived in Bottlebrush. It is important to note that I also attended 2 meetings called by Bottlebrush residents, one organizing a land invasion and the other at the site of the failed land invasion. The latter took place as people's building material was burning and the council's Police Protection Services officers were standing guard with their big shotguns and pump action rifles. I also hung around the Bottlebrush and Ekupholeni areas for about a week or so trying to get the feel of the place without being too obtrusive.
26. In Chatsworth - i.e. Bayview (flats), Bayview Unity Avenue, Welbedacht Ashram, Crossmoore Shack Settlement, and Westcliff Flats - 45 people including 25 community members/ residents, 2 police officers from Metro Police and SAPS Chatsworth, 3 municipal officials, and 15 victims of xenophobic violence were interviewed.
27. In Lower Morningside, five people including 1 police office, 1 South African coloured male, 1 South African Zulu car guard, a Congolese security guard, 1 white South African businessman in order to understand what happened before, during, and after the May-June 2008 xenophobic violence in this area mainly occupied by wealthy white residents.
28. In Red Hill, Reservoir Hill, Umgeni Road, and Morningside; 25 refugees and illegal immigrants from Zimbabwe were interviewed in order to explore, confirm or reject the accusations of undercutting wages in different sectors of activities domestic work included - in both the formal and informal economy, competing with South Africans around jobs, housing, social grants and scarce resources. Eight other refugees and migrants from the DRC, Rwanda, and Burundi; and 3 South Africans.

## Data Collection

29. Primary data collection consisted on in-depth interviews with closed and open-ended questions of key informants from the community, community residents, police, local government officials, two ward councilors from Chatsworth and Sydnam, Department of Home Affairs and Department of Social Development officials, and xenophobia victims. In addition, in-depth interviews were conducted with provincial government. In depth interviews were also conducted with various civil society groups such as churches and Durban Action Against Xenophobia (DAAX). Where possible, interviews were recorded, but due to the often sensitive nature of the discussion, anonymity was promised to those who requested it. The investigation also relied on



participant observation and the researchers' previous knowledge and familiarity with the area. Participant observation was also used to cover the gap between structured and unstructured interviews, open ended and closed questions and some relevant aspects of potential sources for conflict between South Africans and immigrants, whom we will variously term immigrants, refugees or 'foreigners' depending upon the specific context. Secondary data collection consisted of a wide range of publications, newspapers, journal articles, and the internet.

30. To establish the grounds for the study of structural forces, the team also explored economic activities (such as access to wage employment and self-employment/ retail business) that respondents perform on a daily basis; and the housing situation in various settings; and South Africans' and immigrants' perception of crime; and the issue of corruption at Home Affairs which allows illegal immigrants to enter and stay in the country; and socio-cultural issues; and regional political economy which remains a cause of social exclusion. All of these work in interlocking, overlapping ways to set context for the xenophobic upsurge witnessed in mid-2008, and after.

## Structure of this report

31. The introduction develops the rationale of the study, including a brief literature review pointing to structural processes such as labour migration, and also offers a summation timeline of key events in 2008-09 and of relevant civil society organisations. The structural context of South African political economy and regional geopolitics is terribly important, as discussed in the next section, because it helps clarify the possibilities and limitations of local-level civil society intervention at a time when global and national political economy may be determinant. As for local (Durban) information, the next section of the study covers events in the three main sites of xenophobia during 2008-09: Chatsworth, Cato Manor/Crest and the Central Business District (CBD). Following the descriptive material available in the case studies, the main structural *explanations* are considered in the final section, where recommendations are made for political and civic action against xenophobia, driven by progressive civil society organisations.

## Literature review

32. This review of selected literature has four parts; first we consider immigration laws from the apartheid to the post-apartheid epoch, second we consider different theoretical arguments that explain xenophobic violence, third capitalist urbanisation, and four we investigate xenophobic attitudes through the lens of the government, the media and commonsense of ordinary citizens. In the next section, evidence (from a growing academic and policy-related literature) that documents extreme structural crises in South Africa is reviewed.
33. South African has a long history of migration linked to the mining industry. Contract labour initially compelled migration from Malawi, Mozambique, Lesotho, and Zambia – and of course India - to work in sugar cane fields of Natal from the 1840s onwards, and later on in diamond and gold mines in the 1870s in Kimberley and 1890s on the Witwatersrand.<sup>12</sup> As Brij Maharaj notes, 'Historically, the mining and agriculture sectors in South Africa have been dependent on migrant [abundant cheap] labour from

<sup>12</sup> Jonathan Crush (2000) 'Migrations past: An historical overview of cross-border movement in Southern Africa'. In D. A. McDonald (ed.). *On Borders. Perspectives on International Migration in Southern Africa*. (New York), pp12-24.

southern African countries. In fact much of South Africa's mineral (and natural) wealth has been produced on the backs of migrant mine workers.'<sup>13</sup>

34. But once the dynamic changed from migration based upon economic activity function to large-scale capital, to desperation-based refugee immigration over the past thirty years, official reaction changed dramatically. White-ruled South Africa aimed to reduce the latter, by electrifying the Mozambican border and arresting and deporting asylum seekers despite Pretoria's involvement in civil wars which pushed people to leave their countries of birth. Regrettably, immigration law remains one of the apartheid legacies that South Africa maintains, with slight changes, from which xenophobic attitudes grow and explode.
35. To explain South African xenophobia, several theoretical arguments and discourses have emerged in South Africa and the world at large. CCS researcher Shauna Mottiar draws upon Bronwyn Harris' work to discuss three hypotheses that help to explain xenophobia:
  - firstly, locating xenophobia within the context of social transition and change, 'scapegoating' explains hostility towards foreigners in relation to limited resources such as employment, housing, healthcare and services coupled with high expectations for social change during a transition. 'In the post-apartheid epoch, while people's expectations have been heightened, a realisation that delivery is not immediate has meant that discontent and indignation are at their peak. People are more conscious of their deprivation than ever before. This is the ideal situation for a phenomenon like xenophobia to take root and flourish. South Africa's political transition to democracy has exposed the unequal distribution of resources and wealth in the country..' <sup>14</sup> In this context people create a target to blame for ongoing deprivation and poverty. The scapegoat theory suggests that foreigners become scapegoats because they are seen as a threat to the aforementioned housing, employment and services.
  - secondly, there is the problem of 'isolation' which situates 'foreignness' at the heart of hostility toward foreigners. The isolation hypothesis understands xenophobia as a consequence of apartheid South Africa's seclusion from the international community. 'There is little doubt that the brutal environment created by apartheid with its enormous emphasis on boundary maintenance has impacted on people's ability to be tolerant of difference'. This theory suggests that South Africans are unable to tolerate and accommodate difference, indeed find difference challenging.
  - thirdly, there is the 'biocultural' hypothesis which situates xenophobia in terms of physical biological factors and cultural differences exhibited by African foreigners. The use of biocultural elements has long been utilised: 'In trying to establish whether a suspect is an illegal or not, members of the internal tracing units focus on a number of aspects. One of these is language: accent, the pronouncement of certain words (such as Zulu for 'elbow', or 'buttonhole' or the name of a meerkat). Some are asked what nationality they are and if they reply 'Sud' African this is a dead give-away for a Mozambican, while Malawians tend to pronounce the letter 'r' as 'errow' ... . Appearance is another factor in trying to establish whether a suspect is illegal -- hairstyle, type of clothing worn as well as actual physical appearance. In the case of Mozambicans a dead give-away is the vaccination mark on the lower left forearm ... [while] those from Lesotho tend to

<sup>13</sup> Brij Maharajj (2004) 'Immigration to post-apartheid South Africa'. Global Migration Perspective No. 1. (Switzerland), pp2

<sup>14</sup> Shauna Mottiar (2008) 'Responses to Xenophobia: Building Local Capacity to Mitigate Violence and Displacement'. Original Centre for Civil Society Proposal, the Xenophobia Project.

wear gumboots, carry walking sticks or wear blankets (in the traditional manner), and also speak slightly different Sesotho.’ The biocultural hypothesis suggests that certain physical or cultural attributes generate xenophobia as they highlight whom to target.<sup>15</sup>

36. Harris warns, however, that while the three hypotheses offer important insights into xenophobia, they do not properly account for why ‘the (black) foreigner as the unknown other evokes violence and aggression in South Africa.’ Moreover, unless they are ‘read as an interconnected series of explanations, they risk presenting xenophobia as uniform or monolithic, whereas it is usually black foreigners who bear the brunt of this phenomenon.’<sup>16</sup>
37. Michael Neocosmos suggests that citizenship and political identity can contribute to our understanding of xenophobia, for it is primarily a discourse of exclusion of some groups of population from the community. This process of exclusion is a political process in that the state plays a key role, and only politically marginalised groups are excluded. Xenophobia means exclusion from the community, i.e. exclusion from its citizenship, rights and duties - and is connected to the fact of belonging and not belonging. It is the outcome of a relation between different forms of politics i.e. state politics and popular politics, state subjectivity and popular subjectivity.<sup>17</sup>
38. In contrast, historical materialism views xenophobic violence through the lens of class struggles and the mode of production.<sup>18</sup> With the demise of apartheid the rich getting richer and the poor poorer. South Africa in September 2009, it is now generally agreed, is possibly the most unequal society in the world with a Gini co-efficient of index of 0.679.<sup>19</sup> The work of David Harvey, a Marxist scholar and pioneer of a field of scholarship that integrates the study of space with that of time, of geography and history, is relevant in this research.<sup>20</sup> Many researchers would agree and they have tried to explain it as a function of the poorest of the poor living in such areas and hence escalating the perceived competition over scarce social goods such as housing.<sup>21</sup> But it must be noted that the poorest of the poor are also to be found in areas with brick and cement houses, for example, in areas made up of government-built subsidized (RDP) houses. Other researchers have pointed out that many African immigrants end up living in informal settlements because of their economic circumstances and also because many of them do not have the necessary documents to live and have access to some rights including can access to a shack and perhaps to

<sup>15</sup> Citation of Harris

<sup>16</sup> Citation of Harris

<sup>17</sup> Michael Neocosmos (2006) From ‘Foreign’ Natives to Native Foreigners. Explaining Xenophobia in post-apartheid South Africa. (Dakar) 15-18.

<sup>18</sup> Karl Marx and Friedrich Engels, The Communist Manifesto, the Marx-Engels internet archive

<sup>19</sup> Donwald Pressly (2009), ‘South Africa has widest gap between rich and poor’, *Business Report*, 28 September.

<sup>20</sup> David Harvey (1985) *Consciousness and the Urban Experience*, op.cit. Please see also *The Urbanization of Capital* (Oxford).

<sup>21</sup> “The xenophobic attacks that took place at the end of May in Johannesburg were located in particular spaces in the city: in shack settlements, in the vicinity of hostels, and in inner city suburbs. These are housing environments that have been neglected by the state. They are characterized by severe overcrowding, deteriorating services, high levels of poverty, rampant unemployment, ongoing racial segregation and the daily struggles of poor people forced to compete with one another for increasingly scarce resource.” (Melinda Silverman and Tanya Zack (2008) ‘Housing Delivery, The Urban Crisis and Xenophobia’ in *Go Home or Die: Violence, Xenophobia and the Reinvention of Difference in South Africa*, Wits University Press, Johannesburg.

reckon that they are less likely to be found out and arrested as ‘aliens’.<sup>22</sup> However, this line of research sometimes tends to be descriptive, without digging out the underlying processes which push some South African citizens and the migrants to informal settlements under the capitalist system. It is equally important to explore the political, social and economic dynamics that sometimes lead to xenophobic attacks in some informal settlements and not in others.

39. The existence of informal settlements, or squatter camps, is a whole field of study in itself.<sup>23</sup> In South Africa it is estimated that 6 million live in shacks.<sup>24</sup> Often this is blamed on the government’s failure to ‘deliver’ enough houses, fast enough to accommodate everyone in need.<sup>25</sup> But the bigger question is whether the shortage of housing for the working class, as is the shortage of jobs, is an aberration or part and parcel of how the capitalist system works.<sup>26</sup> Harvey quotes Marx suggesting that capital functions in such a way as to ‘practically [expel] them [workers] from the earth as a dwelling place’.<sup>27</sup> Why is this so? Because:

The system of private property that excludes labour from land as a condition of production also serves to exclude labour from the land as a condition of living.<sup>28</sup>

40. What this suggests is that for the working class, acquiring adequate and affordable accommodation will always constitute a struggle as long as society is governed by the law of capital. This is an important point in the South African context because at some point in the history of the country the idea developed that the end of apartheid would solve all the problems faced by the masses and there would be a better life for all. Notwithstanding the South African Communist Party’s influence within the ANC, the idea took root that somehow the interests of the working class would be realizable while capital continued its economic hegemony. Recently, the idea of a ‘developmental state’ is being propounded as the solution to the problems of poverty besetting the country. But this is a fiction so long as it leaves the power of capital more or less untouched.<sup>29</sup> From this we can conclude that struggles over housing, and the existence of informal settlements, will continue into the future so long as capitalism rules the roost in South Africa.
41. Structural analysis of xenophobic violence takes us back to early post-colonial era. At independence in Africa, the new African states faced many problems. One of the key aspects of Africa’s colonial inheritance has been economic legacy; the continent’s poor economic performance. Economic and political analysts have blamed the colonial

<sup>22</sup> “Access to this [RDP subsidised] housing is severely circumscribed. Beneficiaries must have South African residency...But again [with social housing] there are restrictive conditions of access: South African residency... [whereas] In theory almost anyone can occupy a shack. Shack settlements are often the key reception points for most new migrants to the cities, particularly foreign-born residents”. (Melinda Silverman and Tanya Zack, op. cit. pp.148-150).

<sup>23</sup> See for example Michael Davis’s *Planet of Slums*, a seminal Marxist work on the subject.

<sup>24</sup> Angela Brown, *Environmental Health Interventions in Informal Settlements*, Ethekwini Health Unit, Ethekwini Municipality, 21 May 2009.

<sup>25</sup> See, for example, Melinda Silverman and Tanya Zack, op.cit. They question the type and method of housing provision.

<sup>26</sup> Karl Marx coined the term “the reserve army of labour” to explain the existence of the unemployed showing that unemployment is a necessary, functional and inevitable phenomenon under capitalism. See *Capital, Volume 1*, Marx-Engels internet archive. Engels’s *The Housing Question* argues along the same lines for housing as for jobs, internet archive.

<sup>27</sup> Marx, *Capital* (1967) Volume 3, International Publishers, (New York), pp. 3-773

<sup>28</sup> Harvey, op. cit. p.38

<sup>29</sup> Patrick Bond (2009) ‘Response to RW Johnson’, *New Left Review*, September,

inheritance, arguing that the continent was systematically under-developed by imperial interests. The colonial and post-colonial period failed to provide Africa with basic economic foundations that African governments needed for their countries to develop on their own, leaving them economically vulnerable and dependent on the West. Economic activities of the international/global system have continued to advance the position of the West.<sup>30</sup>

42. The scope of Africa's economic failure should, however, also be broadened by considering policies and practices that African governments in the post-colonial period adopted, and the contribution of such policies to Africa's troubled economic systems. Since independence, African leaders have attempted to achieve their goals through a variety of strategies.<sup>31</sup> Conflicting interests, competing power bases, divisions along ethnic and racial lines and Africa's nationalists' acceptance of political boundaries to divide African nations have also had their own negative impact. For some countries, a deep and continuous divide has remained unresolved. Sudan and Chad, for example, have been divided between an Arab Muslim north and an African Christian south. Both countries have suffered destructive civil wars over the decades. In Nigeria, one of the largest countries in Africa with an estimated population of 120 million, the divide has been roughly three ways: the Muslim north, Ibo east and Yoruba south. In 2001 there were renewed bloody clashes between Muslim and Christian Nigerians. In Rwanda in the 1990s, ethnic frictions resulted in genocide with an estimated million Tutsi being killed by Hutu.
43. As Alex Thomson argues, arbitrary boundaries, weak links between state and society, formation of a state elite and weak political institutions will remain major causes of Africa's failing economic system in the twenty first century, and in turn, major factors in the generation of economic refugees to South Africa.<sup>32</sup> Given the continuing imbalances of the distribution of resources, it seems that social democratic movements in Africa have lost their original vision of social and economic transformation aimed at reducing poverty and demonstrating sensitivity to human rights issues and values. Political diversity failed to make a distinction between party and government, and gave more power to the ruling party. In Southern Africa this has come to define political correctness and patriotism in terms of political interests of the ruling elite.<sup>33</sup> This new form of repression, in the words of A. Abrahamsen, suggests that African governments, including South Africa, operate in a power structure based on colonial principles of 'rulers and subjects', the very political mentality that they proclaimed they would destroy.<sup>34</sup> Generally, all these problems have caused serious tensions between the state and the society, resulting in unrest and warfare against the state.
44. South Africa joined the democratic nations of the world in 1994 with its liberal constitution. Although South Africa is one of the better-developed and wealthier

<sup>30</sup> Plummeting commodity prices for a wide range of products on the world market, mounting debts, weak currencies, and pressure from the International Monetary Fund and the World Bank are some of the problems that have weakened Africa at a global economic level.

<sup>31</sup> For example, Kwame Nkrumah of Ghana had a pan-African vision with a modern, industrialized and socialist Ghana at the helm. In Zambia, Kenneth Kaunda's policy of 'Humanism' was said to combine socialist ideas with Christianity. In Zimbabwe, on independence in 1980, Mugabe's government was to be based on Christian-Marxist principles.

<sup>32</sup> A Thomson (2000) *An Introduction to African Politics*, London and New York: Routledge, 2000.

<sup>33</sup> G. Harrison (2001) 'Bringing Political Struggle Back in: African Politics, Power, and Resistance', in *Review of African Political Economy*, number 89, pp. 387-402.

<sup>34</sup> A. Abrahamsen (2003) 'African Studies and the Post colonial Challenge', in *African Affairs*, volume 102, pp. 189-210.

nations on the continent, the nation is not immune to problems facing other African states. South Africa has been divided along, for example, ethnic, class, race, gender and political lines. Internal repression and contradictions remain a challenge to South Africa's liberal democracy. The historical context of these divisions is understandable. Rapid industrialization, urbanization and labour migration have dislocated many communities. Accompanying capitalist developments, these social changes have resulted in black impoverishment and the growing rate of physical violent crime. Although none of these problems is new, the decade of reformism in South Africa produced a new form of political violence, conflicts between black masses and the state, and escalating levels of political intolerance in the country. Rapid urbanization, massive influx of people into shack areas around cities, economic recession and massive unemployment, increasing class differences, fight for resources by diverse people and political struggles between competing political parties all gave rise to antagonisms of different kinds.

45. The crisis has been exacerbated by the growing rural/urban divide, that has left economic activities restricted to major cities and towns; Johannesburg, Durban, Port Elizabeth and other South African cities. This has resulted in widespread rural poverty, unemployment, and escalating urban development which has rendered urban development less functional.<sup>35</sup> Accompanying this was the growing number of female-headed families and generational conflicts as the youth rose to assert their political agency.<sup>36</sup> All these forms of social identification created new senses of belonging that Shuka Marks calls "maps of meaning", an expression that was more powerful than mere adherence to a particular racial and ethnic political philosophy.<sup>37</sup> This is also reflected in the fast growing number of poor whites in South Africa. Since the late 1970s, the growing influence of trade unionism and the fast growing unionization among migrant workers across regional, ethnic, gender and, to some extent, racial boundaries in South Africa suggests mobilization with a strong sense of working class consciousness as a common goal among the impoverished majority.<sup>38</sup> Therefore, processes accompanying urbanization have given rise to proletarianization, social dislocation and violence as the poor majority competed for scarce resources to survive in the city, employment, housing, and land. The xenophobic attacks in South Africa should thus be seen in terms of poverty, growing unemployment and urban overcrowding, in which residents were willing to use it to protect their interests against other workers or citizens.<sup>39</sup>

## A timeline of xenophobic events, May 2008-July 2009

46. **Mid-May 2008** The first attacks in Alexandra, Johannesburg are reported in the media as xenophobic attacks. Within days of the attacks in Alexandra, according to Lawyers for Human Rights and the Mennonite Council, SAPS in Durban call in several

<sup>35</sup> M. Schoeman, "The political economy of South Africa in global context", in A. J. Venter (1998) *Government and Politics in the new South Africa*, Johannesburg, J. L. Schaik, pp. 302-303.

<sup>36</sup> C. Glase (2000) *Bo-Tsotsi: The Youth Gangs of Soweto, 1935-1976* (Cape Town),

<sup>37</sup> S. Marks (1992) 'The Origins of Ethnic Violence in South Africa', in N. Etherington (ed), *Peace, Politics, and Violence in the New South Africa*, London, Hans Zell Publishers, pp. 126-128.

<sup>38</sup> For some of these see, for example, T. Lodge (1983) *Black Politics in South Africa since 1945* (Braamfontein)

<sup>39</sup> Examples of this can also be seen in the pattern of violence between AmaZulu and AmaMpondo in the 1980s in Malukazi, Durban. For that see S. Marks, "Patriotism, Patriarchy and Purity in Natal and the Politics of Zulu Ethnic Consciousness", in L. Vail, *The Creation of Tribalism in Southern Africa*, London, 1989.

NGOs to discuss a strategy for prevention of similar attacks in Durban. 'Hotspots' are identified and extra policing laid in.

47. **End May 2008** Before all measures for prevention can be put into place, incidents begin to be reported in the Durban area. Lawyers for Human Rights and other groups are called to assist a group of displaced people from the Bottlebrush community who are sheltering in the Morton Community Hall. They report that posters had been put up in the Bottlebrush area warning foreigners to leave the community or face attack. Most people request voluntary repatriation to their home countries. Displaced people from the Bottlebrush community are housed at the Refugee Pastoral Care centre at Emmanuel Cathedral. Before long more displaced people from other communities begin to arrive at this and other churches around Durban. People come from all communities around Durban, including but not limited to Berea, Umbilo, Isipingo, Red Hill and Inanda. People also start to congregate at the police stations in their communities, notably at Cato Manor, Verulam, Mjhebheni, Isipingo, Kwamakhutha and Greenwood Park. The Red Cross begins distributing food, mattresses and blankets donated by the public.
48. **Early June 2008** Several hundred people are voluntarily repatriated to their home countries – mainly Mozambique, Tanzania, Malawi and Zimbabwe. The eThekweni Municipality manages the logistics of repatriation and pays some or all of the costs. Most people travel by bus, and are supplied, where possible, with 'care packages' of sandwiches and drinking water by the Red Cross.
49. **End June 2008** Most repatriations are complete. Most police stations no longer have people sheltering there. Churches begin to report that they can no longer shelter people due to lack of facilities and resources. Several people begin reintegration process, with assistance from churches, UNHCR, LHR and Mennonite Council. The Red Cross discontinues provision of supplies to churches and other shelters due to the need to provide assistance to storm victims on the KZN South Coast.
50. **Early July 2008** Greyville Methodist Church buses 40-plus displaced people to the centre of Durban and leaves them on the steps of City Hall. They claim they can no longer cope with sheltering refugees and further claim that the City and Province have repeatedly promised to assist but this has not been forthcoming. On 1 July the City moves several people over to the old SPCA site in Cato Manor overnight, housing them in tents but not providing mattresses or other amenities. When a representative of Durban Action Against Xenophobia visits the following morning, there are 27 people on site. It is not known for certain what happened to the others, but it appears they had voluntarily reintegrated. Several more people join the group at the SPCA over the course of the next few days. It is clear the shelter is inadequate, and the City then moves them to a shelter in the city. There, they are addressed by LHR and the MCC, who offer financial assistance and guidance in reintegrating. The MCC offers some of the single mother's refuge at a women's shelter. They refuse. A group of people agree to the reintegration process but subsequently this group splits and, while some reintegrate, others join a group already staying at the shelter. When they hear that the City has paid for their shelter only until the Friday of that week (11 July), this group leaves the shelter on Wednesday 9 July and camps on the steps of City Hall. The Metro Police, apparently under orders from City Manager Mike Sutcliffe, forcibly remove people from City Hall on 10 July, and take them to Albert Park. Civil Society groups condemn the City's treatment of the people, and rally around to provide shelter, food and support.

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51. **September 2008** The owner of the tents in which the displaced people are sheltered at Albert Park removes the tents, allegedly after being told that all the displaced people had reintegrated and the tents were no longer needed. A number of people disperse from the site, apparently to reintegrate – MCC reports assisting several of these people to reintegrate. MCC further reports that this group claims there has been ‘a split in the leadership’ of the Albert Park group and that threats and intimidation have been used to attempt to force people to stay in the park. A group of people, mainly composed of women and children, remains in Albert Park, sheltering under plastic bags.
  52. **November 2008** Police forcibly remove the remaining people from Albert Park, claiming they have been told to clear up the park for an upcoming Imbizo. This raises the issue of xenophobia and the City’s mishandling of displaced people once more.
  53. **January 2009** Albert Park is again the scene of a xenophobic mob attack, when a Tanzanian and Zimbabwean are killed – and another Zimbabwean badly wounded – when they were thrown off the sixth floor of the Venture Africa refugee building.
  54. **July 2009** Unconfirmed reports from Morningside near the Central Business District suggest a Zimbabwean man was killed in a xenophobic struggle for retail space associated with the drug trade.

### **Durban civil society confronts xenophobia**

55. A few Durban civil society organisations quickly emerged in June 2008 to address the crisis. There was a clear division between those civic groups that were providing material assistance to the displaced and those whose work was more ‘behind the scenes’ but nonetheless vital, as well as the organizations which took a solidaristic, more political/advocacy role. Most visible were the churches, of several denominations, which took in displaced people, housing and feeding them, sometimes for weeks at a time, with limited facilities and resources. The Red Cross took on the role of collecting, coordinating and delivering material aid in the form of food, clothing and basic hygiene supplies. They were supported largely by student volunteers and donations from the public, though they received financial support from the eThekweni Disaster Management fund. Several observers noted that Red Cross appeared under-resourced and unprepared for a crisis of this nature in the South African context. Though this may seem surprising in the context of Red Cross’s international mandate, it is in line with the experiences of other civic organisations in Durban, representatives of which noted their own lack of capacity as highlighted by the crisis.
56. Civil society organisations played different roles in the context of Durban’s management of the crisis. Most organisations at first acted in the belief that the City of Durban and/or the provincial government would soon step in to coordinate and lead efforts. This did not occur, and as a result, despite attempts from more experienced coordinators, efforts were haphazard, often overlapping and largely undocumented. As mentioned, the Red Cross was largely supported by donations from members of the public. In late May 2008, Durban Action Against Xenophobia (DAAX) led a ‘trolley drive’, placing trolleys at the entrances to supermarkets in major shopping centres all around Durban. Public response was exceptional, and volunteers had to be called upon to empty trolleys several times a day over the week that the drive was on. Several private citizens also took it upon themselves to collect food, clothing and blankets at their places of work and deliver them to the Red Cross, which was headquartered in a small room behind the Cato Manor Police Station. Additionally,



parishioners of the many churches that hosted displaced people gave donations and spent time cooking for people. These included members of all communities around Durban, though there was a predominance of upper-middle class people involved, particularly at the volunteer level.

57. All the civil society organisations we spoke to in the course of this research emphasised the important role the public played in generously providing for the displaced. This response unfortunately seems to have been short-lived. This may have been partially due to 'burnout' as the public felt they had 'contributed enough' by a certain point. There also seems to have been widespread belief in government announcements that the xenophobia was 'over' and that there were no longer any displaced people (media coverage of local and national government announcements).
58. Three networks deserve mention at the outset. The Durban Refugee Service Providers Network (RSPN) worked on material relief alongside the main representatives of the United Nations High Commission for Refugees: Lawyers for Human Rights (LHR) and the Mennonite Central Committee, later renamed Refugee Social Services (RSS). Other member organisations provided an important support network both for 'legal' refugees and for 'illegal migrants' during the crisis. The RSPN organised and hosted several workshops during the crisis period and provided a leadership and coordination role (to the best of its capacity). All member organisations have an ongoing commitment to education around xenophobia. It should be noted that member organisations are mandated to provide assistance to official refugees – that is, foreign nationals who have asylum seeker or refugee status in South Africa. There are a large number of Congolese and Rwandan nationals, as well as citizens of other African countries, living in the Durban area, and LHR and the RSS report that in general these groups are well integrated into local communities.
59. Durban Action Against Xenophobia (DAAX) was originally a group of students and lecturers who rallied via a group created on Facebook, volunteering their time to stand with trolleys at local shopping centres or deliver goods to and from the Red Cross headquarters in Cato Manor. Later, many members of the public joined the group and at its height, in around mid-June 2008, the Facebook group had just under 1000 members, while the database listed around 150 active volunteers. Apart from donations, DAAX assisted in monitoring sites to track numbers of people and donations needed. They also played an active role during the confrontations at City Hall, with members of DAAX buttonholing City Manager Mike Sutcliffe in the car park to demand an explanation for the removal of people to Albert Park. DAAX representative Anthony Collins was particularly scathing about the City, which he felt had failed as leaders and had made a series of empty promises to assist.
60. The Coalition Against Xenophobia, Racism, Ethnicism and Poverty (CAXREP) was a more politicized network that cut across the usual divisions between centre-left and left in SA politics. The most active organizations were the SA Communist Party, the SA National Civic Organisation, Student Socialist Movement, and several regional support bodies: the Movement for Democratic Change (Zimbabwean), the Siyagunda traders' association (mainly DRC) and the KZN Refugee Council. The Centre for Civil Society also played a networking role in Caxrep. A July 2008 workshop determined that the main mandates for Caxrep would be:
  - Deepen public understanding of the situation in Zimbabwe
  - Contribute to strengthening the voice of the South African Left through uniting in action:

- Against the common poverty shared by South Africans and African migrants based on the lack of access to good health care or other infrastructural and financial services or the 'Red Card';
  - Address burning issues of identity based on race, ethnicity, culture or gender
  - Deepen public understanding of the root causes of xenophobia in South Africa based on globalization as imperialism which impacts at a local and community level. It leads to certain 'outsiders' or marginalized people being blamed for structural problems
  - Publicize the plan of the provincial government led forum to deal with the xenophobia crisis – Emphasise the central responsibility of local government to implement it
  - Expose the negative role of the media in the xenophobia crisis
  - Work for a humane immigration policy in South Africa
61. Networks aside, there were several crucial civil society organizations worthy of a brief discussion.
62. Lawyers for Human Rights (LHR).<sup>40</sup> Sherylle Dass of Lawyers for Human Rights (LHR) notes that the LHR became involved in the xenophobia crisis because they were called in, together with Mennonite Centre Committee – subsequently renamed Refugee Social Services - by the SAPS. The core mandate of the LHR is facilitate the local integration of refugees and the resettlement to the third country on individual' specific needs basis. They do not deal with mass resettlement. Local integration is the official position of the South African regarding refugees and asylum seekers into communities, with the same access to services and rights as South African citizens. This is so because refugee camps do not represent a viable option in South Africa. As a result, their activities during the xenophobia crisis consisted of screening the non-South Africans from Bottlebrush sheltering in the Morton Community Hall with the aim of repatriating the non-South African in their countries of origin. The LHR witnessed several applications for resettlement in the third countries including Canada. This alternative to repatriation was mainly pushed forward by internally displaced refugees who chose Albert Park as their temporary destination en route to overseas countries where displaced refugees believe their human rights will be satisfied. However, Ms Dass believed that, although some refugees were physically attacked, many claims of xenophobic violence were exaggerated and did not consider the protection provided by the SAPS and other stakeholders during the crisis. It is true that some SAPS members are not sympathetic to refugee related issues. It is also true that there are proper procedures which can be followed when the public, both South African and non-South Africans included, is not satisfied with the service rendered by any government department. Yet, it is important to recognize that several displaced non-South Africans refused to make statement to the police or report the matter through official and appropriate channels. The LHR long-term solution to police abuse is civic literacy in order to defend the immigrants' basic human rights. Indeed, being illegal does make illegal migrants less human than South Africans and legal migrants. But LHR does not have any long-term solution to xenophobic violence.
63. Diakonia Council of Churches. The main activities of the Diakonia Council of Churches include pursuit of social, economic, and environmental justice. It does not deal with charity work, though individual church members do. Diakonia become involved in relief work with immigrants from the time during the xenophobic violence that a group invaded its premises and refused to leave without any durable solutions

<sup>40</sup> Schwarer, Samantha; and Mwelase, Welcome (2008) 'Stepping into the Breach: Civil Society Responses to Xenophobia in Durban 2008'. Unpublished. Centre for Civil Society Research Report.

to their problems of displacement, lack of food and other basic necessities. Diakonia then was forced to act at two levels. Firstly, it directly distributed food parcels and clothing to the victims of xenophobic violence. Secondly, Diakonia requested to its member churches around Durban to open their doors and provide assistance to the victims of xenophobic violence. The short-term strategies consist of providing food parcels, clothing, and a place to sleep. Diakonia also tried to prevent or at least to reduce xenophobic violence through public awareness around the challenges that non-South Africans face before, during, and after May-June 2008 across church members whose networks expand to several townships and the Central Business District. Long-term solutions which may benefit refugees and immigrants consist of promoting social, economic, and environmental justice through empowerment of ordinary people and communities in several programmes including the Healing of Memories. A longer-term approach to xenophobic violence should deal with the roots causes of the attacks in different but complementary way. Injustices of the past without compensation, cultural violence through various forms of abuses, impunity of public violence, structural exclusion of immigrants by the same state which has the mandate to protect them, and the involvement of South African government in situations which fuel tension, power struggles, social exclusion and struggles for inclusion, and massive human rights violation and subsequent movement of refugees and economic migrants. Ms Karen Read from Diakonia emphasises that she does not believe that any of these fundamentals are being addressed and hence the repeat of further violence is likely and represents a permanent threat. The strength of Diakonia, according to Read, is that its members are everywhere and that Diakonia's activities improve the lives of ordinary people in their day-to-day struggles for justice on the ground. Its weakness is that church charity does not fit the core business of this institution. Diakonia was selected by the eThekweni Municipality as a coordinating civil society body to manage assistance to the victims of xenophobic violence.

64. Refugee Social Services.<sup>41</sup> The Refugee Social Services (RSS), formerly the Mennonite Central Committee, was actively involved in providing assistance to some refugees since before the outbreak of violence in mid-2008. RSS assists newly arrived refugees with accommodation, often providing financial assistance for months at a time while refugees seek work in South Africa. In May-June 2008, the RSS provided accommodation to some displaced. Ms. Yasmin Rajah of the RSS notes that during xenophobic violence in Durban, the majority of their clients were safe and did not report harassment or intimidation. Some displaced people came from the same buildings in which RSS have other clients who reported they had not been threatened. RSS was involved in donation collection and management. Rajah was impressed by the generosity of churches and other interested groups despite the fact that they were not prepared or did not budgeted for the xenophobic crisis. However, she deplors some civil society organisations' 'opportunistic behaviour', in which they allegedly distorted the facts, claiming that they were attacked. Many people, according to Ms Rajah, were displaced by the fear factor rather than physical violence. They sometimes also sought shelter as a route to resettlement to other countries. Rajah argues that the 2008 relief programme was undermined by two critical factors. First, there was a lack of capacity among civil society organizations to interview or register beneficiaries. The churches accepted whatever claim the victims of xenophobic violence presented to them. As a result, many people took advantage of the material assistance offered. Second, there was a serious lack of coordination among the organizations responding to the crisis. This lack of coordination gave the impression that there was competition amongst service provider organisations, with some pointing fingers at one another. Rajah had a

<sup>41</sup> Samantha Schwarer and Welcome Mwelase (2008) 'Stepping into the Breach: Civil Society Responses to Xenophobia in Durban 2008'. Unpublished. Centre for Civil Society Research Report.

feeling that local organisations did not learn appropriate lessons from the May-June 2008 crisis, and hence it is likely there will be just as uncoordinated a response should a similar crisis occur again.

65. StreetNet put the word out to members of its street vendors' organisations that xenophobia was not to be tolerated. The organisation subsequently reported several cases where potential incidents had been 'nipped in the bud' through members preventing other members or non-affiliated vendors/ consumers from threatening or attacking foreign nationals. Pat Horn of Streetnet reports that the organisation includes members who are foreign nationals who have successfully organised vendors associations in their own areas, and these groups were particularly well placed to provide support and education.
66. Abahlali baseMjondolo (the movement of shackdwellers) released a media advisory on 21 May and distributed it to all its members, strongly condemning the violence in Alexandra and setting out a course of action to combat xenophobia in communities where it has a presence.
67. Churches, mosques and temples around Durban offered temporary and longer-term shelters for hundreds of refugees during May and June 2008. Emmanuel Cathedral in the Warwick Triangle area housed the largest number of refugees, and was most able to provide care and resources due to its ongoing involvement in refugee service provision in the city. Other churches became involved when refugees began arriving at their premises requesting shelter. The churches were supported to a large degree by the Red Cross but also relied heavily on their parishes for donations and resources. A number of churches did not have adequate facilities for cooking, so parishioners were called upon to prepare food at their homes and deliver it to the churches. Some churches were reluctant to let it be known that they were sheltering displaced people. In most cases this was to ensure their safety, but there was some suggestion that churches felt they did not have the capacity to accept further displaced people and did not want it known that they were sheltering people for fear others would follow. The Anglican Church in Durban was able to source funding to provide reintegration packages for all displaced people they were sheltering (at three church locations). In conversation with a member of DAAX, a church representative stressed that the Anglican Church would aim to provide ongoing pastoral care alongside the reintegration package. He also emphasised the importance of engaging community stakeholders in the reintegration process and noted that widespread poverty in South Africa is a serious barrier. These concerns were to be echoed by civil society organisations in our interviews.
68. In addition to the Durban Service Providers' Network, the refugees have been individually and collectively active in creating awareness around refugee issues and lobbying the South African communities to be compassionate and supportive in the refugees' struggles to rebuilding their shattered lives. Individually refugees exposed and continue to expose the challenges that they face on day-to-day basis in terms of proper identification document; basic human rights i.e. right to work, right to be protected, rights to education, right to health care...; xenophobic attitudes of South Africans; and struggles for self-inclusion into their host community. The refugee communities joint their efforts through the KwaZulu Natal Refugee Council (KZNRC) - a registered non-profit organisation which includes, works for and with 17 refugee communities from 17 refugee producing countries and several refugee non-profit organisations based in the KwaZulu Natal Province. The main objectives of the KZNRC consist of (1) promoting the human rights of refugees through access to

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health care, education, employment, identification document and travel document, freedom of speech and movement; and (2) rising awareness within the refugee community around the responsibility and obligations of refugees toward their host country. The secondary objectives of the KZNRC include (1) to facilitating self-integration into the South African community; (2) to promote peaceful cohabitation and exchange between the entire refugee community and South Africans; and (3) to fight all forms of discrimination and xenophobia. The members of KZNRC work on voluntary basis without any financial incentives or salaries. The KZNRC achieved three critical things. The first achievement is to unify the refugee communities regardless of their language and culture differences, various political orientations and agendas, and endless attempts of some Durban Service Providers to divide the refugee community and rule through corrupt practices. The second success is to successfully linking the refugee community to progressive local community based organisations through the Centre for Civil Society. This move made the two communities understand that they are not enemies. They are all victims of global economic trends which destabilise communities and regions, and consequently create uncertainty across the world and refugee movements in all directions. As a result, the two communities need to move from perceived competition and antagonism to partnership in their struggles for life and human dignity. Lastly, there is a successful lobbying to the e-Thekweni Municipality since 2007 with the aim of linking the efforts community based organisations in refugee related challenges to policy-makers and government officials' constitutional mandate to assist both the refugee community and marginalised South Africans. As a result of these networks, the KZNRC is able to mobilise human capital on the behalf of refugees based in the province whenever necessary including before, during, and after the peak of the xenophobic violence on non-South Africans. The KZNRC has two main weaknesses. Firstly, there is an absence of funding from local and international civil society organisations, the government of the host country, and the United Nations High Commission for Refugees (UNHCR) to cover at least the core costs of running this institution (rent for the office, telephone bills, and office equipments). Thus, the organisation is working in extremely difficult conditions. Secondly, there is a lack of collaboration between the KZNRC and the Durban Service Providers which perceive the KZNRC as a threat to their livelihoods rather than joining their efforts for the benefit of the refugee communities that they all assist.

69. Other local civil society organisations rooted in the communities discussed in case studies – e.g. Chatsworth/Bayview and the CBD – are considered below.

## Part III: Structural context

### Xenophobia in structural and human terms

70. This section lays out background context for *structural* crises that have adversely affected low-income communities in Durban and that help contextualise the recent surge of xenophobic sentiments. If analysed properly, these should also provide clues for long-term, bottom-up antidotes. These crises are the result of interlocking, overlapping market and state failures, including:
- extremely high unemployment which exacerbates traditional and new migrancy patterns;
  - a tight housing market with residential stratification, exacerbating service delivery problems (water/sanitation, electricity and other municipal services);
  - extreme retail business competition;
  - world-leading crime rates;
  - Home Affairs Department corruption;
  - cultural conflicts; and
  - severe regional geopolitical stresses, particularly in relation to Zimbabwe and the Great Lakes region of Central Africa.
71. A variety of indicators suggest a mixed story with regard to socio-economic, political and environmental change, especially during the early 2000s when democracy and the 'developmental state' strategy were being consolidated. On the one hand, various indicators suggested sustained growth and political optimism lay ahead, as predictable macroeconomic policy and rising world commodity prices maintained confidence in post-liberation state management. An 'economic boom' was regularly proclaimed by observers such as the *Financial Times*,<sup>42</sup> thanks to 'macroeconomic stability', GDP growth uninterrupted since 1998, and a substantial rise in exports.
72. Yet at the same time, South Africa began suffering not only economic problems, but also a dramatic increase in social unrest that presaged a deterioration of the integrity of several central liberal political institutions. As one reflection, there were 5813 protests (as defined under the Regulation of Gatherings Act 205 of 1993) recorded by the SA Police Service in 2004-05, and subsequently, an average of 8,000 per annum,<sup>43</sup> with higher amounts for the year 2008-09 anticipated. This is probably the highest per capita rate of social protest in the world.
73. By mid-2008, however, it was evident that the protests could as easily be directed against fellow community residents – especially if they hailed from outside South Africa – as against the genuine sources of their problems. Along with rising domestic violence and the AIDS pandemic, the xenophobia wave was perhaps the worst case of the tearing South African social fabric. But there were, in contrast, other more optimistic signs of social grievances channeled through policy advocacy, public conscientisation, international alliance-building and even the court system. These signs correspond to what Karl Polanyi termed a 'double movement' in which, initially during the 19<sup>th</sup> century in Europe, 'the extension of the market organisation in respect to genuine commodities was

<sup>42</sup> Russell, A. (2007), 'South Africa's malls trounce township shops', *Financial Times*, 12 March; Russell, A. (2007), 'Post-apartheid phase two: Zuma's leadership of the ANC needs to prove sceptics wrong', 19 December; MacNamara, W., A. Russell and W. Wallis (2007), 'Post-apartheid phase two', *Financial Times*, 20 December.

<sup>43</sup> Charles Nqakula (2007), 'Reply to Question 1834, National Assembly, 36/1/4/1/200700232' (Cape Town), 22 November.

accompanied by its restriction'<sup>44</sup> as people defended their land, labour and other resources from excessive commodification. Certain areas were illustrative of great potential, such as the Treatment Action Campaign's 1998-2008 street pressure and legal strategy of acquiring anti-retroviral drugs for HIV+ people; and Soweto activists' protests which helped drive the controversial water privatiser Suez Lyonnaise des Eaux out of Johannesburg and whose Johannesburg High Court victory in April 2008 began undoing its commercialised water policies.

74. Whether campaign-oriented or simply momentarily explosive in character, civil society activism was by all accounts a contributing factor in the 2007-08 transfer of power within the African National Congress, from the man favoured by local and global corporations and the prosperous classes (Thabo Mbeki) to the candidate of trade unions, the youth, organised ANC women and the SA Communist Party (Jacob Zuma). This latter group represented a 'centre-left', comprising the Congress of SA Trade Unions (Cosatu), SA Communist Party, SA National Civic Organisation, some churches and NGOs, ANC Youth League and ANC Women's League. South Africa's 'independent left', in contrast, is comprised of social and community movements, NGO critics, feminists, internationalists, environmentalists, some in the faith community, and others alienated by the 'neoliberal' (market-oriented) economic policies, cronyism, corruption and patriarchal nationalism that represent durable ideologies within the ruling party, including the Zuma camp. They are part of a 'social justice' tradition that arose across the world over the past decade and achieved prominence in contesting globalisation's adverse impacts.
75. However, against the centre-left and independent left was a narrower grouping of South African nationalists, especially the black upper- and middle-class, according to one of the country's most perceptive analysts, Gillian Hart. She disputed

celebratory claims often bolstered by invocations of Polanyi's 'double movement' of an inevitable, cumulative rising tide of progressive working class and popular opposition springing from below to challenge the devastation wrought by the top-down extension of neoliberal market forces into all forms of life and livelihood. One of the limits of this currently popular 'optimistic' reading of Polanyi is its neglect of the possibility if not likelihood that what he called 'enlightened reactionaries' may well become major forces in protective counter-movements.<sup>45</sup>

76. This warning is apposite, in view not only of xenophobia, but also of a faction within the ascendant political elite associated with Zuma who appear profoundly disrespectful of the gains of liberal democracy against the kind of overarching state apparatus and repressive capacities that characterised apartheid. These issues are all the more important given the major flashpoints now evident in the society, of which eight deserve mention next.

### Socio-economic flashpoints

77. There are eight areas of socio-economic and environmental progress and problems that represent socio-economic flashpoints in the post-apartheid era, that are the result of either post-1994 policy problems or even deeper structural forces:
- there was an immediate post-apartheid rise in income inequality, which was slightly tempered after 2001 by increased welfare payments, but which meant the Gini coefficient soared from below 0.6 in 1994 to 0.72 by 2006 (0.8 if welfare income is excluded),

<sup>44</sup>. Karl Polanyi (1957), *The Great Transformation*, Boston, Beacon Press, p.76.

<sup>45</sup>. Gillian Hart (2008) 'The Provocations of Neoliberalism: Contesting the Nation and Liberation after Apartheid', *Antipode*, 40, 4.

- the official unemployment rate doubled (from 16% in 1994 to around 32% by the early 2000s, falling to 26% by the late 2000s - but by counting those who gave up looking for work, the realistic rate is closer to 40%) as a result of imported East Asian goods in relatively labour-intensive sectors (clothing, textiles, footwear, appliances and electronics) and capital-/intensive production techniques elsewhere (especially mining and metals),
- the provision of housing to several million people was marred by the facts that the units produced are far smaller than apartheid 'matchboxes', are located further away from jobs and community amenities, are constructed with less durable building materials, come with lower-quality municipal services, and are saddled with higher-priced debt if and when credit is available,
- while free water and electricity are now provided to many low-income people, the overall price has risen dramatically since 1994, leading to millions of people facing disconnections each year when they cannot afford the second block of water consumption,
- the degeneration of the health system, combined with AIDS, has caused a dramatic decline in life expectancy, from 65 at the time of liberation to 52 a decade later,
- with respect to macroeconomic stability, the value of the Rand in fact crashed (against a basket of trading currencies) by more than a quarter in 1996, 1998, 2001, 2006 and 2008, the worst record of any major economy,
- South Africa's economy has become much more oriented to profit-taking from financial markets than production of real products, in part because of extremely high real interest rates (after a recent 3.5% spike during the mid-2000s, consumer and housing credit markets are badly strained by serious arrears and defaults),
- the two most successful major sectors from 1994-2004 were communications (12.2% growth per year) and finance (7.6%) while labour-intensive sectors such as textiles, footwear and gold mining shrank by 1-5% per year, and overall, manufacturing as a percentage of GDP also declined,
- Government admits that overall employment growth was -0.2% per year from 1994-2004 - but -0.2% is a vast underestimate of the problem,
- overall, the problem of 'capital strike' – large-scale firms' failure to invest - continues, as gross fixed capital formation hovered between 15-17% from 1994-2004, hardly enough to cover wear-and-tear on equipment,
- where corporate profits were reinvested it sought returns from speculative real estate and the Johannesburg Stock Exchange: there was a 50% increase in share prices during the first half of the 2000s, and the property boom which began in 1999 had by 2004 sent house prices up by 200% (US markets rose only by 60% prior to the banking collapse,
- businesses also invested their South African profits, but not mainly in South Africa: dating from the time of political and economic liberalisation, most of the largest Johannesburg Stock Exchange firms shifted their funding flows and even their primary share listings to overseas stock markets,
- the outflow of profits and dividends due these firms is one of two crucial reasons South Africa's 'current account deficit' has soared to amongst the highest in the world (in mid-2008 exceeded only by New Zealand) and is hence a major danger in the event of currency instability,
- the other cause of the current account deficit is the negative trade balance, which can be blamed upon a vast inflow of imports after trade liberalisation, which export growth could not keep up with, and
- ecological problems have become far worse, according to the government's own commissioned research in the 2006 'Environmental Outlook' report, which according to the leading state official, 'outlined a general decline in the state of the



environment'.<sup>46</sup>

78. Countervailing claims of a 'developmental state' under construction hinged upon a series of vast projects:
- the Coega industrial complex aimed at attracting a persistently elusive aluminium smelter (by early 2008 electricity shortages made this unlikely as it would add 3.5 percent demand to the stressed grid while creating only 800 jobs);
  - the Lesotho Highlands Water Project mega-dams which permit hedonistic water consumption in Johannesburg while unaffordably raising prices for Soweto township residents;
  - several new or reconstructed soccer stadiums for the 2010 World Soccer Cup;
  - the \$5 billion arms deal;
  - Pebble Bed Nuclear Reactors potentially costing tens of billions of dollars, alongside tens of billions more on coal-fired power plants notwithstanding SA's world-leading CO2 emissions rate; and
  - a \$2.2 billion fast rail network allowing wealthy travelers easy albeit expensive access between Johannesburg, Pretoria and the OR Tambo airport.
79. To finance state infrastructure spending and steady tax cuts for corporations (down from a rate of nearly 50% in 1994 to less than 30% today), the SA finance ministry engineered a growth process that looked impressive at surface level – a 5 percent GDP increase for much of the 2000s – but wasn't when the downside is considered.

### Economic decline

80. The early 2000s witnessed increasing optimism that the late 1990s emerging markets currency crises – including South Africa – could be overcome, and that the offshore relistings of most of the country's largest firms would not adversely affect growth. Indeed, by 2001, the rate of profit for large SA capital was restored from an earlier downturn from the 1970s-90s, to 9<sup>th</sup> highest amongst the world's major national economies (far ahead of the US and China), according to one British government study.<sup>47</sup> The reality, though, was that high corporate profits were not a harbinger of sustainable economic development, as a result of persistent deep-rooted contradictions:
- with respect to stability, the value of the Rand in fact crashed (against a basket of trading currencies) by more than a quarter in 1996, 1998, 2001, 2006 and 2008, the worst record of any major economy, which in turn reflects how vulnerable SA became to international financial markets thanks to steady exchange control liberalisation starting in 1995;
  - SA witnessed GDP growth during the 2000s, but this does not take into account the depletion of non-renewable resources - if this factor plus pollution were considered, SA would have a *net negative* per person rate of national wealth accumulation (of at least \$2/year), according to even the World Bank;<sup>48</sup>
  - SA's economy has become much more oriented to profit-taking from financial markets than production of real products, in part because of extremely high real interest rates, for from March 1995 (when the financial rand exchange control was relaxed), the after-inflation interest rate rose to a record high for a decade's experience in SA economic history, often reaching double digits (after a recent 3.5% spike during the mid-2000s, consumer and housing credit markets are badly strained by serious arrears and defaults);

<sup>46</sup> Full details are in Patrick Bond (2009) 'South Africa's 'Developmental State' Distraction', *Mediations: Journal of the Marxist Literary Group*, 24, [http://www.mediationsjournal.org/toc/24\\_1](http://www.mediationsjournal.org/toc/24_1)

<sup>47</sup> [http://www.statistics.gov.uk/articles/economic\\_trends/ET587\\_Walton.pdf](http://www.statistics.gov.uk/articles/economic_trends/ET587_Walton.pdf)

<sup>48</sup> World Bank (2006) *Where is the Wealth of Nations?* Washington, DC, pp.66.

- the two most successful major sectors from 1994-2004 were communications (12.2% growth per year) and finance (7.6%) while labour-intensive sectors such as textiles, footwear and gold mining shrunk by 1-5% per year, and overall, manufacturing as a percentage of GDP also declined;
- Government admits that overall employment growth was -0.2% per year from 1994-2004 - but -0.2% is a vast underestimate of the problem, given that the official definition of employment includes such work as 'begging' and 'hunting wild animals for food' and 'growing own food';
- the problem of excessive capital intensity in production - too many machines per worker - will probably get worse, for the Industrial Development Corporation (a state agency) forecasts that the sector with the most investment in the period 2006-2010 will be iron and steel, with a massive 24% rise in fixed investment per year, but sectoral employment expected to fall 1.3% per year, in spite of – or indeed because of - all the new investment;
- overall, the problem of 'capital strike' – large-scale firms' failure to invest - continues, as gross fixed capital formation hovered between 15-17% from 1994-2004, hardly enough to cover wear-and-tear on equipment; and
- businesses did invest their SA profits, but not mainly in SA: dating from the time of political and economic liberalisation, most of the largest Johannesburg Stock Exchange firms - Anglo American, DeBeers, Old Mutual, SA Breweries, Liberty Life, Gencor (now the core of BHP Billiton), Didata, Mondi and others - shifted their funding flows and even their primary share listings to overseas stock markets;
- the outflow of profits and dividends due these firms is one of two crucial reasons SA's 'current account deficit' has soared to amongst the highest in the world (in mid-2008 exceeded only by New Zealand) and is hence a major danger in the event of currency instability, as was Thailand's (around 5%) in mid-1997;
- the other cause of the current account deficit is the negative trade balance, which can be blamed upon a vast inflow of imports after trade liberalisation, which export growth could not keep up with;
- another reason for capital strike is SA's sustained overproduction problem in existing (highly-monopolised) industry, as manufacturing capacity utilisation fell substantially from the mid 80s% range during the 1970s, to the high 70s% range during the early 2000s;
- corporate profits avoided reinvestment in plant, equipment and factories, and instead sought returns from speculative real estate and the Johannesburg Stock Exchange: there was a 50% increase in share prices during the first half of the 2000s, and the property boom which began in 1999 had by 2004 sent house prices up by 200% (in comparison to just 60% in the US market prior to the burst bubble, according to the International Monetary Fund).

81. It is nowadays common to connect the growing social and economic crises – especially inflation – to the May-June 2008 outbreak of xenophobia. Various theories assert the role of inexpensive labour and joblessness, competition over local markets and entrepreneurial opportunities, inadequate state service delivery and growing economic stress. The incidents in which at least 60 immigrants were killed were, in fact, forewarned by prior processes in which local residents blamed 'the other' - in ethnic, national, gender or other terms – for problems that are of a more structural nature.
82. These economic problems are deep, structural dilemmas, which had their roots not only in the post-apartheid liberalisation, but in long-standing vulnerabilities in the apartheid-era economy. Because of liberalisation of both trade (August 1994 onwards) and finance (from March 1995), the current account deficit is dangerously high (-9% in June 2008) compared to peer economies. Although overall corporate profits are up against worker wages since the low-point of the late 1980s, a decisive problem is that manufacturing

profits have fallen dramatically since the early 1980s in relation to financial and speculative profits. South Africa's export advantages are in a few areas difficult to maintain, such as auto components, swimming pool filters, wines, coal and base metals. Low fixed investment rates persist, especially by private sector investors, in part because excess idle capacity in existing plant and equipment. That, in turn, helps explain the very low level of Foreign Direct Investment, contrasting with dangerously high inflows of liquid portfolio capital attracted by South Africa's high real interest rate. None of these processes are healthy, and alongside extremely high price inflation in electricity, petrol and food, will generate yet more social unrest. Some of this, in turn, is misdirected into xenophobia.

### **Xenophobia as state and civil society failure**

83. To illustrate the dangers of *not* addressing the sorts of issues raised above, consider the nightmare that played out in May-June 2008, and potentially into the future: xenophobia. This aspect of civil society reflects the *failure* of progressive organisations to adequately direct social unrest and grievances into effective avenues. The scale of the problem was enormous, with an estimated 100 deaths (mostly of immigrants) and 70 000 people displaced, mainly in Gauteng and Western Cape provinces, followed by KwaZulu-Natal.
84. The state's failure to assess the threat to immigrants has been the subject of extensive discussion, including ridicule at the idea posed by the intelligence minister Ronnie Kasrils that a 'Third Force' comparable to early 1990s state divide-and-rule strategies was in play. But not only had there been multiple reports of especially Somali murders in Western and Eastern Cape townships, as well as police brutality and abuse at the Lindela repatriation centre outsourced by Home Affairs. More generally, socio-economic stress during a period of solid economic growth in the mid-2000s apparently generated xenophobia. A 'FutureFact' survey asked South Africans if they agreed with this statement: 'Most of the problems in South Africa are caused by illegal immigrants or foreigners.' In 2006, '67% percent agreed, a substantial increase on a few years ago, when the figure was 47%. And it is reflected among all population sectors of the country. FutureFact also put this statement to respondents: 'Immigrants are a threat to jobs for South Africans and should not be allowed into South Africa' - with which 69% agreed.'<sup>49</sup>
85. When the violence began in mid-May, the immediate reaction from the state, academics and NGOs was the call for more civic 'education', usually about human rights, the plight of refugees, or the role that neighbouring societies played in hosting South African exiles during apartheid. But beyond platitudes that reflected class privilege, civic education would not be sufficient to address genuine grievances, as the Human Sciences Research Council found in its report on the May-June events:

Settlements that have recently experienced the expression of 'xenophobic' violence have also been the site of violent and other forms of protest around other issues, most notably service delivery...<sup>50</sup>

<sup>49</sup> Mail&Guardian online (2008) 'What we feel, warts and all', 12 July, <http://www.mg.co.za/article/2008-07-12-what-we-feel-warts-and-all>

<sup>50</sup> Human Sciences Research Council (2008), 'Citizenship, Violence and Xenophobia in South Africa: Perceptions from South African Communities', Democracy and Governance Programme, Pretoria, June. The HSRC's recommendations – amongst which that RDP houses not be allowed to be occupied (even for rent or after sale) by immigrants and its call for retention of skilled migrants but extreme measures against unskilled workers - are unconstitutional and counterproductive.

When respondents were probed about the role and/or actions of government in the recent 'xenophobic' attacks, a general sense of dissatisfaction was expressed about government's handling of the conflict, as well as its indirect role in contributing to the escalation of an unhealthy environment between local citizenry and foreign nationals. The responses generally consisted of three subthemes: the ineffective communication and/or engagement with local citizenry around the violence and its underlying causes; the insufficient pace and processing of service delivery as contributing to tensions; and more directly perceived corruption and impropriety of government officials, especially in the police service, in their dealings with foreign nationals...

Overall, a worrying degree of latent resistance to illegally-resident foreign nationals came through in the focus groups, where although the respondents largely eschewed violent means of articulating their issues about these migrants, otherwise demonstrated that the planned re-integration of foreign migrants into communities will at some stage confront this resistance head-on. Given that findings elsewhere in this report demonstrate that the nature of the resistance to foreign migrants stems mainly from local economic and public resource competition, it is perhaps not surprising that in other respects respondents emphasised the spatial manner in which foreign migrants have settled in South Africa, i.e. integrated within existing and largely depressed communities...

South African citizens literally feel 'besieged' by a range of socio-economic challenges. This feeling is particularly acute for men of working age who are struggling to find employment or make a living and feel most directly threatened by the migration of large numbers of 'working men' from other parts of the continent.<sup>51</sup>

86. Behind some of this tension is the recent expansion of the migrant labour system. In 1994, the choice was made *not* to rid South Africa's economy of migrancy, which could have been accomplished by improving wages, maintaining much higher employment, turning single-sex migrant hostels into decent family homes, and compelling the extension of formal employment benefits (health insurance, housing, pensions) to black workers and their families, as is the case with higher-income white workers. Today, hostels remain but with the doubling of the unemployment rate, the buildings are often full of unemployed men, and these were the source of many xenophobic attacks.
87. Moreover, even if South Africa's racially-defined geographical areas known as bantustans – Zululand, Bophuthatswana, Venda, Transkei, Ciskei, QwaQwa, etc - have disappeared from apartheid-era Swiss-cheese maps, the economic logic of drawing inexpensive labour from distant sites is even more extreme, now that it no longer is stigmatised by apartheid connotations. Instead of hailing from KwaZulu or Venda or Bophuthatswana or Transkei, the most desperate migrant workers in SA's major cities are from Zimbabwe, Malawi, Mozambique and Zambia, countries partially deindustrialised by South African business expansion up-continent. In one frank admission of self-interest regarding these workers, First National Bank chief economist Cees Bruggemann told *Business Report*, 'They keep the cost of labour down... Their income gets spent here because they do not send the money back to their countries.'<sup>52</sup> If many immigrants don't send back remittances (because their wages are low and the cost of living has soared), that in turn reminds us of how apartheid drew cheap labour from Bantustans: for many years women were coerced into supplying unpaid services - child-rearing, healthcare and eldercare for retirees - so as to reproduce fit male workers for the mines, factories and plantations.

<sup>51</sup>. Ibid.

<sup>52</sup>. Comins, L. (2008), 'African immigrants add value to local economy', *Business Report*, 22 May.

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88. And in turn, the need for civil society to think beyond the immediate grievances and find international solidaristic relationships – as did the SA Transport and Allied Workers Union when they refused the April 2008 offloading (from a Chinese ship) of three million bullets destined for Zimbabwe police and army guns – could not be greater. On 24 May, 2008 Johannesburg civil society mobilised several thousand people – local supporters and immigrants alike – to march through Hillbrow in solidarity with immigrants. Various other initiatives in townships across South Africa showed that communities could welcome immigrants back, and live in harmony. The provision of resources by churches, NGOs and concerned citizens was impressive, even while the state backtracked from responsibilities, and in some cases including Durban, actively oppressed fearful immigrants who remained homeless and unable to return to communities.

## Part IV: Case Studies

### Case I: Chatsworth/Bayview and Bottlebrush

#### Historical, Social, and Demographic presentation

89. It is estimated that about 6 million people live in shacks in South Africa; in Durban, there are 650 000 shack dwellers out of a total population of 3.5 million, about 20%.<sup>53</sup> There have been many heart-wrenching descriptions, lamentations and condemnations of life in a shack settlement.<sup>54</sup> Bottlebrush is no exception with the inevitable trademark overcrowding, inadequate water and sanitation services, “shacks [that] dangle off steep, refuse strewn, slopes... [and] are a colourful mishmash of materials, shapes and sizes.”<sup>55</sup> “Social life in the settlement consists of rowdy and energetic Friday and Saturday parties” with the attendant overindulgence, violence and dangerous sexual liaisons.<sup>56</sup> Environmental pollution and related health problems abound. With respect to the latter, Bottlebrush was one of the test cases in a project by the eThekweni municipality to address environmental problems. It was found to have “severe pollution problems impacting on community health [and] low level or poor existing infrastructures and services”.<sup>57</sup> During my field visits there was no sign of the benefits of this project. The place was as filthy and squalor-ridden as ever.
90. Bottlebrush consists of hundreds of shacks built around two hills sloping sharply down into a small dirty stream. The place is teeming with people and, when you stand on one side of the hill, you can see and hear people busy in their shacks across the stream giving an eerie claustrophobic sensation as if everything is happening inside a fishbowl. This feeling is accentuated over the weekend when everyone is home, then you can hear the noise of the place, people talking, radios blaring, children shouting, dogs barking and the odd car driving through the extremely narrow, precarious, concrete roads. Rough looking young men sit in street corners or in *shebeens* (drinking houses) that are strategically located at key points in the settlement. Groomed, confident young women walk in pairs along the streets chatting away. There is the inevitable drunk zigzagging in the street. Older women go about their washing in the few water taps placed at unexpected points in the street, often not a real tap but a thin plastic pipe sticking out of the ground and kept closed by bending it against itself and tying it with a piece of string.

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<sup>53</sup> Angela Brown, Environmental Health Interventions in Informal Settlements, Ethekewini Health Unit, Ethekewini Municipality, 21 May 2009.

<sup>54</sup> “Our bodies itch every day because of the insects. If it is raining everything is wet - blankets and floors. If it is hot the mosquitoes and flies are always there. There is no holiday in the shacks. When the evening comes - it is always a challenge. The night is supposed to be for relaxing and getting rest. But it doesn't happen like that in the *jondolos*. People stay awake worrying about their lives. You must see how big the rats are that will run across the small babies in the night”. (S'bu Zikode, “The Third Force”, *Cape Argus*, 9 November 2005. See also Shannon Walsh ‘If you don't die first’: Fire, Water and Women in the Shack Settlements in Durban’ and Evan Mantzaris and Elias Cebekhulu ‘Life and Death in Banana City’ both articles in Rob Pattman and Sultan Khan *Undressing Durban*, Madiba Publishers, Durban, 2007.

(*Undressing Durban*), Evan Mantzaris (*Undressing Durban*)

<sup>55</sup> Shannon, op.cit. p.161

<sup>56</sup> Evan Mantzaris, op. cit. p.170. Also, Angela Brown, op. cit.

<sup>57</sup> Angela Brown, op.cit.

91. The Bottlebrush community is a recent beneficiary of a government housing project. A total of 964 houses are being built *in situ*, that is, in your current yard where you have your shack. But it is hard to distinguish the new houses from the old brick houses some people built for themselves, everything appears drab and sub-standard. The local hall, a big ramshackle building that looks like it was built by a fly-by-night bricklayer, boasts a big sign stating that it has been closed because it was damaged when pipes were being laid to service the area. There is no other local community facility besides this dead white elephant hall. Electricity has been installed at Bottlebrush and one can see wires confusedly crisscrossing the street poles intent on finding their way into each yard. Most shacks are made of planks or wooden boards pinned together with rusty nails. Each yard can squeeze in as many as 13 shacks.
92. Bottlebrush got its name from the street that takes you from Crossmore Street, Chatsworth Unit 9, through some “Indian” houses into the shack settlement. Ironically the almost obscure green sign put by the municipality to indicate where the area is reads “Bottlebrush Community Hall”. Some respondents told me the history of the area. Apparently the settlement was born about 20 years ago when people running away from political violence in KwaNdengezi, a township bordering Chatsworth, sought refuge in the hilly bushes and built plastic shelters. The first settlers, actually land invaders, at Bottlebrush must have been ANC supporters running away from IFP warlords. The area continues to be an ANC stronghold although COPE found a footing in the build-up to the last national elections. At the moment the only local civic and political structure in operation is the ANC Branch Executive Committee. The latter is the authority that runs Bottlebrush. Almost every respondent who commented on the issue held this committee in disgust because of their poor and allegedly corrupt leadership of the area.

Bottlebrush is big but the problem is the leadership. The people there put their hopes on me because they are not good leaders. The committees have spent 15 years in power and even if it is time to vote then there are shenanigans with membership cards. It is people who are working for their pockets.<sup>58</sup>

No development. Nothing happens here. Even if there is a little development then they eat the money, there is corruption and then that development ends up getting nowhere. It is exactly the local leaders and committees, everything ends up with them. It is just them who get everything, they block things and we get nothing.<sup>59</sup>

93. Bottlebrush is notorious for being a rough, crime-ridden place. Indeed, things have improved because there was a time when gangsters ran amok terrorizing the residents. This was brought somewhat under control when the community, led by the local ANC, organized a vigilante group which literally killed the gangsters.<sup>60</sup> According to one respondent other forms of civic organization were banished from the area because these ended up ill-treating people in the name of maintaining law and order. That left the ANC BEC. However, there is an apparent big leadership vacuum in the area leading to a sense of insecurity by residents who feel that the area is lawless. Matters are made worse by the fact that Ward 71, which incorporates Bottlebrush, was won by the Minority Front with the ANC losing out because of the “Indian

<sup>58</sup> Felakhe Mhlongo, ex-Bottlebrush resident, leader of Ekupholeni shack settlement, near Bottlebrush.

<sup>59</sup> Youth, MaSithole's first daughter, Bottlebrush resident.

<sup>60</sup> Two ANC branch office bearers applied and were that operated in the area. (Truth and Reconciliation Commission, amnesty application no. 2790/96, 19-20 October 1998)

vote”.<sup>61</sup> The ANC has allocated a proportional representative councillor to work in the area but it does not seem as if she is very active in local affairs.<sup>62</sup>

94. Bottlebrush is still known as a crime-infested, lawless place.

But in Bottlebrush there are no rules.<sup>63</sup>

In Bottlebrush there is no law. It is a place where the buck eats grass during the day. If you meet someone who hates you, he beats you up.<sup>64</sup>

Bottlebrush? It is not alright. It used to have a lot of crime but it is better now. It is not a great place. There are criminals.<sup>65</sup>

95. I did not come across a single person who lives in Bottlebrush, or one who once lived there, who had a positive thing to say about the area. The biggest complaint is that it is an area with a leadership without vision, a place where there is no development, a divided or anomic community.

Bottlebrush is a *skomplaas* [rough shantytown]. It is a place with many different people. You can't have law because there are many different people. That's why I say it is a *skomplaas*. I am not insulting them. There is no law and order there. On Friday they get drunk. Everyone is pulling their own way. It is about being someone's homeboy and even if he does something wrong they will say leave him alone it is my homeboy. So there is no order.<sup>66</sup>

I don't want to live here, I want to leave. The people here can strangle you in broad daylight.<sup>67</sup>

Bottlebrush. It is mostly people from the farms but most carry themselves as *jondolo*. You respect the one who respects you. I saw this for myself when my sister died. I was alone with the boys who live here. You can't expect help from anyone. There are different ethnic groups or tribes here, Zulus, Xhosa. People say I will never be friends with that Zulu. If it was up to me I would leave this place.<sup>68</sup>

96. When xenophobia erupted in Chatsworth, foreign nationals from Mozambique, Malawi and Zimbabwe living in the Bottlebrush and Unity Avenue informal settlements of Chatsworth were most severely affected. In these areas, anger and resentment brewed as locals collectively blamed foreigners for housing and job shortages. As the violence ensued, the government did not provide assistance and it was left to civil society to fill the void and respond to the crisis. Neighbourhood associations and religious groups from the area provided relief in the form of shelter, clothing and food, but due to limited resources and capacities assistance did not extend beyond the short term.

<sup>61</sup> Respondent, Bottlebrush community member.

<sup>62</sup> Her name is Nokuthula Judith Makhanya, I wrote this report before we could meet. .

<sup>63</sup> Prema and Helen, Ekupholeni shack settlement resident, the only Indian couple living there.

<sup>64</sup> Mhlongo, respondent.

<sup>65</sup> MaSithole's 1<sup>st</sup> daughter, Bottlebrush resident.

<sup>66</sup> Khambule, ex-Bottlebrush resident, now lives at Ekupholeni.

<sup>67</sup> MaSithole's 2<sup>nd</sup> daughter, Bottlebrush resident.

<sup>68</sup> Nana, landlady, Bottlebrush resident.



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97. Although the response of civil society did not extend into the long term or address the root causes of xenophobia, there is potential for such involvement at present. Misunderstandings of structural factors that lead to marginalization led in turn to symbolic violence in the form of xenophobia in areas such as Bottlebrush and Unity Avenue. Civil society groups in Chatsworth, such as the Bayview and Westcliff Flat Residents Associations have been organizing around issues of structural violences such as evictions and service delivery failures in the post-Apartheid era. Civil society in Chatsworth, with its history of organization and mobilization around issues of housing and service delivery, is in a position to coordinate with marginalized citizen in communities where xenophobia occurred to share experiences and lessons learned.
98. Civil society groups in Chatsworth, such as the Westcliff Flat Residents Association, have a long history of action and mobilization around issues such as shelter and service delivery. In an area like Chatsworth where civil society is strong, was the response to xenophobia handled more efficiently than in other areas? Was civil society able to respond to both short-term and long-term issues involved in the xenophobic attacks? The investigation will follow the general framework of the Durban research group - i.e. an analysis of the structural forces that give rise to xenophobia.
99. The current investigation begins with an overview of the xenophobic violence in Chatsworth in May 2008. First an overview of the violence that ensued is given followed by an overview of the areas where it happened and who it happened to. Next, an overview is given of who responded to the violence and how these actors acted. From an overview of the 'hows' of xenophobia in Chatsworth the investigation then moves to an analysis of the 'whys'. A theoretical framework for why the violence erupted in South Africa and Chatsworth in general is discussed, followed by further discussion on why the violence erupted in the specific areas and against the specific people it did. From this structural analysis of the violence, the discussion then turns to a critique of the civil society involvement in Chatsworth with discussion around why actors were involved in the response and why they responded as they did. Finally the investigation turns from a retrospective on the past to discussion of future prospects for civil society involvement around issues of xenophobia.

### **What happened?**

100. When the xenophobic violence broke out in South Africa in May of 2008, Chatsworth was not immune. The xenophobic attacks in Chatsworth began after news reports of attacks in Alexandra and western Cape began filtering through media outlets. Within days of the attacks in Alexandra, the Durban SAPS called a meeting with several local NGOs to discuss strategies for evading similar attacks in the eThekweni municipality. Lawyers for Human Rights (LHR) and the Menonite Council (MCC), both implementing partners for the United Nations High Commission for Refugees (UNHCR), note that through these meetings several 'hotspots' were identified and extra policing was deployed to these areas.
101. Before all prevention measures were put into place however, xenophobic incidents began to be reported. Pockets of violence were recorded throughout the township, but two areas were particularly hard hit. The hardest hit was the informal settlement of Bottlebrush located in Unit 11. Also recording violence was the Unity Avenue settlement. In Bottlebrush informal settlement residents note that before the attacks began pamphlets were distributed throughout the community warning foreigners threatening imminent violence if they did not immediately vacate the premises. Many foreigners fled immediately, but there were attacks and several deaths inside the

settlement. The flashpoint of violence descended into chaos and it is impossible to get clear numbers of the number of attacks and murders that ensued. In Unity Avenue, many foreign residents fled their homes and there were reports of attacks on settlement residents by other settlement residents, but most of these attacks took place outside the settlement rather than inside. Attacks inside the settlement were avoided in large part due to coordination by the Bayview Police Forum. A member of the police forum, a South African married to a Zimbabwean living in the Unity Avenue settlement, contacted police forces and requested that extra forces to patrol the area until tensions cooled. The added police presence inside the settlement did not mean that violence was avoided though. One victim of attack relates how his neighbours caught him on his way from his job at the local garage on the main road outside the settlement and beat him causing severe head injury. The looting and destruction of foreigners' homes and properties were also recorded. Community members themselves, rather than the police, dealt with incidents of looting using internal structures of maintaining order and traditional justice to punish offenders.

102. Victims of attack and those fearing attack fled to police stations such as the Bayview SAPS station and the Chatsworth SAPS station as well as to nearby Morton Community Hall. In addition, other victims fled to churches in central Durban, such as Emmanuel Cathedral, where intake of xenophobic victims from other areas of the city had already begun.

### **Where did it happen?**

103. The Durban township of Chatsworth was created under the auspices of the Group Areas Act of 1950. The Group Areas Act was an effort on the part of the Apartheid government to residentially segregate the city on the basis of race. Roughly, the city was divided into concentric circles, which the white residential areas in the center of the city, the Indian and coloured residential areas lying outside them, and the black or African residential areas beyond those. Using a process of forced relocation, the Group Areas Act created racially homogenous enclaves in Durban that, despite the fall of the Apartheid regime, still exist in basically the same form today.
104. Most of Durban's large Indian population lives in one of two townships: Phoenix to the north or Chatsworth to the south. Chatsworth was incorporated in 1964 to form a deliberate buffer between white residential areas and the large African township of Umlazi. Divided into eleven residential units, Chatsworth possess a developed industrial infrastructure and a significant middle class of merchants and business men. Due to high unemployment, however, the area has also been the site of large numbers of evictions as well as water and electricity cutoffs. Poverty is rife in Chatsworth which is home to long neglected government housing projects, known locally as 'the flats' as well as numerous shack settlements.
105. Bottlebrush is located in a steep valley sprawling outward to the Ridge shopping center. There are no formal roads entering the settlement and only one paved way in. Numerous steep and winding footpaths provide entry to various points in the settlement. Ambulances cannot navigate the steep and often washed out in route and police refuse to enter the settlement. When emergency health services are called, settlement residents must find some way to transport the sick and wounded to the main road for ambulance assistance. Police cannot and/or will not respond to calls from the settlement. According to a Metro Police officer, the settlement is infamous for violence and crime and the police themselves are frightened to enter. The officer recalls an incident some years ago where two officers entered the settlement to

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collect money from two men known to be operating a hijacking racket and were murdered in the settlement. Despite the fact that the officers entered the settlement to collect dirty money and were themselves operating outside the law, stories such as this live on in the locker room lore and influence the decisions of officers.

106. In addition to being neglected by emergency medical and security services, the Bottlebrush community is not fitted for water or electricity services. Water must be accessed from a standpipe and transported by hand to the shacks. There are no sanitation facilities in the settlement. The residents of Bottlebrush live in shacks constructed mostly of scrap metal and wood, some dangling precariously on the edges of the valley. Paraffin and candles are used in lieu of electricity, making fire an ever present risk. Should a fire break out in one shack, it would likely spread quickly to neighbouring shacks as the shack density is very high in the valley and many of the shacks are attached to one another.
107. Although Chatsworth is a mainly Indian township, the Bottlebrush settlement is inhabited by mostly African residents of Zulu descent as well as a large number of foreigners hailing Malawi, Zimbabwe and Mozambique. Poverty is rife and unemployment is high amongst residents that have been unable to access formal housing elsewhere. Amongst the Zulu residents the Bottlebrush community is an ANC stronghold, but the politics of the community are rather divisive. One group has strong connections to the ward councilor in the area while another is more strongly linked with the leaders of the Crossmoore informal settlement located just across the main road from Bottlebrush. Infighting between the groups causes turmoil within the settlement and also stymies solidarity actions outside the community.
108. Unity Avenue is also an informal settlement sprinkled with RDP houses, but there are several key differences between the two areas. Unity Avenue began as an informal settlement about 15 years ago. Like Bottlebrush, due to the nature of the settlement it is difficult to put an exact date on its establishment. Unity Avenue is located in Bayview, Unit 2, of Chatsworth adjacent to the Bayview flats. Unity Avenue is named for the street that enters the settlement, a one lane cement path in bad repair that intersects Summerfield Road and swoops through the top part of the settlement, down a steep hill and back up again completing the circle.
109. Built on a steep hillside, the road only service part of the settlement. The rest must be reached on foot causing serious problems for weak and ailing residents. Like Bottlebrush, the lack of access means that services such as ambulances cannot reach the sick and injured. Unlike Bottlebrush however, the police do not fully refuse to enter the Unity Avenue settlement. Several community leaders in Unity Avenue are members of the local police forum for the Bayview area, and as such have connections on the force. The police responded, for example, when members of the community called to report the outbreak of xenophobic violence in the settlement. They patrolled the settlement throughout the night to keep control of the situation and deter the opportunistic looting that had begun. In addition, on a more regular basis, police make sweeps of the settlement as they know there are many illegal foreign residents living there. The undocumented immigrants in the community live in fear of these sweeps where deportation can only be avoided by bribery.
110. As one of the first RDP projects, houses began replacing shacks about 12 years ago. These first cement tin-roofed structures were built before the minimum size requirements were introduced. The project was aborted prematurely leaving a smattering of 146 brightly coloured matchbox houses speckling the hillside. The

houses never accommodated all the people in the settlement and as more people came the shortage grew worse. Building of shacks continued over the years to accommodate growing families and new residents. Many home owners build shacks off of their homes and rent them out as a source of income. Unity Avenue is much more densely populated than Bottlebrush with one shack practically built on top of another in some places. Due to its precarious location perched on the hillside, mazes of homemade staircases built of scrap material wind between the shacks creating a labyrinth that locals navigate with ease but whose twists and turns can easily disorient an outsider. Unlike Bottlebrush, the residents of Unity Avenue do have access to water and electricity. The RDP houses were fitted with pre-paid water and electricity meters and later as shacks were added, residents rerouted water pipes and split power cables to extend services to the informal housing.

111. Unity Avenue is a more heterogeneous community than Bottlebrush. While the majority of residents are black South Africans, there are also significant numbers of Indian South Africans and foreigners from Mozambique, Malawi, and Zimbabwe. Many residents in Unity Avenue have strong links to the Zanzibari community living in Zanzi Town in Unit 2. The mosque is located just outside the settlement and many of the locals in the community are of Zanzi descent with family members in countries such as Malawi and Zimbabwe – the same countries where many of the foreigner residents come from. The attacks in Unity Avenue were less pronounced than in Bottlebrush perhaps because of the social networks and solidarity of the Zanzibari community. Those that were displaced from the settlement were mostly newcomers that had lived in the settlement for less than two years and did not have strong links to the community.
112. Inside the settlement, each nationality of foreigners has a leader. This leader is in charge of settling newcomers into the area and is also often in charge of organizing jobs for his compatriots. The leader of the Zimbabweans in the Unity Avenue settlement, for example, notes how the process for integration into the community functions. If a Zimbabwean is interested in moving to the community, he or she first makes contact with him and he arranges a space in the Zimbabwean quarter of the settlement arranging prices with the landlord. In addition, he uses his connections in the building industry to arrange day jobs and casual labour for skilled and unskilled Zimbabweans. Due to these processes there is a geographical residential segregation amongst residents of the community along national lines.

### Who were perpetrators?

113. The attackers, a victim from Cato Crest/ Cato Manor argues, were mostly young men who live in the area.

It was boys who beat up not girls. It was men, and young men, no women<sup>69</sup>.

114. They seemed to have gone from shack to shack looking for “makwerekwere”. They knew which shacks their targets occupied, just as happened to a respondent who got beaten up in Germiston:

They were choosing houses; they knew this one belongs to a Zulu, this one to a Shangaan. They had many weapons, all sorts of weapons. They came into the room I was in.<sup>70</sup>

<sup>69</sup> MaSithole, landlady, Bottlebrush resident.

<sup>70</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

I 15. The beating was merciless and terrifying. You were lucky to come out alive:

...They came into the room I was in. This one guy hid under the bed and they couldn't find him. I felt it wouldn't be good to join him because they would be suspicious and find us. So I thought it is better that my brother is saved and he can tell my people how I died. They beat me up, hey, they beat me up. They beat me and beat me and beat me...<sup>71</sup>

I 16. The trauma stays with you, it is hard to forget. Yet still, because of economic reasons, the migrant workers had no choice but to come back to South Africa after their beating:

I wanted to go but my body said, don't go back to Johannesburg. I was scared, I wanted to go there but my heart said don't go there. So on fourteen January I came back but I didn't want to go back to Johannesburg. I went to Durban. I said I will see what happens. Anything can happen, if I die my brothers will remain.<sup>72</sup>

I 17. For some, because of the pressure to earn a living there is a need for rationalization and a defeatist if courageous fatalism takes over:

I want them to kill me here in South Africa, I will die here. If I hear it is now in Mariannhill and it's coming here, they must kill me. I am tired of running. I ran from Johannesburg, I can't run again. People die and others remain. They can kill me.<sup>73</sup>

I 18. Some of the perpetrators were apprehended:

The man who beat me was arrested, he stayed 2 months in the police station after that he was released. He is around. I am scared of him because I don't know what he is thinking about me.<sup>74</sup>

Police came and said whoever beat *makwerekwere* must be arrested. Landladies were asked to identify those who beat up *makwerekwere*. Some did, some did not.<sup>75</sup>

I 19. All in all it is a sad, sorry affair:

What can I do? It's too hard because some people just can't understand. It's too hard. Can they attack me? Yes, but they are scared of the police.<sup>76</sup>

They don't want Mozambicans. But others want us. They say we (South Africans) and Shangaans must be one, but others don't want us.<sup>77</sup>

I don't know, at work they say we must go back home, yes we can go back home, because it is your South Africa not ours, we will go back.<sup>78</sup>

<sup>71</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

<sup>72</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

<sup>73</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

<sup>74</sup> Aguillo, immigrant from Mozambique, Bottlebrush resident.

<sup>75</sup> MaSithole's 1<sup>st</sup> daughter, Bottlebrush resident.

<sup>76</sup> Respondent, immigrant from Malawi, Bottlebrush resident.

<sup>77</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident.

<sup>78</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

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### **Who were the victims of xenophobia?**

- I20. The victims of xenophobia and those displaced by the violence were mostly foreign nationals from Mozambique, Malawi, and Zimbabwe. There were also a few victims from Tanzania. Mozambicans, Malawians, and Zimbabweans make up the largest communities of foreign nationals in Bottlebrush and Unity Avenue.
- I21. Mozambican, Malawian, and Zimbabwean immigrants are not the only foreigners that live and work in the Chatsworth area, however. Nigerians have business contacts and links in the township as do many Pakistani immigrants. While the Nigerians typically reside in central Durban, only coming to Chatsworth on business, the Pakistani immigrants hold residence in Chatsworth in ownership houses throughout the area.

### **Who responded to the xenophobic attacks?**

- I22. While some that were displaced from Chatsworth sought shelter outside of the township, at Emmanuel Cathedral in central Durban for example, this analysis focuses specifically on the response of those in Chatsworth to the violence within the township. In Chatsworth, many of those displaced from Bottlebrush sought shelter in the Moorton Community Hall just outside of the settlement. The victims were transported from Moorton Community Hall to the Chatsworth Police station, the central SAPS station in Chatsworth. Those displaced from Unity Avenue sought immediate shelter in the Bayview Police station. Due to space constraints at Bayview Police station, these victims were also transported to the Chatsworth Police station. At the Chatsworth Police station, victims were corralled into the inside the gates and tent was set up in open air next to the holding cells. Eventually, due to overcrowding and lack of resources, some victims had to be housed elsewhere and the Westville Baptist Church in Westville took in the overflow. Westville Baptist was able to house them in facilities usually set aside for transitional care of homeless residents in Durban.
- I23. Approximately 30 xenophobia victims from Bottlebrush and Unity Avenue spent approximately six weeks at the Chatsworth Police station. Most were single males, but there were several families including women and children as well. The current investigation focuses on the assistance of these victims at the Chatsworth Police station. Coordination and assistance was handled by three main groups of actors: neighbourhood associations, religious organizations, and private philanthropists. Brandon Pillay of the Bayview Flat Residents Association and Orlean Naidoo of the Westcliff Flat Residents Association (neighbourhood organizations from Unit 2 and Unit 3, respectively) managed assistance from their groups. Isaa coordinated assistance from the local Muslim community and Swami Ramkripananda Saraswathi that of the Sarva Dharma Ashram. In addition, Professor Fatima Meer donated money to aid the relief effort.
- I24. In addition to signaling actors who did respond to the crisis, it is also necessary to point out those that did not. The Refugee Service Provider Network (RSPN), including implementing partners for the UNHCR (MCC and LHR) who responded to xenophobic violence in Durban, did not respond to the crisis in Chatsworth as those affected in Chatsworth were not registered refugees. The mandate of MCC and LHR only cover those foreigners that are registered as asylum seekers or refugees whereas the victims at the police station were undocumented immigrants, most with expired tourist visas. MCC did handle some of the displaced in Bottlebrush who fled to central Durban with other migrants from other areas of the city. These victims were

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registered by MCC and emergency accommodation was arranged (at Emmanuel Cathedral, for example) even though such actions were outside the organization's *prevue*. MCC was networking immediately after the crisis trying to engage the municipality who were adamant that the crisis did not fall under their mandate. This left organizations like MCC overextended and unable to coordinate or assist in other areas. Thus, the assistance of large organizations and service providers was virtually absent in Chatsworth. The Red Cross, also a member of RSPN and involved in the response to xenophobia in central Durban, was the only national and/or international aid organization to assist in Chatsworth. The Red Cross provided water and a box lunch on the day that the victims left the Chatsworth Police station to be eaten en route to their home countries for repatriation.

125. While the police provided an outdoor area for the refugee to stay and a tent to cover them from the rain and sun, no other assistance was provided. Neither did the municipal, provincial or national government provide any assistance. Therefore, the responsibility for the day-to-day care of victims housed at the police station fell squarely on the shoulder of civil society.
126. The Bayview Flat Residents Association (BFRA) assisted during the initial outbreak when victims from Unity Avenue fled to the Bayview Police station. The BFRA assisted with the reintegration of some victims back to their homes in Unity Avenue when the situation quieted and the transfer of others who were still too fearful to return to their homes to the Chatsworth Police station. In addition, the organization assisted churches in other areas care for xenophobia victims by cooking meals.
127. The Westcliff Flat Residents Association (WFRA) was involved from the time that the victims arrived at the Chatsworth Police station until they left six weeks later to be repatriated. The WFRA liaised with police and provided material assistance in the form of blankets, mattresses and food for the victims. The members of the WFRA, both foreigners and South Africans themselves, spent time with the displaced victims during the tense days following the xenophobic attacks. Besides absolute necessities such as food for basic sustenance, the WFRA also organized a braai for the victims of xenophobia during their stay at the police station. For victims who had been uprooted from their homes, forced to live in a tent in the cold and wind, and relied on the charity of others to food and cloth themselves, a braai was a welcome reprieve from the desperate situation into which they had been forced. Orlean Naidoo of WFRA also took the lead in helping to organize repatriation for the victims. She liaised with municipal councilors, police, and other organizations to secure buses for repatriation. She also liaised with private donors, such as Professor Fatima Meer to secure funding for mattresses, blankets and food.
128. In addition to neighbourhood organizations, local religious organizations also provided material assistance and organizational support. Members of the Muslim community, led by a Malawian woman (Isaa), assisted Orlean Naidoo in organizing blankets, food and mattresses. In addition, he and his organization helped with repatriation efforts by coordinating with foreign embassies. The WFRA also worked closely with the UKZN Centre for Civil Society in a series of meetings (including Wolpe Lectures) aimed at opening up lines of communication, common analysis and constructive actions in mid- and late 2008.

### **Box 1: The Bottlebrush incident and the politics of housing**

Why is it that xenophobic attitudes escalate into attacks especially in informal settlements? And how can this be avoided? Part of the answer lies with the political, social and economic dynamics in informal settlements around the production and use of housing.

Many informal settlements start off as land invasions. Working class people, constrained and excluded by capital from access to land and housing, are compelled to take matters into their own hands and commit a grievous sin under capitalism, namely, trample upon the sanctity of private property. This defiant collective action no doubt leaves its mark on the consciousness of the people concerned.

Research into Bottlebrush reveals that when people do this the plan is to resist eviction or removal from the invaded land until the authorities tacitly recognize the new settlement and hopefully include them in future housing development. This is how Bottlebrush was born, and also how Ekupholeni (Crossmore), an offshoot of Bottlebrush, was born. Certainly, the people of Ekupholeni were very proud of their accomplishment, establishing a new settlement, and they were very hopeful that in the near future subsidized housing would be built for them.

The point here is that many informal settlements are born out of class struggle, the struggle between the principle of private property which is premised on production for profit, and the principle of public ownership or municipalisation where land is appropriated to satisfy human needs. In other words, the struggle of labour against its domination by capital. Harvey argues that 'the relation between labour and the built environment can be understood only in terms of it'.<sup>79</sup>

The question is how a working-class community born of class struggle, such as Bottlebrush does, turn against other members of the working class albeit originating from other countries? After all, workers are quite capable of figuring out what is what, who their enemies are and what is in their best interest. They should be able, after 'socializing' or 'commoning' the land, to extend that principle to other arenas of life including their relations with immigrants.<sup>80</sup>

What militates against this? At this point, a series of overlapping factors - politics, ideology, organization and leadership - become decisive in the equation we are trying to solve. And again, Marx and Harvey provide the basic framework for the explanation needed. Harvey, following Marx and other Marxist thinkers, suggests that 'homeownership for labour' is a crucial ideological bulwark for the survival of capitalism and its hallowed private property principle:

Extended individualized homeownership is seen as advantageous to the capitalist class because it promotes the allegiance of at least a segment of the working class to the principle of private property, promotes an ethic of 'possessive individualism'.<sup>81</sup>

The evidence from Bottlebrush suggests that as soon as the land invaders take over the land, build their shacks and manage to ward off attacks and attempts to remove them by the state, the tendency is to slide into individualized private ownership of the shacks and the land upon which they are erected. The attack on private property represented by the invasion and the raising of the principle of public collective ownership implied by the collective act of invading and defending against state attempts to dislodge the invaders soon gives way to the parcelling out of more or less privately owned pieces of land which, after sometimes, congeals into a 'lumpen' form of landlordism.

This is exactly what happened in Bottlebrush. Today, many 'houseowners' in this

<sup>79</sup> Harvey, *ibid.* p.37

<sup>80</sup> The notion of 'communing' derives from the notion of 'common goods', that is, goods that are held in common by all members of a community or society.

<sup>81</sup> Harvey, *ibid.* p.42



informal settlement are landlords and landladies who rent out shacks to other community members including immigrants from African countries.<sup>82</sup> It is fascinating to see how, in the context of an informal settlement,

Homeownership, in short, invites a faction of the working class to wage its inevitable fight over the appropriation of value in capitalist society in a very different way. It puts them on the side of the principle of private property and frequently leads them to appropriate values at the expense of other factions of the working class.<sup>83</sup>

The ethic and practice of self-management and self-government which develops during the period of invasion and initial settlement, instead of being extended and developed into a struggle against capital, is turned into its opposite whereby the 'people's committees' which lead the community end up being arbiters and managers of value extraction by landlords from tenants, many of whom, in Bottlebrush at least, are immigrants.

People born in South Africa are not immune from such exploitation. The invasion of land in Crossmore was effected by Bottlebrush tenants who 'got tired' of paying exorbitant rents in the settlement. The worst part, according to the leader of the Crossmore invaders, was that as tenants they were not allowed any say in Bottlebrush community affairs.<sup>84</sup> No one will be surprised to hear that the most exploited and ill-treated tenants in Bottlebrush are African immigrants.<sup>85</sup>

An interesting angle is the fact that the Bottlebrush committee consists of the leadership of the local ANC branch. On face value this seems like 'opportunism' or even 'corruption' because many respondents accused some committee members of benefiting financially and in other ways from the situation.<sup>86</sup> But the issue goes deeper than that. Petit landlordism is tolerated by capital, according to Harvey, because it is 'a glorious tool to divide and rule' and, further:

[capital] preserves the principle of private property intact in the context of class struggle by permitting labour to return to the face of the earth [after being disposed by landed property] as a partial owner of land and property as a condition of consumption.<sup>87</sup>

Hence, the ruling party, the ANC, runs local branches that seem to strengthen capitalist processes. Moreover, when the invaders are left alone by the state after successfully taking over the land, their hope is to be given 'umxhaso' (Zulu for subsidy) housing and this is premised on the orderly existence of individual households or people who qualify.

This further pushes the community towards acceptance of the private property principle in land and house ownership because it is a condition set by the state for you to get a house. At the same time, African immigrants without documents are automatically excluded. And, in the case of Bottlebrush, tenants even if born in South Africa, are also excluded with only landlords or 'stand owners' ('omastende') qualifying to receive houses.

Indeed this is exactly what is happening now in Bottlebrush with the government busy building RDP houses in the area. And, as happened with the Crossmore invaders, meetings are still (in October 2009) being called by tenants in Bottlebrush who are planning another land invasion both to escape petit landlordism and to position themselves to get subsidized houses sometime in the future, something they are not going to get as long as they are tenants in someone's yard in Bottlebrush.<sup>88</sup>

What is the relevance of all this to the xenophobic attacks? The most exploited tenants appear to be the immigrants. The disadvantage of being an immigrant is that you are

<sup>82</sup> Mfundisi Mhlongo, interview respondent and member of the Bottlebrush ANC Branch Executive Committee which 'is in charge' of the place.

<sup>83</sup> Harvey, op. cit. p.43

<sup>84</sup> Mfundisi Mhlongo, respondent.

<sup>85</sup> Respondents, Bottlebrush immigrants.

<sup>86</sup> Respondent, Bottlebrush landlady.

<sup>87</sup> Harvey, *ibid.* p.43

<sup>88</sup> Respondents, Bottlebrush and Ekupholeni (Crossmore).

condemned to the status of a permanent tenant as you are excluded from ever owning a house in South Africa especially if you don't have papers.

During the xenophobic attacks in Alexandra one issue raised by the attackers was that immigrants acquire houses corruptly and thus jump the queue. Many South African born people, tired of waiting on the waiting list, will bribe an official to get a house. Immigrants need a house as much as South African citizens and are not immune to bribing someone to secure it.

Hence here we find one possible interaction between xenophobia and the struggle of the working class to access adequate and affordable housing. The working class is divided because capitalism – even petit landlordism - pits one section of the class against another. But in addressing this, the problem must be located firmly within the class struggle between labour and capital. This must involve an understanding of the relationship between struggles in the workplace and the place of living.

### **Box 2: The Bottlebrush incident and xenophobia at the point of production**

With respect to the workplace, the investigation into Bottlebrush reveals that almost all the African immigrants living there are employed, especially the men. But they are mostly precariously employed. One respondent, for example, complained that he travelled to work about three times the previous week only to be told there was no job for the day. The employer insists that he reports for duty and only decides when he is there whether his services will be needed.

There are many other stories of such ill-treatment with the most common one being underpaid, immigrants are, as a rule, paid much less than South Africans. Some South Africans recognize this injustice and blame the employers, while others want to blame the immigrants for accepting low wages.

Why do immigrants accept low wages? Because they are desperate. Because they can save. Because when they get back home they can change the money into the local currency and make a fortune.

And what goes on at the workplace finds its way back to working-class communities and some of the frustrations of South African born workers add fuel to the fire of xenophobic attitudes.

The Bottlebrush findings also indicate that immigrant workers are not only ill-treated by the employers but also by fellow workers. They work harder, longer and are given the most difficult tasks. In at least one case, the employer docks immigrant workers' pay at the behest of other (South African born) workers and such money is used to buy braaivleis.

Immigrant workers appear to sometimes provide cheap labour to the South African economy and also serve as a kind of underclass labour force that is pushed around by both employer and fellow employee at the workplace. This is well recognized in Bottlebrush.

### **Box 3: Youth and gender dynamics**

The research indicates that the violence against African immigrants was waged largely by young adult males.<sup>89</sup> Some commentators have identified a "masculine entitlement" in the violence that defines women as the property of South African men hence the attacks on male immigrants.<sup>90</sup> In this section I will look at the twin

<sup>89</sup> Respondents

<sup>90</sup> Please see note no. 105 in this report.

dynamics of youth and gender in the xenophobic attacks trying to provide a theoretical explanation of the operation of these factors.

In Bottlebrush there is little evidence emerging from the interviews that women immigrants were attacked. However, we cannot be ruled out and the story of women and how they were affected by the violence clearly needs further investigation.<sup>91</sup> They were displaced with the men and had to go and live somewhere else until the violence subsided.<sup>92</sup> There is no doubt from casual conversations and the rather brief interviews conducted with young immigrant women that they experience discrimination, ill-treatment or at least verbal abuse and negative labelling as “non-South African citizens”.<sup>93</sup> The women expressed a very strong sense of being the “other”, of not belonging and of wishing that they were in their “own country”.<sup>94</sup>

Historically the migrant labour system in South Africa was characterised by the movement of male labour from African countries and the rural areas of South Africa to the mines rather than the migration of women. However, over time women also found their way to where the men were necessitating, for example, the birth of African settled communities (in the form of “locations” and townships) since the single-sex male compounds could not accommodate women. The apartheid government, in line with its dogged pursuance of the logic of apartheid later built female hostels to accommodate women. In Bottlebrush, according to the respondents, at first only the male immigrants lived in the area, but recently female immigrants are also settling in the area.<sup>95</sup> According to the immigrant women themselves this is because of the pressure of poverty and other problems in their home countries. On the other hand, the male immigrant respondents talked about bringing “our women” to stay with them.<sup>96</sup> We should note however that many “single” immigrant men, no doubt out of necessity, soon establish short or long-term relationships with local South African women.<sup>97</sup>

Where does the perception or the reality of competition over women come from? we think we can find an explanation by a consideration of structural and ideological factors. There is a very high unemployment rate in Bottlebrush that mirrors the situation in the rest of the country. Nationally unemployment, using the expanded definition, is about 40%. However, researchers have suggested that unemployment is highly gendered (and age-related) with unemployment among young African women estimated at about 75%, the worst affected of all social groups.<sup>98</sup> Similarly, although to a lesser extent, young African men experience unemployment levels much higher than the national average. It has been suggested that by gender activists, especially in the context of studying the vulnerability of women to HIV infection, that ‘poverty [...] increases women’s vulnerability to the need to grant sexual favours in exchange for resources’<sup>99</sup>

Some respondents suggested that “local women” found immigrant men attractive because they provided them with resources.<sup>100</sup> I don’t think we should come to any definite

<sup>91</sup> The rape of women was reported to be part of the violence that was meted out during the height of the xenophobic attacks.

<sup>92</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident

<sup>93</sup> Female respondents, 2 immigrants from Zimbabwe

<sup>94</sup> Female respondents, immigrants from Zimbabwe

<sup>95</sup> Khambule, resident of Ekupholeni shack settlement.

<sup>96</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

<sup>97</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident

<sup>98</sup> S. Hassim *Turning Gender Rights into Entitlements: Women and welfare provision in post-apartheid South Africa*, *Social Research*, vol.72 no. 3, 2005.

<sup>99</sup> Jacklyn Cock ‘Maids and madams in retrospect’ in Greg Ruiters (ed.) *Gender Activism: Perspectives on the South African transition, institutional culture and everyday life*, Rhodes University – Rosa Luxemburg, 2008, p. 45.

<sup>100</sup> Anonymous respondent, immigrant from Malawi

conclusion in this respect except to note the need for further research that can shed more light on the material basis for intimate relationships between working class men and women, irrespective of country of origin of either sex.

On the ideological front there is no doubt in my mind given the evidence from the interviews that patriarchal attitudes abound among both immigrant and South African born men. Women are assumed to “naturally” do the unpaid domestic labour in working class male-headed households. In addition and related to this view is a patriarchal attitude that considers women as an asset or even the private property of (their respective) men. There is also the view that men must attract or pursue women and that the wealthier a man is the better his chances of “catching” women and keeping them. The corollary to this is that if a man does not have enough money women will find him less attractive. In a nutshell, men are assumed to be in competition for women and their material possessions largely determine who comes out the winner. Other attributes can be thrown into the mix but wealth seems to be seen as the decisive factor.

I think it is this potent mix of structure and ideology in a context of an unequal and highly competitive society that fuels the perceptions that lead to the “masculine entitlements” and violent competition between men fighting over women that characterise xenophobic attacks. To this some gender activists add the role of the conservative ideology of “familism” that can turn men into monsters in a context of the disempowerment many of them experience due to poverty, unemployment and a failure to see any way out of their sorry economic condition. The family remains the poor man’s last resort: it will give him power and authority when no one else will.<sup>101</sup>

The deteriorating economic situation of the working class is closely related to the neoliberal onslaught that has seen the rich getting richer and the poor poorer all over the (capitalist) world. The privations of capitalism are experienced differently in terms geography, race, gender, age and class position. In this section we looked at how gender and age could be related to the incidence of xenophobic violence in Bottlebrush.

## Case 2: Cato Manor and Cato Crest

### Historical, Social, and Demographic presentation

129. Cator Manor (CM)/Cato Crest (CC) is a generally culturally diverse community. Since 1994, people of various African cultural backgrounds flocked to Cator Manor/Crest. Although one comes across Zimbabweans, Malawians, Congolese, and others, the majority of ‘foreigners’ are Mozambiquans. This group forms the majority of the interviews conducted so far in the Cator Manor/Crest areas. Most, if not all, ‘foreigners’ consulted come from poor or working class backgrounds. Their education qualifications do not go beyond high school level. Most of them left their country for economic reasons; the collapsing or weakening economic structures of their countries that create less room for their economic manoeuvres. As one of them said,

‘When I left Malawi I knew that, with my business skills, I would do well in South Africa. And since I got here over ten years ago, I hardly worked for someone else. I have been doing my own small business, selling bags. I also sell frozen juices. South Africa offers better economic opportunities if you know what you are doing. I drive to different places to sell, where there is a market. Just yesterday, I was in Hammarsdale. South Africa is my home now. Many people in CM and CC know me as a small

<sup>101</sup> Germaine Greer quoted by Jacklyn Cock, op cit. p. 53

businessman. I don't have a shop here. I carry my things in the bags and go to different places to sell. I don't feel different or Malawian. My wife- to- be passed away, her family lives in New Lands. They have become my family too. I am raising my daughter on my own now'.<sup>102</sup>

130. Many of the 'foreigners' however come here to get jobs. Most of them come to South Africa for mainly economic reasons, and through connections with those already on the South African ground. When they first get here, those already in South Africa take care of them until they can stand on their own feet.<sup>103</sup> Strong social and cultural ties have kept the Mozambican community strong in Durban. For some of them, South Africa has been the most natural place to come to since their relatives, e.g. uncles, fathers or grandfathers, have worked in South Africa, mainly in the mines.<sup>104</sup> The new political/democratic dispensation in South Africa raised hopes for a better life for them in the new South Africa, especially employment opportunities. And, indeed, those consulted claim that, financially, South Africa has better opportunities for them. Many of them have lived in South Africa for over ten years, and have work permits now.<sup>105</sup> At this stage, they regard South Africa as their second home. Most of them are fluent in the local language, in this case mainly isiZulu. Many of them came to South Africa unmarried and, some of them, are living with, or married to, South African women. Others prefer to married women from their countries of origin.<sup>106</sup> The researcher did not come across 'foreign' women who date local men. Most of the 'foreigners' consulted nevertheless claim to have lived 'peacefully' with South Africans to the present.<sup>107</sup> This community, integrated as it claims to be, experienced xenophobic attacks in May 2008.

### The sequence of events

131. The story begins with xenophobic attacks taking place in the area called *KwaMazithanqaze*, in CC.<sup>108</sup> The exact date of the beginning of attacks has not been confirmed with certainty. Corroborating some of the police oral accounts however, most if not all informants state that CC is the place where events of considerable seriousness took place. Scuffles had begun at the market area, Warwick Avenue, in Durban that day. When the Cator Manor/Crest residents, especially 'foreigners', went home from work that afternoon, there was already a bit of fear for their lives. Most of them went home to collect their belongings, preparing to leave Cator Manor/Crest that night or the following morning. In the evening of that Tuesday, around 7pm, a group of unknown people entered the *Mazithanqaze* area in CC. The exact number of these people is unknown but, according to one of the informants, they were between 25 and 30 in number. These people were uttering negative words about 'foreigners',

<sup>102</sup> Conversation with 'Ham', originally from Malawi, Dunbar, Cator Manor, September 2009.

<sup>103</sup> Conversation with 'Mrs Z', Cator Crest, September 2009.

<sup>104</sup> Indeed, since the nineteenth century, South Africa has relied on regional labour to build a sound economic system, especially in the gold mine and coal industries, and in the sugar cane/farming industry.

<sup>105</sup> Some of them worked without work permits. Most of these got their permits after the May 2008 attacks in South Africa.

<sup>106</sup> One of the informants felt that South African women are too consciously aware of their political power and empowerment, which presents a challenge to his cultural expectations of male dominance in the relationship. He also stated that South African women are financially greedy.

<sup>107</sup> As 'Mrs Z', one of the landlords in Cator Crest, said, new 'foreigners' joined the community after 2008's attacks.

<sup>108</sup> The name *Mazithanqaze* literally means 'drop dead', or 'thrown yourself down'. But in the context of Cator Crest, it means 'dance until you drop', the name being taken from the vibrant spirit offered by Themba Tavern that is located next to the bus stop where attacks are claimed to have begun.

saying ‘*amashangane* <sup>109</sup> out! *amakwerekwere* out! People who harbour *amakwerekwere* as tenants must let them out or they will be in trouble. We don’t want them here’. They were carrying sticks, bush knives, and sjamboks, and even stones. They entered certain houses. Some of the ‘foreigners’, and South Africans, who live next to the bus stop and tavern, where attacks began, were wounded. According to one informant, two people died during this surprise attack. <sup>110</sup> It is likely that these are two major attack cases that the CM police station records referred to. <sup>111</sup> However, the police record book does not mention them as death cases, but as assault incidents. The criminal element of the attacks raises questions; whether these deaths were connected to xenophobic attacks or general crime related assaults.

132. The residents consulted state the attackers were a group of unknown people from the shack area that is notorious in terms of violent crimes. Most people who live in the *KwaMazithanqaze* area have two –roomed government houses, behind which some of them build shacks. Local and ‘foreign’ informants claim that the unknown people who started trouble, and who also distributed pamphlets warning ‘foreigners’ to leave, were criminals from the shack areas of CC and Dunbar (CM). Mama MNC said,

We don’t know how it began in CC. But that day, things had begun at the market [Warwick Avenue]. You see CC is very close to the market. My sense of this is that the very same people who did this at the market walked up to CC and continued their violent behaviours there. All I remember is people screaming in CC, you see CC is not far from CM. So we heard these screams from beyond there. People were phoning us to tell us that things were bad there.

‘And what happened?’, the researcher asked

The group of people that were causing trouble that evening moved up towards CM, singing insult about foreigners. I thought about Imran, the Malawian guy you saw the other day. Imran was living with his three year old daughter, the daughter whose mother passed away. He is raising her on his own. We tried to get the toddler from him so that he could run away. But the toddler was crying badly. So we locked both of them up in that room. See that room there. It was horrible. He slept in that room the whole night. We locked all other foreigners in the rooms until the police came to get them to the police station. For those who were lucky enough to know earlier what was going on, we told them to run to the police station. <sup>112</sup>

133. ‘Foreigners’ in the area where attacks began ran to the bushes. One of the landlords hid her ‘foreigner’ tenants in her two-roomed house. <sup>113</sup> She and her tenants slept on the floor next to the door to prevent any possible forced entry. At that point, she was also in danger as a South African harbouring ‘foreigners’. ‘Mrs Z’ said that one of her neighbours, who was also a landlord, personally approached her and

... accused me of protecting these people. Why not let them go like most of us did? She asked me. How could I just dump them on the street like that? These are human beings. I don’t have anything against them. I need them. I rely on them for income to

<sup>109</sup> ‘Foreigners’ most of them from Mozambique, in Cator Crest are referred to as ‘*Amashangane*’, as if they are one unit. But Mozambiquans are diverse, they come from different language backgrounds, one of them the Chopi speaking group.

<sup>110</sup> Conversation with ‘Jabu’, Cator Crest, September 2009.

<sup>111</sup> Conversation with Superintendent ‘M’, Cator Manor Police Station, September 2009.

<sup>112</sup> Conversation with Ms MNC, Cator Manor, November 2009.

<sup>113</sup> Conversation with ‘Mrs Z’, Cator Crest, Sept 2009

take care of my children. I was afraid that that neighbour would report me to these criminals. I was in danger. <sup>114</sup>

134. The 'foreigners' were protected by, or hidden in the rooms of, their South African fellow tenants. Two landlords consulted separately both state that these unknown attackers were assisted by certain criminals in the *Kwamazithanqaze* area in identifying houses in which 'foreigners' lived, and in identifying women who date or live with 'foreigners'. <sup>115</sup> 'Mrs Z' argued,

May be these attackers were from outside. But you see, I don't think that is entirely accurate. We know some of these criminals here. I believe that Makhanyile's son and his friends were involved in this. They identified us as landlords and lovers. I mean Makhanyile's son, Sbusiso, the one who recently passed away. But these guys are very dangerous, so I would advise you not to approach them. You see right now my tenants are not comfortable walking around because we live very close to some of these criminals. As you saw how uncomfortable the guy was when you asked him some questions. I think he is still a bit scared to talk. They hardly leave their rooms except for when they go to work. I think it is because we live next to the tavern, as you can see only this fence separates us from this tavern. My tenants bump into these criminals everyday because they drink in this tavern. So they are scared. <sup>116</sup>

135. It is believed that the local (*Kwamazithanqaze*) criminals are the ones who continued the attacks secretly, in the form of ambush and house breaking that week. Residents tend to think that xenophobic attacks in the Cator Manor/ Crest areas were forms of criminal opportunism. That criminals took advantage of the situation that they saw on TV and used it to their advantage. These perceptions also suggest a strong organized criminal connection between *Kwamazithanqaze* and other areas. Some of these criminals are known in the area but, out of fear, people are reluctant to talk about them. Fear is also one of the reasons some of the cases were not reported.

### The community and the police

136. Both local and 'foreign' residents in the Cator Manor/Crest areas praise the CM police for the protective role that they played during the whole saga. The attacks did not proceed further than the tavern/*Kwamazithanqaze* area. This was because when the residents realized that something was going on, and hearing that attackers were looking to kill 'foreigners' and 'their allies', they took up arms getting ready to fight. The situation would have gotten worse with some Mozambiquans deciding not to run away into the bush, but preferring to get weapons to fight back together with the South African residents. <sup>117</sup> One of the landlords called the CM (KwaKito) Police Station. The Police Station responded quickly and sent police vans to the scene of incidents. The police asked one of the 'foreigners' named Jinide (or Jimde) to speak on the police loudspeaker, to tell the 'foreigners' to come out because the police were there and they (the 'foreigners') were now safe. One of the individuals who were hiding remembers vividly seeing the police helicopter with its bright lights in the air looking for them in the bushes. He said,

<sup>114</sup> The story of xenophobia thus presents a different angle that suggests the complexity of the experience, in which protecting 'foreigners' lives became tantamount to protecting material interests, the competition that some landlords could not handle.

<sup>115</sup> Conversation 'Mrs Z' and 'Jabu', Cator Crest, September 2009.

<sup>116</sup> *Ibid*, Cator Crest, September 2009.

<sup>117</sup> Conversation with 'Jabu', Cator Crest, September 2009.

I was so scared. When we heard these people up there shouting things against foreigners, I thought I was dying that day. I don't know how this thing started. We have lived with South Africans for ages, peacefully. Why that day would they all of sudden attack us? In fact, South Africans are the ones who protected us here. They took me to their rooms, hid me under their beds. I was hiding there until the police came. Even when I came back from home, they are the ones who protected me and my wife. We were still scared. You see all these fellow people here are all South Africans. I have not had a problem with them. To me, really, it still does not make sense why these attacks. And since we got back, we have not had a problem here. <sup>118</sup>

137. Inside was fluent in isiZulu and also spoke one of the Mozambican languages. He first spoke in isiZulu, and then in his language. After hearing that one of their own was talking to them, the 'foreigners' came out of the dark houses and bushes and ran to the police vans for protection.<sup>119</sup> That is how 'foreigners' ended up in the police station. The fear factor prompted 'foreigners' from other quarters of Cator Manor/Crest to run to the Police Station before they were attacked. <sup>120</sup> The police officer consulted confirmed that, when the police vans returned from CC, they found the Police Station premises full of 'foreigners' from other areas, mainly Dunbar and Fast Track in CM. <sup>121</sup>
138. As 'foreigners' were kept in the police station, while transport arrangements were underway to take them to their countries, some of the 'foreigners' used to leave at night back to their rooms, others to their partners. For those who were scared to leave the police premises, their partners brought food and cosmetics to the police station for them. Sometimes partners went to fetch them from the police station for the night. That is when the unfortunate gang rape incident happened. The attackers wanted to kill the 'foreigner' boyfriend. He ran away, and then they took the woman, a South African. <sup>122</sup> Landlords and partners lived in fear for almost three months, scared that they would be killed for housing or dating 'foreigners'. As late as July, pamphlets were still distributed by unknown people, warning landlords and girlfriends against living with 'foreigners'.

### Helping the 'foreigners' in and outside the Police Station

139. According to interviews conducted with the police and the Cator Manor/Crest residents, various interest groups gave a lot of support to the 'foreigners'. These included mainly the churches, the police, the community, the doctors, local committees, foreigners associations, and other interest groups. They were helping mainly with food, shelter, clothes, transportation and prayers. Some employers used to come and pick up their 'foreigner' employees to work. Although only one person mentioned this, some former *Umkhonto Wesizwe* soldiers also provided support. <sup>123</sup> There was a series of meetings between the police, local government structures, representatives of the 'foreigners' and other interested parties. Such names as Jimde and Arnando come up as 'foreign' individuals from Mozambique who represented 'foreigners' at meetings. When newspaper reporters visited the Police Station, they used to talk to him as a representative. He played this role until 'foreigners' left the

<sup>118</sup> Conversation with 'Ibra', Cator Crest, September 2009.

<sup>119</sup> Conversation with 'Abdul', Cator Crest, September 2009.

<sup>120</sup> Conversation with 'Ham', Dunbar, Cator Manor, Sept. 2009.

<sup>121</sup> Conversation with Superintendent M, Cator Manor Police Station, September 2009.

<sup>122</sup> 'Mrs Z' and 'Jabu', South Africans consulted, think that the woman still lives in Cator Crest.

<sup>123</sup> It is claimed that the reason why attacks did not take place in Chesterville, another township in Durban, was because of the strong presence of the *Umkhonto Wesizwe* veterans there. It's possible that they might have provided support, but this has not been confirmed by other interviews.



police station to their countries or back to the community. Except for the police, it looks like the civil society played a significant role in helping 'foreigners' to survive until they went back to their homes. And when they returned, it was these local non-governmental structures, including churches, that helped them to live without fears. The residents thus felt that the community in the Cator Manor/Crest areas was against the attacks, seen in the number of meetings that were held by stakeholders and local interest groups to stop the attacks from spreading. As the conversation continued with Mama MNC, she said,

I protected Imran, Javara and others. This was not because they were my tenants, but because, you see, as a mother, I have children of their age. And these guys have lived here for over ten years now. They are like my children now. At my age, I cannot let a child suffer, whatever the reasons are. We have strong local community structures, they would not allow violence. <sup>124</sup>

140. There is a paternalistic motherly approach that is common among older women and landlords. That may partly explain why most of the landlords are older female South African citizens. 'Ham' from Malawi said,

Cator Manor is a unique place. Local structures are very active here, in collaboration with the councilor and the police. We have lived here for over ten years. The residents know us, they like us. So they would not attack us. When I went away for a while, local residents took care of my house and everything in it. You see these ladies here, I regard them as my parents now. That is why I said to you earlier that I don't think this had anything to do with foreigners. The poor South African majority used us to fight their service delivery battles with the government. People who approached foreigners here did not assault them, they intimidated them and then took their belongings while they were away. Others would come and demand money, and then leave. They did not force us to leave our houses. We left out of fear. Personally, I was never attacked, or assaulted, or even intimidated because the community around here protected me. And, as you might know, most of us came back. There are even new foreigners here now. <sup>125</sup>

141. The residents, both local and foreign, single out criminal opportunism as a main factor in these attacks. One may argue that xenophobic sentiments did play a significant role in the attacks. They were, however, exploited for material reasons; to steal from 'foreigners'. The only question is whether or not the civil society is strong enough to overcome the authoritarian tendencies of the ruling classes in the twenty first century.

#### **Box 4: Helping 'foreigners' at the Police Station and in reintegration**

According to interviews conducted with the police and the Cato Manor/Crest residents, various interest groups gave a lot of support to the 'foreigners'. These included mainly the churches, the police, the community, the doctors, local committees, and other interest groups. They were helping mainly with food, shelter, clothes, transportation and prayers. Some employers used to come and pick up their 'foreigner' employees to work. Although only one person mentioned this, some former *Umkhonto Wesizwe* soldiers also provided support. <sup>126</sup> There was a series of meetings between the police, local government structures, representatives of the 'foreigners' and other interested parties. A man named Arnando comes up as one of the 'foreign' individuals from Mozambique who represented 'foreigners'. When newspaper reporters visited the Police Station, they used to talk to him as a

<sup>124</sup> Conversation with Mama MNC, Dunbar, Cator Manor, November 2009.

<sup>125</sup> Conversation with 'Ham', Dunbar, Cator Manor, September 2009.

<sup>126</sup> It is claimed that the reason why attacks did not take place in Chesterville, another township in Durban, was because of the strong presence of the *Umkhonto Wesizwe* veterans there. It's possible that they might have provided support, but this has not been confirmed by other interviews.

representative. He played this role until 'foreigners' left the police station to their countries or back to the community.

While 'foreigners' were away, their landlords and South African friends took care of their rooms. Those rooms that stayed unguarded while their renters were away were broken into, and the belongings inside were stolen. Some of the employers used to consult their employees in their countries. 'Ibra' in Cato Crest said 'my employer in the construction company used to communicate with me while I was away to find out how I was doing. He told me not to worry because he was going to keep my job. When the situation stabilized he consulted me and told me to come back'.<sup>127</sup> These are the people, employers and community residents, who encouraged 'foreigners' to come back to Durban after the dust subsided.

As far as the Cato Manor/ Crest experience goes, there were no formal structural processes in place to help 'foreigners' reintegrate back to the community. Most 'foreigners' came back to their jobs and houses, and have lived 'peacefully' ever since. Their return and reintegration into the community depended mainly on the support of the local community structures, the perceived police protection, and the community residents in general. The continuing arrival of the new 'foreign' residents after the attacks suggest that, in the midst of fear, 'foreigners' still see Cato Manor/Crest as a place where they can live. Both locals and 'foreigners' praise the police and community residents for protecting 'foreigners'. No cases of harassment by the police were reported.

The reintegration process is generally contested terrain. The manner in which the reintegration process was carried out raises numerous questions; this is justified by the responses that were given by reintegrated respondents in Cato Crest during fieldwork. Reintegrated respondents interviewed in Cato Crest attested to the fact that their main source of support came from civil society and philanthropic initiatives providing food and shelter. They argue that reintegration was carried out in an obscure manner. There was no consultation with displaced people about their position in terms of return to the communities from which they had come and no initiative was taken by the local government to drive a reintegration process in terms of ensuring that those who had lost their shacks and houses (through vandalism and vacancy) had suitable living arrangements:

'We stayed in a church nearby, we couldn't go back. So the church provided us with nice hospitality and other people from different organizations came in. After a month or so, they started taking us by police van again to our shacks. But my shack was burnt, so I had to start again building it. At the same time I was afraid that this people who attacked me, they will come back. But the police assured us that they will protect us from perpetrators of xenophobia violence'.

'The churches, Red Cross, and various other civil society groups were amazing. Even during reintegration they gave us some food to take back home and some clothing's from other white people that came to us in the church that we were staying living in.'

'There is a pastor who also runs a church here in Cato Crest, he was very helpful throughout the process, by asking us how we are feeling, we will like to talk about what happened or any help. And he prayed for us and all that.'

### Why xenophobic attacks?

142. During one of the visits to CM in the middle of November 2009, the researcher visited one of the drinking spots in the area called *KwaGonondo*. She had a privilege to listen to a conversation between two individuals inside the drinking hall. One of the individuals turned out to be a 'foreigner'.

<sup>127</sup> Conversation with 'Ibra', Cato Crest, Sept. 2009.

You see, what you are saying to me now is nonsense. If I beat you up now, people will think that I am doing that to you because you are a *Kwerekere*. You just insulted me. You are lucky I am not a war like person. Otherwise.....”

143. ‘What did he say?’, another young man asked. The guy who referred to himself as ‘Sphiwe’ said ‘He just insulted me in isiZulu’. ‘Don’t mind him, he is drunk and confused’, the researcher said. ‘Sphiwe’ turned to the researcher and said,

You see sister, I don’t have a problem with foreigners. But this one, I do have issues with him, why insult me. Let me go home before I lose my mind and beat some fool up. I don’t want anyone missing up with me, foreign or local. Let me go.

144. In unpacking the reasons for xenophobic attacks, issues of housing, rental rates, retail, crime, corruption, wage rates, gender dynamics and reintegration, were at the core of our enquiry. Do these issues provide the context in which to locate and understand ‘why xenophobia’ in South Africa? According to random conversations between the police and the residents in Cator Crest, when trouble began in Cator Crest in May 2008, the attackers cited employment/unemployment and women as their main concerns and reasons for attacks.<sup>128</sup>

## Housing and Employment

145. One of the residents in CM said to the researcher “so why do you want to talk to these foreigners? Want to know what their problems are? You want to help them? You government people are so good at that. What about us?”<sup>129</sup> Two young men from Mozambique said

We don’t want to talk about our landlord. But, no I am not happy with this room. Look how small it is. Yesterday it was raining, and the roof was leaking, as you can see that spot on the floor. The room is not only small, but also dirty, look at the mud on the floor. I have a single bed here, nothing else. I keep my suitcase on my bed because there is no space for it in here. The room can accommodate only the bed. Look at the door, it’s not even safe living here. But I pay R350 per month. But what can I do? The only good thing here is that, as you can see, we are all from Mozambique here, so we feel that sense of community. One of my South African friends was shocked when he came to see me here; that I live under such conditions. He told me that in Chesterville where lives he pays the same amount for a big fully furnished room with even a shared shower and toilet inside the house. You see here, we are all Mozambiquans here. And across the road are also Mozambiquans. Not a single South African rents these rooms. It is a nice Mozambican community.<sup>130</sup>

146. “What do you think is the reason for that?”, the researcher asked. “South Africans have more rights. They can choose not to take the offer. With us, what can we do?”, the young men responded. ‘But you do have rights too’, the researcher said. William said

Yes, but you see, I cannot live anywhere else, I don’t want to leave my fellow country men here. It’s safer. Besides, my salary is not so good. I get R50 a day. So I cannot afford a better place anywhere else. I have a family at home. I get R1200 per month. I take half of that home, and use the rest for rent and food. In a way, I think I am coping.

<sup>128</sup> In other words, that ‘foreigners’ take their jobs and women.

<sup>129</sup> Comment by grandmother Mrs ND, Dunbar, Cator Manor, September 2009.

<sup>130</sup> Conversation with William and Av, Dunbar, Cator Manor, September 2009.

I send money home fortnightly. So that at the end of this month, when I get money, I won't give them any, I need to buy clothes and a better bed. Then next month I will send some money home again. It works that way.

147. Landlords exploit 'foreign renters', and by doing that they are not making social relations easy between 'foreigners' and locals. One of the landlords, NW, in CM said "why do you want to see my tenants? To arrest them?". The researcher responded by saying

No, we are doing research among them, nothing harmful at all. Whether they are here legally or illegally, it's not my business at all. I mean I am not some government official looking to see of they have right papers. I am just a researcher. You really love these guys, huh?.

148. NW said,

Well, they are my tenants. They are the reason I have money. You see all these rooms here, I make about R400 per month per room. We like foreigners, they don't complain, they just pay. I do not want to rent my place to a local, locals complain. Locals demand to pay half or even less than half of what these guys pay. At the end of each month, I don't have to remind them that they have to pay. They just come to me and give me my money.

149. The general attitude among landlords is that unemployed locals or local low wage earners feel politically and culturally entitled to complain about high rentals and the quality of the rented rooms, and are sometimes reluctant to pay. But 'foreigners' who do not have many 'rights' take anything that they can get. Employers also prefer these non-complaining 'foreigners'. Many employers provided support for their 'foreign' workers during difficult times.<sup>131</sup> And, no matter how little they earn, 'foreigners' do not complain about high housing rates, for the most part they are reliable. Landlords, some of whom are *shebeen* queens who also live with 'foreigners' as partners, rely on foreigners for rents and clientele in their *shebeen* business. There are general perceptions that landlords and employers are lenient towards 'foreigners'. However, as one of the informants said, this is not a genuine 'friendly relationship' between employers and the employees. 'Foreigners' get paid less than the locals. As 'William' said,

I work for a construction company. On paydays, you can see the difference in pay envelops. Our pay envelops as foreigners' have different colors, with different pay rates inside. I get paid R50 a day. Locals are given R70 or R80 a day, sometimes even R100 a day if they complain'.<sup>132</sup>

150. So there is a housing and labour exploitation against 'foreigners', and a lack of compliance with labour laws on the side of the employers. Landlord/tenant relations are also not always peaceful. Since no formal leases are entered into, 'foreigners' leave premises without a proper notice when they get better offers some place else.
151. 'So do you think housing was the cause of the attack? Do you think it was justified?', the researcher asked. Mama MNC said,

<sup>131</sup> Conversation with 'Ibra', Cator Crest, Sept. 2009.

<sup>132</sup> Conversation with 'William' and 'Avel', Dunbar, Cator Manor, September 2009.

...well, to some extent yes it is justifies. Look at what is happening in Cape Town. We are suffering. But that is not the 'foreigners' problem. Our government is to blame. How do you allow so many people to enter the country from outside? How do you hope to feed and house them? South Africa must operate like USA. The government must make a point that there are laws governing migration. South Africa is the easiest country to enter. Look at America, to go there you need a lot of papers to sign, but here it is free. Once these people get here, this places pressure on our already under-resourced society. These foreigners cross the borders illegally, they know that once they enter here churches and other interested parties will feed them. What about us? Right now you people are asking me about them. What about us? South Africa gives more attention to the foreigners. See where I live. When am I going to get a house? Our children need houses. Where are they going to live? Why are these foreigners such an issue? When are we going to be an issue as poor majority? Unless South Africa deals with domestic issues for its own citizens, and then takes care of the foreigners, another WORLD WAR is coming! I do not support xenophobia, but I think that I understand where our people's anger is coming from.

152. "What do you think should be done?", the researcher asked. Mama MNC said,

Simple, these people must come here legally. Those who are here illegally, and those who are fairly new in South Africa must go back to their countries. People like Imran and Javara have lived here for over ten years, they are South Africans in many ways now, and are here legally. They have kids here. They must stay, they deserve that. But those who have come recently must go back. But you see, I blame our government. Mbeki and Zuma are lenient to Mugabe and these other useless leaders in Africa. They must be hard on people like Mugabe, and advise them positively on how to run their countries. Otherwise if things remain bad in these countries, their citizens will run to South Africa. And we will continue to suffer like this because honestly we don't have enough resources in this country. We don't have Nigerians here, but I know they commit crime. Nigerians must not come to South Africa, they bring drugs. Mandela, Zuma, and Mbeki have friends, in- laws and relatives in these countries, so they don't care what is happening in these countries, as long as people in power there are their friends. What is that?"<sup>133</sup>

153. 'Is that the reason why Imran and other foreigners were attacked in CM?', the researcher asked. Another informant responded,

No, not at all. We do have housing issues, but in CM that was not the direct cause of tension in May 2008. The Chinese people in town may annoy us when they give jobs to these non complaining foreigners. Fine. But still we have not had problems with foreigners here. What actually stirred up trouble here was rape. You see here in Durbar, there is a place called *KwaMadlokovu*. An Indian woman was kidnapped from somewhere and raped by the *Shangaans* who were renting a house around there. This happened shortly before the attack. When attacks took place, people here were still very bitter about that, so they used that as an excuse to rob the foreigners. Even there, they did not attack them, they stole their belongings, that's all.<sup>134</sup>

154. It looks like there are tensions in the community about poor service delivery and lack of law enforcement. But again there are different perspectives on why xenophobia happened. Residents emphasize the role of local committees in stopping xenophobia from happening in CM, after it began in CC.

<sup>133</sup> Conversation with Mama MNC, Cator Manor, November 2009.

<sup>134</sup> Conversation with Ms HL, Cator Manor, November 2009.

## Women, Love, Corruption and Crime

155. There is a general perception that men from African countries outside South Africa are more loving and caring than their South African counterparts. Local men, especially the working class or poor ones, feel threatened by the presence of these 'very caring foreign' lovers. However, South African women interviewed said that 'foreigner' lovers are no different from local men. 'Jabu' said,

They are also not reliable. Very few of these foreigners genuinely love us. It's either they date us for security purposes, like to get the right papers to become South African residents. Or they want a good time, they want sex and company, they are lonely. You see this partner of mine is from Mozambique. I have lived with him for ten years now, but we still condomise. Hey, you will never know<sup>135</sup>

156. 'Nonte' in Dunbar, Cator Manor, said that 'foreigner' lovers are like other men. Some of them are nice. Others are not. My Malawian lover can be bully sometimes, worse than my ex-Xhosa speaking guy'. Another factor that 'Nonte' mentioned is that gender relations between local women and 'foreigners' are perceived to be leading to corruption because local women harbour 'criminal foreign lovers' in their houses.<sup>136</sup> 'Jabu' also related to this perceived connection between 'crime, corruption and romance'. Corruption cases might be there, but the researcher has not yet come across strong evidence for it. However, local women emphasize these indirect 'bedroom corruption deals' as real in their experiences. This becomes clear in 'Nonte's' statement when she said,

...they pretend to love you, promising marriage and the world. Have you watched the *Zola 7* on TV lately? Did you see that woman who married a foreigner who disappeared into thin air after that? My partner talks too much about marriage. He needs papers to become a South African and do as he pleases in my country after that. I don't him. Is that not corruption enough? And you still sympathize with these guys.  
<sup>137</sup>

157. Jabu said that that is one of the reasons why attackers threatened to kill them, local women, or burn their houses during the attacks. However, there is no evidence of organized crime in Cator Manor/ Crest. 'Superintendent M' said that such are crimes, with locals involved, are widespread in Point, Albert Park and, to some extent, Umbilo, not Cator Manor/Crest.

## Class dynamics, material basis in gender relations, cultural conflicts and non-nationals' perceptions local women and men

158. There are also class dynamics and material basis for gender relations between local women and 'foreigners'. On the question of stealing local women, one 'foreigners' said

No offence sister. But I will never date or marry a South African woman. That is why I decided to get a Mozambican wife. South African women are greedy. And, also, where I come from, women know their place, very humble and cultured, not materialistic.

<sup>135</sup> Taken from one of the conversations with 'Jabu', one of the shebeen queens in Cator Crest.

<sup>136</sup> Conversation with 'Nonte', Dunbar, Cator Manor, September 2009.

<sup>137</sup> Conversation with 'Jabu', Cator Crest, September 2009.

Here in South Africa, women are very much conscious of their rights, and they want money. I cannot afford them.<sup>138</sup>

159. Local women tend to be 'jealous and protective' of their lovers. Some of the 'foreigners' think that these local women do that to protect their own financial interests which, they think, is the main reason behind dating a 'foreigner'. Coming from rural areas of Kwa-Zulu Natal and, to some extent, Eastern Cape for a better life in Durban, without proper education or qualifications, the urban experience turns some of these women into 'greedy survivors'. 'Foreigners' become their financial target.
160. The interesting thing to observe in these gender relations between locals and 'foreigners' is that relationships are mainly between local women and 'foreign' men. In a conversation with two single women from Mozambique one of them said,

Foreign women rarely date local men. The reasons for that are simple. As a woman you cannot just leave your country on your own that easily. Who will protect you? I am not married, but I came here following my brother, he would take care of me. Men Mozambican women come here with their husbands. So very few foreign women who are single are here. You saw the woman named Elsie that you saw the other day, she is here with her husband. Otherwise she would not have come here on he own, unless the situation is really desperate. Where we come from men take care of women, so my parents would not have liked it if I had come here on my own. <sup>139</sup>

161. Asked if she could marry or date a local man she said,

Oh no! Local men are too demanding. They do not love, and they always pass silly remarks when they see us, forgetting that we understand isiZulu. South African men are just weird. They hit women, they exploit them, and they don't give them money. And in this country, it is easy for a man to impregnate you and just leave you like that. And it happens in our country too, but in South Africa it is a norm. Where I come from, you cannot leave a woman who is the mother of your child. Leaving her for who?

162. Her friend intervened and said,

...even in Zimbabwe where my mother was originally from, men do not do that. Very few men do that. You see the problem in South Africa is these townships and their urban influences. We come from the rural areas, where there is respect for traditions and culture. Look at the street here, you find young people walking up and down aimlessly, even girls! In my village you would not do that. As a young person you have domestic chores to take care of. I want to marry a Mozambican or Zimbabwean guy, not a South African man. They are just silly. I want my children to be raised within a normal African tradition.<sup>140</sup>

163. These cultural attitudes will however change gradually. With the growing number of 'foreign' children going to the same schools with South African children, the paradigm is shifting. Nana, who goes to the same school with Zimbabwean students says,

<sup>138</sup> Taken from the conversation with 'Ibram', a married man from Mozambique.

<sup>139</sup> Conversation with 'Zo', Cator Crest, October 2009.

<sup>140</sup> Conversation with 'Thandi', Cator Crest, October 2009.

No, we don't have a problem with them at our school here in Mayville. We are in the same school, from the same class background, so really we don't see them as different or less than us in anyway. In fact we like them. We learn a lot from kids from Congo, Zimbabwe, Mozambique, Malawi, and other African countries. They are very sweet. I would not mind dating a guy from outside South Africa. <sup>141</sup>

164. Therefore, there are very complex gender dynamics between men and women, local and 'foreign'. Young people are exposed to ideas and information outside the home and, therefore, they see things differently. So one gets these mixed feelings about 'foreigners' versus locals. What comes out clearly here is that 'foreigners' are not one unit, South Africans are also different. People view issues of xenophobia differently.

### Extreme retail business competition

165. Retail was not the major issue during attacks. The main reason for that is that, in Cator Crest, there is no room for business competition. Tuck shops and taverns or *shebeens* in such areas are run by South Africans. Except for street hawkers who sell fruits and vegetables, and small business men like 'Ham' who sell their goods at flea markets, most 'foreigners' are workers, mostly in shops or in construction companies outside Cator Manor/Crest. Retail was therefore not the cause of tension.
166. As the story unfolds on the ground, it seems that lines of conflict between 'foreigners' and locals are not so clear-cut. There is no clear line of demarcation in defining differences in terms of interests between locals and 'foreigners'. In other words, locals are not one unit against 'foreigners'. In fact, locals interviewed seem to think that xenophobic attacks were just criminal elements who were taking advantage of the bad situation elsewhere. South Africans were also victims.<sup>142</sup> The attackers used local criminals to identify houses with 'foreigners' in the area. Individuals who supported the attackers in *Mazithanqaze* are known. One of these criminals is a guy named S'bu who died not long ago, whose mother's name is MaKhanyile. Some of the individuals involved in the gang rape are also known. But their parents are protective of them, and so the residents are afraid to talk. We need more local input into the stories in order to unpack differences/conflicts between 'locals' and 'locals' over 'foreigners'. What this means is that the understanding of xenophobia in Cator Manor/Crest is not a 'one size fit all' phenomenon.

### Case 3: The Central Business District and Umbilo Road

167. Although better protected than in many outlying townships, the centres of South Africa's witnessed intense incidents of xenophobia, and these continue still in Durban, with two deaths recorded in 2009 by a mob who pushed a Zimbabwean and Tanzanian out of a sixth floor window. This section outlines the political, socio-economic, and cultural roots and the triggers of the xenophobic violence at a bar next to Dalton Hostel in Umbilo Road, followed by incidents in the Central Business District (CBD) area stretching from the Albert Park area in the south to the Warwick Junction trading area to the northwest (there were no recorded incidents of violence we could determine further east to the Point and beachfront).
168. Interviews were conducted with a group of informal traders from each of the above areas. They were chosen randomly and some participated because they know the

<sup>141</sup> Conversation with 'Nana', Maflethini, Cator Manor, October 2009.

<sup>142</sup> Conversation with 'Mrs S.', Dunbar, Cator Manor, Sept. 2009.



researcher previously and therefore they could speak freely. In Albert Park 5 traders participated in a group interview, with 10 participating at the Dalton Hostel and additional 10 from Warwick Avenue.

## Albert Park

### What happened, where did it happen, and who were perpetrators?

- I 69. This was followed by various incidents of harassment – especially at Albert Park in November 2008 – and the killings of two foreign nationals at their residence in Albert Park in January 2009. In several instances, houses, business premises and properties were destroyed. Most of the participants in interviews indicated awareness that an eThekweni Municipal Councillor, Vusi Khoza, is still appearing in courts as the result of the incident in which two foreign nationals were attacked and killed.
- I 70. Most incidents took place during the night as attackers did not want to be identified. Some traders indicated that attacks started in Gauteng province and spread to Cape Town and around Cato Manor in Durban. By all accounts (except some government authorities'), the attacks were not planned, but were sporadic and spontaneous. Several respondents noted that some South African nationals are jealous of the success that foreign nationals have in business and self employment. The issues that triggered the attacks were the sale of RDP houses to foreign nationals, although there is no evidence of this in KZN.
- I 71. In Albert Park, unlike other parts of the City and in other provinces, the attacks were led by the Albert Park Community Police Forum overseen by the 32 Ward Councilor which officially requested from the e-Thekwini Municipality to remove all non-South Africans from the area because they increase crime rate, lit the area, overcrowd flats... In fact, there were two mobilizations against immigrants through December 2008 and January 2009. In one, the locals, allegedly under the instigation of ANC ward Councilor Vusi Khoza, entered Jamba House in St. George's Street. They proceeded to throw all the foreigners out. Jamba House had been the scene of a number of police raids. The residents allege that police simply confiscated whatever they had. Lawyers for Human Rights (LHR) had taken up a number of cases after residents produced receipts for the goods. Once the residents were out on the streets the police harassed them until they finally disappeared into the night.
- I 72. Terence Masango (a pseudonym), a Zimbabwean, was aware of the situation but thought that it was simply the excesses of the festive season. But still Masango felt uneasy. As dusk fell on 4 January 2009, he took refuge in his room at the boarding house, Venture Africa.

...Then came this attack. It was on a Sunday at half past ten pm. I saw a group of people carrying the weapons like bush-knives and knobkerries. They were carrying hammers, too. They were blowing the vuvuzela. They were chanting the slogans in Zulu languages, and some of them were singing. I saw them coming in the direction of the flat where I stay, Venture Africa...<sup>143</sup>

- I 73. To get to Venture Africa the crowd had to march past the police station. CCTV footage caught the marchers on the streets. People 'heard the mob, saw the mob' a person at the LHR that has its office close to Venture Africa repeated a few times

<sup>143</sup> Terence Masango, a Zimbabwean survival of Venture Africa

when she recounted events leading to the attack. The owner of Venture Africa was contacted and phoned the police to intervene. They told him it was the legitimate work of the Community Policing Forum (CPF). Masango described the subsequent events:

... They forced their way up. Six floors. Some of them they were closing the entrance at the gate. Then, I locked my room. When it started, I was sleeping, but I was SO scared. I heard the noise of the people screaming. The doors were being broken. They were hitting the doors with the hammers. When I noticed they were even breaking the doors, I thought of running away, so I opened the door, only to see that my neighbour was being thrown from the sixth floor – DOWN! Before I could lock the door of my room, I was approached by this group of people – a lot of them; there were a LOT! The men were in front, and the women were behind shouting, 'Shaya! Shaya!' They asked me where I'm from. I told them I was from Zimbabwe. They shouted, 'Shaya kwere-kwere! Shaya!' One of them hit me on the head with a knobkerrie. The blood started to flow. I felt weak. I screamed for help. My attacker was joined by other guys... I fell down. I thought it was over. I heard one of them talking in a Zulu language. They said, 'Let's throw this dog outside the window' in Zulu. Five of them, they lift me up, pushing me through the window. I tried to hold the window frame, calling for help. They broke the window frames, pushing me down from the fifth floor. Lucky enough, I fell on top of these two other guys who were already dead on the floor. When I was down there, and they saw that I was not dead, they carried on throwing stuff and hitting me with empty beer bottles and all those objects. I didn't even notice these guys were dead. I told them, 'Come on guys. There's a storeroom nearby that we can crawl to. The blood was coming too much from my head. I could feel the pain in my spinal cord and my head. I lost my conscious. Next time when I came to, it was to see what was going on the next day at I am in Addington Hospital when the doctor was saying, 'At least this person is showing some signs of living, now'... I tried to feel it. But, nothing. I stayed at Addington hospital for five weeks. During that time, detectives and investigators were coming there to take the statement from me. Then, I was transferred to Clairwood Hospital, where I was being treated by the spinal doctor. And, the inspector told me that they managed to arrest some eight of the perpetrators. In the hospital I was shocked to read from the newspaper that I was dead – me, and other two guys...<sup>144</sup>

174. One of the dead friends that Masango landed on was Victor Zowa. Victor's brother Raymond had been displaced by the May 2008 attacks in Alexandra. He had gone back to Zimbabwe, but facing starvation returned to South Africa. He made a quick exit out of Johannesburg and sought refuge in Durban. He brought his little baby, his wife and brother Victor with him. His wife saw his brother being pushed out of the window. Victor's death brought enormous guilt. Raymond, in a state of deep depression, tried to commit suicide. Saved by some friends he and what was left of his family went back to Zimbabwe.
175. Others were pushed, too. A group of African immigrants that sought shelter at Albert Park were constantly harassed by police. They begged the City to turn the place into an official camp. Local NGO's, some of them in the pay of the UNCHR, tried to convince the group to disperse. When the large tent was removed they built makeshift shelters out of bin packets. Many in the 'camp' were convinced that this was the way for them to be repatriated to one of the 'first world' countries. De jure this is true but the de facto situation is that less than 1% of people ever get this opportunity.

<sup>144</sup> Terence Masango, a Zimbabwean survival of Venture Africa

Then the last remnants of shelter, plastic bin packets were confiscated. They somehow got a bus to take them to Botswana. It remains a mystery how they passed the South African border. There some forced their way into a UNCHR camp. Others were arrested by Botswana police (interview LHR).

### Who were the victims of xenophobia?

176. In addition to the victims of Venture Africa, 47 refugees from DRC from Albert Park, Cato Manor, and Sydnam who took refuge outside City Hall and then brutally removed from their place of safety and dumped in Albert Park were also victims of xenophobic violence their neighbours and Metropolitan Police. Every day they faced harassment from police. A new language was developing from the City authorities. For City manager Mike Sutcliffe the issue was very simple: 'The families have a choice of either going back to their countries or to places in the community they were living in before the July problems. The municipality cannot suddenly prioritise their housing needs when we already have 200000 people with housing needs in the city itself'.<sup>145</sup> The fact was that the refugees had not demanded formal housing and all they wanted was to have a sanctuary in Albert Park. It was an insinuation that could only isolate the refugees further and act as a cover for the City's inability to make good on its promises of housing the poor. Sutcliffe rationale for a speedy removal had another basis also: 'I have instructed the metro police to remove people from the park because the surrounding community has complained about crime' (The Mercury 3 November 2008). The fact that none of the refugees was fingered for any crime did not seem to matter. The City duly arrived in the form of Durban Solid Waste and a strong contingent of metro police. Tents were pulled own and documents thrown into garbage bags. This time the rationale was that the park needed to be cleaned up. One of the 47 Aziza Wilondja, a mother of six who had hung onto the park for four months spoke of how their clothes and identity documents were 'confiscated':

... The police took our things and put them in the garbage vehicle. They brought down our tents and threatened to beat us...<sup>146</sup>

177. Once joined in a bid to hang onto bare rudiments of life, this assault forced the 47 to leave Albert Park and embark on separate, individual journeys.
178. Meanwhile Masango made his way back to the scene of death. His room had been ransacked and many of his fellow tenants had vanished in fear of another attack. Masango sought help from the LHR and the Refugee Social Services (RSS), both organizations that are situated in the Albert Park area. Masango was asked to participate in the police identification process:

I went there, alone. Most of the witnesses who are not victims are scared. They have fear. They think they will be killed by the perpetrators of the attacks, because most of them are out on bail.

On 19<sup>th</sup> May was the Investigation Parade where I managed to point to some of the perpetrators, including Vusi Khoza , himself. Vusi, what can I say about Vusi? He is so evil. He is lacking a sense of living together. Before the attack he used to come to Venture Africa pointing the fingers on the foreigners who live in the flats... He is trying by all means to destroy the evidence by killing the state witnesses.

When I pointed him out in the ID parade, he could not see me because of the screen. He was in position 15. They said, 'Number 15, please step forward'.

<sup>145</sup> *The Sowetan*, 6 November 2008

<sup>146</sup> *The Mercury*, 3 November 2008

When he did that, even though he could not see me, he shook his finger to let me know to feel threatened and have bad feelings. But, I don't hate him. All, I don't like is how he treats other people, especially the foreigners. All I need is for him, especially him, Vusi, to be trialed for what he did and he must get a sentence. He thinks he is above the law. Those witnesses, those that are scared, they were to scared to go point out the perpetrators, that they said that during the trial days they will be there at the court. The second date for court is set for June 4. I, myself, will be there. ... It will be a lesson to our South African brothers that the attack on the foreigners is not all that good, because we are here to make a living and to support our families at home. The situation at home is causing us to leave our home countries. So, if you take refuge in another country and you find out that the situation in that country is even worse than back home, and local people are out to kill you, then where actually do we go?<sup>147</sup>

179. Masango points to four occasions when his life has been threatened:

The latest one happened just now. It was the 18<sup>th</sup> May, when I was supposed to go to the Identification Parade on 19<sup>th</sup> May. They came. They were four guys. They were new faces. All of them were new faces. They said, 'Get inside the car.' They started to pull me inside. I tried to fight, using the crutch. They threw the crutch away. It was around seven o' clock pm. They grabbed my friend. His name is Tatenda, also from Zimbabwe, and they saw a police van coming to the garage around this area. They all got inside the car and drove away very fast. On that day I was just sitting outside a garage, waiting for a friend to buy food for us. When they were leaving, they said, 'Meet you tomorrow, at the court'. From that day Tatenda said he is no more staying at Venture Africa. He took his things and I don't know where he is living now.

180. Word was out that Masango was in Port Shepstone. But after the attack he still carried on living in the Albert Park area. It was an act of defiance. Masango in part survived by hanging onto the services of different organizations. This got him into trouble: 'They all accused me of taking money from various organisations, but I was just not having enough money from each one. So, I took whatever I got for that month. It turned into a big story. Then, they all didn't want to help me anymore. I had to make ends meet, by whatever means.' He survives not only by stretching his value system but also his family life. His wife Fungai and young son Ashley have long gone back to Zimbabwe. As the date for the case approached Masango went into protective custody. He relies on the protection of the very police who have harassed him through his stay in the city.
181. Vusi Khoza one of the alleged central instigators of the January attack is also on the prowl in the Albert Park area. He remains ANC 32 Ward Councilor and chairs the Metro Police Civilian Oversight Committee. He claims credit for the Metro Police moving headquarters to what was once the whites-only Albert Park bowling club. Pressure will increase on African immigrants in the area. On 26 June 2009 the eThekweni Municipality sent out a notice advertising an African Unity Six a Side Soccer tournament to be held under the banner – 'Fighting Xenophobia and promoting African Unity through Soccer'. The letter was sent out in the name of Vusi Khoza, the very person fingered for leading the attacks on immigrants in the Albert Park area.

<sup>147</sup> Terence Masango, a Zimbabwean survival of Venture Africa

182. If the case does not go ahead, Masango will be back on the streets at the mercy of those he sought to bring to justice. In a small space of the inner city tensions accumulate, concentrate and erupt. The CPF has equated crime with the presence of African immigrants. Using this institutional base they have raided flats where immigrants live on the basis of daily board and have thrown them out. Once on the streets the police move in to harass and force the immigrants to keep on the move until finally they leave the area altogether. According to the LHR, the police have taken to raiding flats and simply confiscating the goods of immigrants, regardless of whether they have receipts of purchase or not. The situation in the Albert Park area is particularly acute because the CPF and the ward councilor have a close relationship and their power reaches into City Hall. Classically, in the Albert Park area one group of 'local' poor were positioned as policing agents against poor African immigrants.

### **Who responded to the xenophobic attacks?**

183. The organisations supporting the immigrants at Diakonia Centre have their hands full. Both the LHR and the RSS are contracted by the UNCHR. On any one day the queues are long and resources short. Their work is about papers, legalities and treating each case in an individual way. They are not in the business of collectives and mass mobilizations. These organizations, for example, were opposed to the concentration of immigrants at Albert Park (interview LHR). They could not fathom the strategy of the immigrants. How their stubborn presence exposed the lack of support from the City authorities, how their tents staked out a place in the heart of the inner city and how their continuing resistance in the face of their tents pulled down and harassment by the police drew attention to the on going xenophobia in the City and how their bin packets for shelter exposed the lack of state support.
184. For the City manager it was 'problem' that had to be made to disappear warning that while the support of NGO's and the public was to be commended 'we also have to take care that we do not perpetuate the situation longer than necessary. A growing refugee problem is something we must try and avoid at all costs'.<sup>148</sup>
185. For the UNCHR-supported NGOs, this was just a 'game' that the immigrants played because they wanted to demand a camp so that this would facilitate their rendition to a 'first world country' (interview LHR). For them the rudimentary shelter was not an act of desperation and fortitude but a place of opportunism and conspiracy.
186. If on the one hand refugee support has become technised and individualized, the recognition of refugees in the city on the other has resulted in a professionalisation. Amisi and Matate for example point to the fact that in its early years the commemoration of World Refugee day in Durban was organised by the refugee community themselves. However in the last two World Refugee Days, the community was replaced in this work by service providers supported by the government. This changed the complexion of the commemoration 'into one for the poor and the refugees often without food or drink, and usually in a tent; and another one for the agencies in comfortable venues such as City Hall, with expensive food and drinks.' As Amisi and Matate laconically reflect, the service providers developed a commemoration 'to celebrate themselves.' (The Mercury, 24 June 2009).

<sup>148</sup> <http://www.durban.gov.za/durban/government/media/cmn/cmnitem.2008-07-25.8057331980/view>, Accessed 27 June 2009

187. The killings in January 2009 were the acme of high intensity xenophobia in Albert Park. To some extent the potential court case has reduced tensions. But there is a low intensity threat everyday on the streets. The City is supporting plans to revamp blocks of flats into sectional title units that will sell anywhere between R250-000 and R400 000. African immigrants without access to papers and credit will not be able to take advantage of these developments. The relocation of Metro Police Headquarters will make Albert Park increasingly inaccessible to immigrants. It is one of the last of the commons where African immigrants can meet, lay the sun, have a view of the harbour and receive a meal from individual do good or faith organisations.

#### **Box 5: Op-ed analysis of the Albert Park attack, November 2008**

(Original version of an article by Patrick Bond, Rebecca Hinely and Oliver Meth - 'Human rights have been drowned' - published on 12 November 2008 in *The Mercury*.)

Pressure from Durban City Manager Mike Sutcliffe - whose police nickname is now "the Great White Shark" - and the prospect of the 2010 World Cup were apparently the reasons municipal police attacked refugees on November 1 and evicted them from Albert Park last Saturday.

The 47 refugees, largely women and children, hailed from the eastern region of the Democratic Republic of the Congo. Their last four months of suffering in central Durban is documented in a Centre for Civil Society photographic exhibition – snapped mainly by refugee Delphin Mmbibya - now on display at UKZN's Malherbe Library and on our website: "We're still here!"

But this week the Albert Park refugees are gone, scattered, convinced that Durban is hell. One, Akili Kabila, escaped Saturday's raid and went to Pretoria on Monday to plead – in vain - with United Nations officials. Five were locked up in the local jail. Two dozen others fled to Botswana, and the rest are unaccounted for, surviving underground. On Monday another refugee was arrested when he returned to the Park.

This is the fourth attack these refugees endured: once as exiles from the world's most bloody region (suffering an estimated four million dead); then as victims of South African xenophobia in May; then in July when on the steps of City Hall, Sutcliffe first encountered them during a police beating; and now as punching bags for vicious cops, who originally moved them to the Park on July 11.

In subsequent months, our police force became amazingly reckless and violent, regularly imposing the death penalty on suspects before being charged.

We interviewed police in charge of the November 1 attack, which hospitalized Aziza Wilongdja, a mother of six who subsequently fled to Gabarone. Constable Kwesi Matenjwa of the central Durban office spoke to us about four hours after destroying the refugees' plastic shelter and confiscating most of their goods (including official refugee papers).

Mthenjwa: 2010 is going to be here, so the people from the so-called other countries, when they come to this country, they must have this image that South Africa, the city of Durban is clean, that there are no vagrant people, there are no traders in the streets.

Q: Did they tell you about the rights of people, that if they are taken away they must have somewhere to go?

Mthenjwa: Yes. I'll tell you one thing, about the technicalities of the law and the constitution of this country I am well aware of it. It's just that, at some stage, you get thrown in a deep ocean, in a deep sea whereby you cannot even swim.

Q: And the human rights have drowned with you too, eh?

Mthenjwa: Yes, they have drowned in the sea. No matter how good you are in swimming, you can't even swim because you are just a small fish in a deep ocean where only the big boys, the sharks, the so-called white sharks exist in the environment.

Q: And you are fairly sure that you have to follow these [eviction orders] because

they come from the very top, is that Mike Sutcliffe?

Mthenjwa: Thank you, thank you!

Last week, the former UKZN planner called these refugees “criminals”. A few months ago, Dr Sutcliffe told the *Mail&Guardian* he is a “Marxist geographer”.

We’re also academics and believe this to be profoundly disrespectful to both words. Actually, Sutcliffe reminds us of traditions more closely associated with Pol Pot or Serbian ethnic cleansers, ridding the city of poor people and immigrants.

In contrast, the traditions of Karl Marx and humane geography are to empower the masses and transcend spaces of inequality. Last month, a United Nations report labeled South African cities the world’s “most unequal”.

This government merely spouts radical rhetoric and instead of changing the content of apartheid geography, changes the form, such as the name of Moore Road to Che Guevara.

Meanwhile, thousands of brutalized people will continue trying to transcend regional spaces of inequality, looking for relief in Durban. The Albert Park refugees hailed from an area not unfamiliar to us, because every day we use one of its main products, coltan, when we make a cellphone call.

And if we (or our pension funds) have shares in AngloGold Ashanti, we’re doing well by the eastern DRC, thanks in part to the company’s operations in Mongbwalu. Ashanti had acquired rights there in 1996 during the reign of dictator Mobutu Sese Seko, and Human Rights Watch revealed AngloGold Ashanti’s payments to warlords of the National Integration Front in 2005.

“Our central purpose is to find and mine gold profitably,” explained its then chief executive, Bobby Godsell (now Eskom head): “Mistakes will be made”.

According to a recent investigation by Michael Deibert of CorpWatch, “A November 2007 report by a special commission of Congo’s Ministry of Mines concluded that the terms and lack of transparency in Ashanti Goldfields’ original contract violated Congolese law and was thus subject to renegotiation.”

The Mbeki government has bent over backwards to inject SA mining houses into the DRC, even lending the Kinshasa government R760 million in 2002 so as to repay the IMF for Mobutu’s odious loans, in exchange for easy entry by Joburg mining houses. The UN documented several SA firms’ role in the DRC’s war-time looting, but no action was taken.

Back in Pretoria, the UN High Commission on Refugees offered Albert Park’s refugees a stingy two-month rental/food reintegration package, which they rejected because the meager funds were not enough to find accommodation and because more serious problems remain: security and human rights. Xenophobia was not just momentary, during the May attacks, but runs much deeper, threatening them daily, until Sutcliffe finally drove them out and underground.

The Great White Shark mauls his subjects again and again: more than 700 informal economy traders arrested in a single day in 2006; anti-privatisation municipal bus drivers and Abahlali shack-dwellers denied their rights to march in protest; street children and women beggars at intersections; sexworkers; fisherfolk; working-class residents near South Durban’s toxic industry; crime victims from Wentworth’s burgeoning nightclubs; and the Glenwood hoi-polloi angered by the misspelling of an ANC heroine’s streetname.

A coalition of aggrieved South Africans recently turned out another distant, impervious ruler. Sutcliffe can count himself lucky that the forces in Durban civil society he has victimized remain fragmented – for now.

(Bond directs the UKZN Centre for Civil Society; Hinely is a Georgetown University Center for Democracy and Civil Society visiting scholar at CCS; and Meth is a CCS researcher.)

**Box 6: Spatial occupation and conflicting business interests.**

In Albert Part area, there is competition over space, customers, and businesses. In fact, many businesses owned by non-South Africans in the informal sector are in there are for three fundamental reasons. First, the rent is relatively cheaper compared to other locations in the CBD because of poor or a lack of maintenance and high crime rate which pushes outside the area South Africans and foreigners who can afford elsewhere. Second, there is a strong market niche of non-South Africans who live and / or shop some articles - including immigrant food and ethnic products - that they cannot easily find in other places. Thirdly and lastly, the landlords give preference to foreigners because they are easy to intimidate, less demanding in terms of maintenance of the flats and building, and they usually pay their rents on time. This competition remains a permanent threat to peaceful cohabitation and subsequent xenophobic violence if there is no initiative to address the structural crises which fed the May 2008 full blown violence.

Table 1: Foreign owned businesses vs. South African owned businesses per street in Albert Park

	Broad St.	Russell	St Andrews	McCarthy	Park	College Line	St Georges	Smith	Total
NSA*	12	15	2	5	12	2	22	14	84
SA*	23	20	8	1	9	6	36	53	156
TOTAL	35	35	10	6	21	8	58	67	240

NA: Non South African

SA: South African

Table 2: Selected businesses with high competition in Albert Park

	Russell St		Park St		St Georges St		Smith St	
	NSA	SA	NAS	SA	NSA	SA	NSA	SA
Hairdressing	2	2	2	0	4	2	6	1
Restaurant	0	2	2	1	2	4	0	4
Internet Cafe & P. Phones	6	0	8	1	4	2	3	1

**Box 7. Impacts of xenophobia on men, women, and children in the CBD**

The xenophobic violence affected differently men, women and children in the CBD from the area where non-South Africans lived to Albert Park that a small group of Congolese refugees had chosen as a place of safety.

Indeed, whereas life has changed for ever after the xenophobic violence, non-South African women were less affected in the CBD because many migrant women do housework where they live and they look after their children. Migrants find the Street of Durban very dangerous for their families and spouses. Yet, as women, wives, mothers, sisters and daughters, they find themselves at the end of the frustration chains that men are going through. Women are often victims of gender-based violence. Migrant children were also attacked outside their parents' homes en route to or from schools by some Sout African



children, taxi drivers, and local people. In once incidence, a refugee children was stabbed from Addington Primary whereas those who study in Sydnam have always been attacked and abused by their peers, bus drivers, and the driver assistants<sup>149</sup>.

Two refugee women from the DRC who were part of Albert Park community believed that the xenophobic attacks de-humanise their husbands and their families by turning their lives upside down. In fact, these families were forced to rely on the generosity of passing in order to food and some basic necessities that they easily buy before the attacks. Chantal continued arguing:

... we became beggars in order to look after ourselves. My husband has failed to commit suicide three times. He did not believe that we could become beggars after being independent for some years... the worse part of the all saga was that when we took him to Addington Hospital, nurses and doctors did not take us seriously. They thought we were joking. They then laughed at us instead of assisting us with medication...<sup>150</sup>.

... how can woman make a her husband understand that our lives have changed for ever...? she asked the researcher.

### **Warwick Junction/ Avenue**

188. There has been no confrontation between local and foreign traders in the area. At least up to now. Yet, this area is one of the most difficult areas in the Durban informal economy for local and non-South African traders. In fact, the Warwick Junction presents the opportunity for bridging the two communities when they face regular attempts of eviction and closure of the Early Morning Market by the Municipality, police, and crime in the area. The Warwick Junction presents also challenges to the traders and foreign traders in particular because of competition over trading space, willingness or refusal to pay rental from the e-Thekwini Municipality, the trade of perceived stolen goods, and retail business competition. But once the treat is over, lack of trust, suspicion, and xenophobic feeling resurface as soon as the threat is over.

### **Sub-letting space, corruption in trading permit, and exploitation**

189. The e-Thekwini Municipality refused to give trading permits and sites to barbers, who are mainly from the Democratic Republic of Congo, because their trade is below the standard of the world city which will host the 2010 World Cup and these traders are allegedly involved in buying stolen goods. Traders were forced to rent from locals three times the official rate in order to have a trading sites and permits. In addition, the costs of sub-letting were and in some case still are fluctuating depending on the mood of the landlords or their financial needs.

190. Barbers organised themselves and created the Siyakunda Association, a NPO of 242 members across the City. The majority of its members are so poor that they are struggling to pay their membership fees. But most of the members of these associations are based around the Warwick Junction including the Early Morning Market, Fish Market, and Emmanuel Cathedral.

191. The objectives of the association consist of (1) protecting the human rights of its members, (2) engaging with the Municipality and other stakeholders in order to be recognised as economic actors in the City, (3) assist the City to find crime, and (4) diffusing tension between South Africans and non-South Africans around trading sites and dislike of one or the other.

<sup>149</sup> Conversation with Jeanne in Albert Park, October 2009.

<sup>150</sup> Conversation with Chantal and Antoinette in St George St, October 2009.

192. Yet, the association does not fully protect its members. In fact, individual members or future members must find a trading site first before applying for a trading permit. Each small square is owned by the Municipality but supervised by the area manager who informally allocates sites to individual traders and will be called in case of dispute or disagreement around the site or the xenophobic threats from some locals. The site manager charges some money that he/ she uses not the Municipality.

### Perceived and real of crime

193. This organisation was created at a time when non-South Africans did not any right to trade in the area and they were threatened to be removed from the area because the majority of barbers are foreigners and on the assumption that they are involved in criminal activities i.e. they buy stolen goods such as cell phones, clothes, and electronic appliances. To some extent few barbers did buy some stolen goods. As a result, barbers should not have trading permits and consequently they should be removed from the area. The smoking gun, according to local traders is that

...foreign nationals arrive in the area very poor, malnourished, skinny, and dirty. But few weeks alter, they wear expensive brands, driving car... that they cannot afford in normal circumstances...<sup>151</sup>

194. The leadership of this organisation engaged with City officials and asked for trading permit in order to fight crime together. After delays and unfulfilled promises, the association did have access to trading permits. The association promised to City officials that they would deal with all cases of stolen goods inside and around the Warwick Junction regardless of the perpetrators as the vice president confirms in the quote below:

...The danger of closing all the tents was real for two reasons. First, they [locals] do not like us [foreigners]. They will use all pretexts in order to discredit the association and its members. Second, one or two members were involved indeed in some of these activities... We reported to the police the first two transactions of stolen mobile phones. The refugees who bought that 2 stolen mobile phones were arrested by the police. Unfortunately, the suspects were later released after they bribed the police. The message was, however, clear. Since then, these transactions stopped, at least officially and both customers and traders in the Pinetown Rank move peacefully...<sup>152</sup>.

195. And indeed, this organization not only reported buying or selling of stolen goods, the leadership called the police whenever there was a suspicious deal in the area. Two members of the association were arrested and fined. The consequence was immediate. Buying and selling stolen goods stopped for good until today because the members agree upon reporting all cases to the police and they are aware that any attempt of buying or selling stolen goods will not be tolerated.
196. The second struggle for the Siyakunda Association is the survival of the Early Morning Market against the plan of city officials to build a Mall. In fact, as soon as the members were freed from the harassment from the police, this association faced another challenge, the closure of the Early Morning Market by the Municipality because the 'Mall which would reduce crime and regulate people's movements in the area. The

<sup>151</sup> Conversation with Siyakunda Leadership, September 2009.

<sup>152</sup> Ibid

Mall will be also part of Black Economic Empowerment'. In this front, this association take a low profile because the project is highly politicised since different people are involved in this planning for different and sometimes conflicting reasons. In addition, refugees and non-South Africans at large are the most vulnerable in this trade particularly when locals will fight one another. However, locals who advocate for the Mall and those who oppose it need barbers to increase their numbers.

### Competition over space, goods, and customers

197. Competition over space, retail prices, and customer is a potential for conflicts among non-South African traders and between the latter and local traders, and consequently further xenophobic feelings and possible attacks. In fact, local traders and non-South African traders complain that Ethiopian and Somali traders kill their business as this Congolese traders argues

... Ethiopians represent the first group of traders who kill our business. They sell goods to us in bulk and then they begin to sell per unit below the price that we bought the goods from them. As result, we do not sell. Remember that we do not work like Pick'n Pay, Cheecker, or SPAR which retail items for producers. When the products e.g. bread or apples expire, the producers are paid from the quantities sold. The rest is a loss to the producers not retailers. We buy once for all. If I do not sell, I lose. This is what is happening now. All traders are not happy with Ethiopians and Somali traders. I do not really know what will happen one day...<sup>153</sup>

Somali, the second group of traders, work like Ethiopians. They are also destroying other people market niches. Let me give an example. I sell on the streets. I use to my goods in bulk from a Somali shop owner at R45 per unit. I would like to sell it at R55 or R60. After buying at R45 per unit from a Somali trader, he/ she will resell the remaining goods at R30 per unit. Obviously, buyers will go to Somali and Ethiopians traders than buying from me. That is why traders in the formal and informal economy are not happy with the two nationalities...<sup>154</sup>

...The two groups of traders are so powerful that they own several businesses around the market, and in streets other than West and Smith they own up to 60 % of businesses. South Africans have only 40 % except big brands like Edgars, Woolworth, and others. The two nationalities are so powerful in this business that even Chinese are buying from them rather than importing all their goods from China...<sup>155</sup>

198. A South African trader and shop owner of Asian origin agrees with the previous trader from the Congo. He even goes far arguing that

... This people they come here to do business without paying tax. They are not refugees or whatever name to give them. They are coming to make money that they do not spend here, they do not contribute to our economy, they came here to steal our monies... Now look here, I am not xenophobic... but what I want to say is that they destroy the businesses of people like you and me who belong to this country. This ANC government must do something with these people... My father fought for this country. He never went outside. So nobody will tell me these people come here because we went to their country... I pay tax but these people do not. They come to

<sup>153</sup> Conversation with a Congolese trader in used clothes business, 19/09/2009, Warwick Junction.

<sup>154</sup> Ibid

<sup>155</sup> Ibid

sell in from of my shop... When I call the police, the police say these people got permits, which permits?<sup>156</sup>

199. Regarding the products and prices that foreigners trade, our respondent states

...They sell cheap because they do not spend any money on electricity, shop, shop assistants... Nothing, nothing at all. They pretend to employ South Africans, how many locals do they employ and how much money do they pay them? This is not possible. We can not continue like this. Something must be done to stop this... and I hope it will be done soon...<sup>157</sup>

200. On the question of how different is the business today compared to previous years, a South African woman trader in used clothes argues

The business is bad. It is different from what it was before because (1) there are few customers now than there was before because of the crisis, (2) there is lot of competition among South Africans, and between South Africans and non-South Africans, (3) there is a strong competition from foreign nationals also who sell new clothes cheaper than used clothes. I do not mind to have non-South Africans in the business but I am worrying about the cheaper prices of new clothes from China and other countries...<sup>158</sup>

201. Competition over space, products, customers, and perception over crime represent breeding grounds for discontents and further xenophobic violence. This is so because the response of civil society did not address these structural crises as put expressed in the beginning.

... Indeed, whereas renting space should not be a problem because most locals fail in the informal economy, they still believe that foreigners should support them in boycotting the rental practice imposed by the e-Thekwini Municipality... Beside the ambiguity around trading sites, there is a strong competition over customers and products which may create a problem in the log run...<sup>159</sup>

## Dalton Hostel on Umbilo Road

### Housing, DHA corruption, competition over scarce resources

202. The attacks on the Nigerian owned occurred after an IFP meeting on Tuesday night and a standoff of the police the following day morning because the Dalton Hostel dwellers confronted residents the Khayalitsha Lodge hostel, a privately run hostel housing large numbers of foreign nationals...the mob was insulting Zimbabweans, Malawians and Mozambicans<sup>160</sup>.

<sup>156</sup> Conversation with a South African and shop owner, 11/09/2009, Queen Street

<sup>157</sup> Conversation with a South African and shop owner, 11/09/2009, Queen Street

<sup>158</sup> Ibid

<sup>159</sup> Ibid

<sup>160</sup> South African Press Association .2008. Criminals use xenophobia: Ndebele. Cape Argus. 21 May 2008.

<http://www.google.co.za/search?hl=en&source=hp&q=Criminals+use+xenophobia%3A+Ndebele%3B+newspapers&meta=&aq=f&oq=>. Accessed on 20/10/2009.

203. The attacks were not planned, it was sporadic and spontaneous as a result of some of the South African nationals that are jealous of the success that foreign national are getting in business and self employment. The issues that triggered the attacks were selling of RDP houses to foreign nationals, although there is no evidence of this in KZN, but there is a perception that foreign nationals are getting SA citizenship fraudulently after bribing Department of Home Affairs Officials. Such fraudulently acquired citizenship resulted in foreign nationals getting access to child support grants, permits to work permanently in SA, access to free medical treatment in state hospitals and acquiring free houses and free water which are the benefits that are enjoyed by South African Nationals. Some of the foreigners go to the extent of bribing Home Affairs officials and Marriage officers that conduct illegal marriages with SA women without their consent so as to acquire citizenship. Foreign nationals work for meagre amounts of money and most of the employers prefer them because they are the source of cheap labour. South African Nationals are not employed because they are an expensive, unionized and irritate their employers about “right” which foreign nationals are not concerned about. Foreign men take wives and partners of South African men, because they (foreign men) are willing to pay even school fees for children that they are not even their biological parents. They have true love which is not found among South African men. The events in Gauteng that were organized by the Civics that raised the issue of houses motivated people all over South Africa to chase foreign nationals. The attacks in KZN were not planned but were conducted by people that were not happy to see their businesses going down and businesses owned by foreign nationals making huge profits. Neither the structures established by neither informal traders nor civic organizations in KZN had anything to do with the attacks, but the attacked were planned individually by a group of people that were not part of any structures.
204. Foreigners were also attacked because South Africans are jealous of their success in the informal and formal economy. They were also attacked because of alleged crime and drug dealing, poverty, competition over few resources that the government is providing, poor services provided by the municipality to local people, preferential treatment of foreigners by employers who perceive them as a source of unorganised and cheap labour, and fraudulent marriages that assisted foreign nationals to get SA citizenship.
205. In addition, they were also attacked because of stealing jobs from South Africans and taking their girlfriends.

### **Competition for job, social grants, and housing**

206. There is also competition for jobs, houses, social grants reported by some participants. Others disputed any form of competition as foreign nationals do work which South African Nationals are refusing to do. Jobs such as operating as car guards, running cheap salon businesses in the streets are opportunities that foreign nationals created and local people are still reluctant to explore. Foreign Nationals are willing to settle for less paying jobs whereas SA nationals demand a living wage they choose jobs.

### **The victims of xenophobic attacks?**

207. There was no disagreement on the events of May-June 2008. Problems began with an attack on foreign nationals of African origin at the Dalton Hostel on 20 May. According to one report,

Central Durban was the latest setting for attacks on foreigners yesterday and some foreigners in the city now fear for their safety.

Nigerian patrons of a bar in Umbilo Road were ambushed by a group of attackers who wielded sticks, rocks and axes. Other media reports suggested at least six people were injured in the attacks.

'They wanted to chop me with an axe but I moved away. They took all my belongings,' said Edwin Chukwudi, a regular customer at Ultimate Fast Food and Bar. Chukwudi said he and other patrons were beaten by 'about 20 or 30' men and forced to hand over their belongings before the bar was ransacked.

Christopher Iheukumene, owner of the bar, said he now feared for his life because things are getting worse. 'Things like this are happening in Jo'burg. I believe what happened here is related to that,' he said, referring to the xenophobic attacks in Gauteng.<sup>161</sup>

208. On the question of how further xenophobic violence could be prevented, participants point to different directions arguing

... Only foreigners with proper permits should be allowed to live in SA... the government should deport illegal immigrants because they are a burden to state resources. In addition, the country will not have enough resources to cater for the millions of foreigners that come to SA.<sup>162</sup>

... Foreigner should stay in townships rather than isolating themselves in designated areas such as Point Road, now called Mahatma Gandhi... [where] it could be easy to attack them compared to foreigners who live with SA people in other residential areas.<sup>163</sup>

... I think this could be stopped by trying to convince South Africans to accept foreigners by letting everyone know that a person is a person because of being associated with other (This is a direct translation of an isiZulu expression about a sense of humanity, ubuntu and community interdependence amongst households).  
... [The government should] create more job opportunities in the country to reduce poverty.<sup>164</sup>

#### Case 4: Lower Morningside

209. Lower Morningside is popular known as the Kingdom of the Black sex workers whose thriving trade is under constant threat of police surveillance through frequent arrests which lead to overnight stay at C.R. Swart or daylight robbery by the police of their hard earned income. Lower Morningside also has another population, the homeless pors who survive by doing what is locally known as crapping i.e. survival by the homeless pors who basically do garbage shedding by emptying the contents of the garbage of the rich to salvage whatever valuables – however used so that they can sell them and manage to live for the day.
210. This part of Durban however attractive and rewarding it is for both the rich and the poor, it is not immune to a disease which launched into the South Africa public with

<sup>161</sup> *Daily News* reporter, 2008. 'Durban attacks are 'copycat crimes'', *Daily News*, 21 May.

<sup>162</sup> Conversation with anonymous

<sup>163</sup> Ibid

<sup>164</sup> Ibid

such verocity last year between May and June in 2008 so many people dead in its wake.

211. Nobody died in the Lower Morningside then but the sentiments were there and possible agigators were always waiting for an opportunity to strike and destroy anything foreign to them. As an on and off resident of the are - I vividly remember one guy one evening saying, 'the cops have given us a green light to attack amakwerekwere' - a derogatory word for Africans not of South African descent.
212. In Lower Morningside, car guarding has always been the turf of the gangsters especially the 26s. If you drive or walk through Florida Road during the day, there is always a number of men milling around in neon jackets looking after the cars of the area's clientele. The same sight is seen at night also along Stamfordhill Road especially from Fridays until Sundays when the clubbers are out in full force.
213. At first glance they seem to be innocently watching the cars, however these men are not just by chance car guards, they are also long time suppliers and traders of dagga, ecstasy and other hard drugs. When the Zimbabweans entered this profession and also discovered that there was also extra money to be made through the selling of soft and hard drugs, they also started peddling it. As a result competition grew dividing the car guards into us (the local gangsters) and them (amakwerekwere).
214. Why did the murder happen? Captain George<sup>165</sup> answered and argues:

... Zulu people are jealous people that are why they harass the foreigners ... they [Zulu] the Zulu were uneducated people they lacked the knowledge that when the liberation movement leaders were in exile they were harboured in African countries and that it was time now for this generation to return a gesture of goodwill.<sup>166</sup>

### **Perceived and real crime, competition over space, and xenophobic attack**

215. A local Zulu man [car guard], unlike the car guards that one of our researchers met in the area, was wearing a jacket with a business insignia - Florida Road Business Association. Hew said that he was contracted to Blue. 'It's a security company who charges us from R20 to 10 a day', said this guy who did not want to be named. This means that the days of car guarding in Morningside when you are not registered to Blue are numbered. Again this was emphasized by a local businessman who said they were going to formalize car guarding in Morningside. This car guard said that car guarding with African foreigners was not a problem in this area, 'the only problem was that car guards were dealing in drugs but xenophobia was not part of the picture.'
216. Florida Road is mainly used by Zimbabweans, sprinkling of the Congolese from DRC, Mozambicans and the Angolans. In that fateful night in May 2009, Blaise - the deceased - worked as a security in front of one of the businesses in the area and on that Friday he had chased away some car guards who were not registered and who were dealing in drugs. While chasing them away one of them, Mr. S, had pulled out a knife and stabbed him [Blaise] in the heart. The following morning, a car guard war broke out between the Congolese and the local guys where the alleged murderer was beaten to a pulp and had to spend some time at Addington Hospital under police guard. The

<sup>165</sup> Conversation with captain Georges

<sup>166</sup> Conversation with a car guard, Lower Morning

case was still under investigation and Blaze was buried in a land where he had come for shelter away from wars, hunger and poverty.

217. In Florida Road, the competition over space and survivalist economic activities and its subsequent potential for future xenophobic violence is real. In fact, in the BeanBag Bohemia, I met with a Zimbabwean selling some art. When I questioned him about if whether he had experienced any xenophobic sentiments from locals or business, he said no ways. 'The only xenophobia I get is from Indians who are always cussing us' and when I asked him what do the Indian people say to the Zimbabweans, he said 'they call us *kwerekweres*'. That was a first time for me to hear this from someone of Asian origin as the word *kwerekwere* is often uttered by the local Black population.
218. Florida Road is a potpourri of races and nationalities. This in turn presents the opportunities of building a unified community where different groups understand one another as humans and citizens of the world. The owner of Beab Bag Bohemia and some members of his staff were from Zimbabwe as even though he is white. He argued, 'I am also from Zimbabwe'. Florida Road presents also a challenge of bringing the different groups to work and stay in harmony despite suspicion and the wounds of the past.

## Case 5: Zimbabweans in Durban

219. The Zimbabwean problem needs to be dealt with in a broad regional political and economic stresses, particularly in relation to Zimbabwe and the Great Lakes Region to address the underlying factors which initiate the move. The aim here is to work at reverse of the move and expect that substantial number of Zimbabweans will be tempted to go back home because 'there is no better place than home', people say.

### Job opportunities, housing, and corrupt health officials

220. There is no single sector of economic activities where there is no Zimbabweans working at half or little wage. Indeed, from the lowest paid jobs such as domestic work, gardening, and 'diggerboy' or general work in construction industry for example to managerial positions, high skilled labour, and engineering; there are, according to our informant who is also a Zimbabwean citizen, Zimbabwean citizens competing with locals. This situation becomes a breeding ground for future socio-economic discontent and possible xenophobic attacks. In addition, the employers are also fuelling the tension between locals and non-South Africans from several countries and South Africans. 'Zimbabweans represent a permanent threat to the South African working class'. In fact, as the quote below from Dorica, a 54 years old woman from Zimbabwe illustrates; desperate Zimbabweans are willing to go extra mile provided that they get any pay to survive. They work overtime and do whatever they are asked for by their employers, often for little or no money from their employers. Poor Zimbabweans are subjects for exploitation and several forms of abuses.

... I was doing all domestic work. My boss forced me to rub his back and feet in the bath. I was his night guard and business caretaker. I was paid only R800 per month for fear of losing my job...<sup>167</sup>

221. Sheperd<sup>168</sup> agrees and contends

<sup>167</sup> Conversation with Dorica, Zimbabwean woman, PLACE, DATE

<sup>168</sup> Conversation with Sheperd, Howard College, 16/11/2009.



... As a Zimbabwean Managing at a tailoring workshop in 2005-8, I earned about R1 800 average salary and faced continuous criticism from local colleagues. On a subsequent occasion a female colleague chased me with a spade in the workshop. The same lady also tempted to stab me with a knife in the workshop. The other lady could not could not great me for over three months whilst working on the same table. In each case I informed the boss but to no veil the inbuilt 'hate' triumphed. The issue was that immigrants have come to take our jobs. At one point the boss gave notice to the two women who could not hold their feelings against me. This gave me influence to start a smalls business, I resigned from work. However despite all this, we sometimes share good times...

222. Skilled Zimbabweans and other foreigners are not better of either.

... I was a soldier for 14 years in the DRC. I worked under Mobutu, Laurent Kabila, and Joseph Kabila. I came to South Africa 2 years ago. I cannot be employed in the field of my qualification. Thus, I work as a security guard for a maximum income of R1500... I also earn half of the salary of my South African colleagues...  
... I look after three premises and a car park, I wash their cars, and I work day and night for the same salary... I never get a day off or being relieved for 9 months, I often receive my salary the second week of the following month, and Sipho Security Company can fire me anytime without notice.<sup>169</sup>

223. In support to the previous interviewee Stabile<sup>170</sup>, a qualified teacher working at a Hospice, argues:

... Highly skilled teachers [from Zimbabwe] are paid half the amount of the salaries of local educators...

224. Housing is another contentious issue. Zimbabweans are willing to live in overcrowded rooms that the landlords subdivide as cubicles in order to accommodate as many people as possible. In addition, Zimbabweans, and migrants in general, are not demanding in terms of maintenance, rent, provision of water and/ or electricity, or lack of toilet. This inability to demand their rights creates trust to the landlords who are willing to hire Zimbabweans as caretakers or tenants of RDP Houses. This in turn create jealousy from local people who see is as corruption as Innocent, a Zimbabwean immigrant, contends

...some locals end up by selling their houses [including RDP Houses] to the same immigrants and it becomes corruption in the eyes of other locals [who may not be aware of the transaction between a South African landlord and a Zimbabwean tenant/ or care takers...]<sup>171</sup>

225. Yet, this trust which exists between the landlords, who are often South Africans, and their tenants does exclude abuses, exploitation, violation of the basic human rights as the quotes below point it out

... Forty households stay in a balloon, a single room divided into several cubicles charged separately, with one basin for face washing, tooth brushing, and dish washing...

<sup>169</sup> Conversation with Eustache, Congolese/ DRC woman

<sup>170</sup> Conversation with Stabile, Zimbabwean man

<sup>171</sup> Conversation with Innocent, Zimbabwean man

At Mandevu, corner of Carlis and Albert Streets, 60 Zimbabwean women share shelter [balloon] and pay R15 each per night. Doors are locked at 21:00, the owner does not ...

... At Dadigan, corners of Leopold and Grey Streets, a shelter is partitioned into 2m x 3m cubicles ranging from R1000 –R1200 per month... There is no lease agreement and each person pay a deposit of R100 regardless of the number of tenants in a cubicle. In addition, no visitor is allowed in without paying R50 at the gate. Otherwise there is fine of R450 and the tenant is chased out<sup>172</sup>

### Corrupt officials at the Department of Home Affairs

226. At the Department of Home Affairs, officials try their best to push their clients to bribe them. They drag their feet, they work slowly, they ignore your presence in front of them until you understand that you need to oil them.

... At the Department of Home Affairs in Moore Road, officials work as it pleases them. When I arrived they were said to be at tea break, after break they served only few and went for lunch. After lunch I was ordered to clean his table before he served me, He accused me of soiling his table. I was so frustrated. I threatened that I will phone media now, the DHA officials started to apologise. They take advantage and they think we are not human enough”, she said. I asked for a suggestion box and they said there is no suggestion box. I know the office number and we can go together and I will show you. At Durban Central Police Station I needed an affidavit with regard to my lost Asylum Seeker Permit; I was made to pay R50 by a Police Official...

227. A blend of corruption at all levels, desperation over scarce job opportunities, unscrupulous landlords who prefer foreigners to South Africans, illegal and legal transactions around housing... represent a deadly mix which would lead to further xenophobic violence if the structural crises are not addressed.

## FACTORS AND REASONS BEHIND THE XENOPHOBIC ATTACKS AND ATTITUDES

228. There are structural and ideological factors that are related to the development of xenophobic attitudes. These should be viewed as a kind of backdrop or providing fertile ground for the attacks. This is an important point of distinction because it is one thing to dislike immigrants and quite another to attack them physically even though the two are closely related. We say this because the study of Bottlebrush seems to indicate a few, significant factors that fuel xenophobic attitudes but these do not necessarily lead to attacks. Something specific must have happened in May 2009 to spark off the violence in addition to socio-economic conditions. Marx famously wrote that it is not consciousness but rather social existence that is the driving force of social behaviour. But the triggers of xenophobic violence include high crime rate, acute competition over scarce resources, alcohol abuse, drug addictions... suppressed anger and frustrations, the irrational desire to lash out and hurt someone or someone, etc. This is the backdrop to the sowing and growth of xenophobic attitudes: conditions that undermine the development of feelings of hope, generosity and well-being.<sup>173</sup>

<sup>172</sup> Conversation with Sbongile, Zimbabwean woman, Durban

<sup>173</sup>“There can be little question, after May 2008, that the supposedly slain beast of ethnic nationalism has been resurrected in the fertile terrain of poverty and inequality.” S.Hassim, et. al. Op. cit. p.14.

229. In Bottlebrush, there is also the problem of a distorted sense of community. As David Harvey has argued, community is the milieu within which important socialization processes take place.<sup>174</sup> The *zeitgeist* of the place contains some confusing and disorienting elements because Bottlebrush consists of people who come from different places, who speak different languages, there is a need to process and bring together all these into a unique and more or less coherent community “spirit” or outlook. This requires mechanisms and spaces where people can come together, learn about each other, share views, and thus knock into existence a Bottlebrush ethos. It also requires symbols and activities that unite the people because living together is more than just sharing the same four walls or using the same roads. In Bottlebrush there seems to be a dearth of collective community activities. In fact, there is no community hall, no community meetings, no community newspaper, indeed, no real community leadership. Respondents’ descriptions of the place from this point of view invoked in my mind the notion of anomie.<sup>175</sup>

...I stay at 1104 [a section in Bottlebrush] it’s okay but it is *jondolo* [shack area], life is not good at *jondolo*. There is *is’gebengu* [criminals] and over the weekend they say *kwerekwere*, so you are frightened, they want to take your things. I won’t stay in *jondolo* for a long time because I am frightened...<sup>176</sup>

230. In a vacuum like this, it is likely that someone comes along with an anti-social idea because there won’t be mechanisms or responsible figures of authority to question, challenge and denounce such an idea. This is what must have happened with the xenophobic attacks. There must have been resentments and tensions such as between those who work and those who don’t, between landlords and tenants, between those who speak one language and those who speak another due to certain structural problems in the community. Acrimony could possibly also be ‘imported’ such as the divisions which originate in the workplace where, it emerged from the research findings, that there is a lot of ill-treatment, looking down upon and discrimination of immigrants. Capitalist society itself, because it is a class society, breeds competition and rivalry between people. In this respect it should be noted that class struggle consists of fights both between and within classes.<sup>177</sup>

231. According to some reports, an anonymous pamphlet circulated in Bottlebrush just before the attacks.<sup>178</sup> There is also another report which alleges that there were meetings held to discuss the issue [of foreigners in the area].<sup>179</sup> It is such incidents that could have served as catalysts and sparks that set off the conflagration. There is not enough evidence nor enough time to follow up properly and verify these reports. What is certain is that the attacks in Bottlebrush were part of the national phenomenon and were influenced by the attacks which started off in Alexander. Indeed, there is ground to believe that the media played some role in helping spread the fire:

<sup>174</sup> David Harvey *Consciousness and the Urban Experience: Studies in the History and Theory of Capitalist Urbanisation*, John Hopkins University Press, Baltimore, 1985.

<sup>175</sup> This concept coined by Emile Durkheim, the French 19<sup>th</sup> century sociologist, seems to accurately describe the feeling the respondents were conveying even if one is wary of the limitations of functionalist approaches to the study of society.

<sup>176</sup> Respondent, immigrant from Malawi, Bottlebrush resident.

<sup>177</sup> Karl Marx and Frederic Engels, *The Communist Manifesto*, the Marx-Engels internet archive.

<sup>178</sup> Respondent.

<sup>179</sup> Respondent.

...I heard people say on TV that they must beat up *makwerekwere* because they take jobs and women, in Alexandra. People here were talking about it all the time. Even when going to school. People saying they take our jobs, we get fired....<sup>180</sup>

...I heard on radio that it is happening in Jo'burg that they are being beaten up. Then it was here and I heard they are being beaten up. So I think a group of people hearing they are being beaten up in Jozi said let's beat them up too.<sup>181</sup>

232. It seems the attacks started in one place then spread to other areas such as Bottlebrush in a process of diffusion. It might not exactly have been a conspiracy but there were agents in every area who took forward and promoted what initially happened in Alexander. Who were these people and what did they want? This question was not answered by this research and it seems to me more research must be done. Indeed, it might require a criminal investigation to pin down the "agitators" and "ringleaders". At the same time the burning match found a tinder box ready to explode rather than the match harmlessly falling onto a damp place.

233. During the course of the investigation we managed to unearth some positively xenophobic people in Bottlebrush. Due to the fact that some of the attackers were arrested and charged, it was not easy to find someone who would say 'I was part of the attacks'. But xenophobic respondents spoke in a way that to some extent provided an idea of how an attacker would think. A fascinating respondent was a respectful and responsible family man not quite yet middle-aged. This is important because there is ground to believe that some of the attackers were simply youthful hooligans or criminals. But this man was a respected member of the Ekupholeni community, right next to Bottlebrush, and he had lived there before moving to the new area. He might not have been involved in the attacks but the vehemence of his views point to the possibility that given the chance he would do it "out of necessity". He expressed his fear and hatred of immigrants. To him they were a real problem which had to be solved. What is worse is that the problem was getting worse all the time.

...We will end up becoming like them because they are so many now. There are small ones. It is really scary because they will be all over the show. And they are multiplying. People used to say there are some here but now there are many, many more. Before it was only men, but now it is also women and children. If you go over there you will see them there. It is scary, that whole section [of Bottlebrush] it is just them...<sup>182</sup>

234. He was worried about jobs, a common theme for most respondents whether potential perpetrator or victim

We work hard but we get little. So the *mlungu* [white boss] can see that the best is to remove the one getting more money and hire the one getting less. That is where the problem starts...<sup>183</sup>

They are the ones who cause a problem. They are the ones who harm us a lot. They have no passport, no [legal] papers then they are willing to work for peanuts.<sup>184</sup>

<sup>180</sup> MaSithole's 2<sup>nd</sup> daughter, Bottlebrush resident.

<sup>181</sup> Khambule, Ekupholeni resident.

<sup>182</sup> Respondent.

<sup>183</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident.

## 235. Marcellino disagrees. He contends that

They [locals] say you take our wives, you take our jobs. We [foreigners] say how is that? We agree to work for seventy rands, we agree to work hard and come in early. What must we do? They say don't take that money. Now if you are working and getting paid seventy rands, and you get someone else, who gets hundred and eighty. The seventy rands is a lot for me. After a few months, the boss thinks: I pay this one eighty and there is someone else getting forty rand a week, then I will get rid of this one and get the forty rand a week workers. That is what they don't like.<sup>185</sup>

...They hate us. I think the problem is the work. They work little but get lots of money. We work hard but we get little. So the *mlungu* can see that the best thing is to remove the one getting more money and hire the one getting less. That is where the problem starts.<sup>186</sup>

Many people complain that these people who have just arrived work for little pay. For example, you will make an agreement with an Indian on hundred and then they come and say fifty rands...<sup>187</sup>

The truth is that there are many people coming in from other countries, they don't have papers. Now you find that South African citizens can't get a job because they need lots of money. But people from other countries, you pay them R50 and they agree because they suffer; like me I came here because there is no job at home.<sup>188</sup>

## 236. The other problem is that immigrants "multiply" at the workplace and displace South African born workers:

He will come on one day to work and then the next day he comes with another one, until they are in the majority. The only obstacle will be that they don't know the whole job otherwise it would be them alone. The reason is because they are cheap. They are very cheap.<sup>189</sup>

## 237. Immigrants are also accused of behaving in a wrong way at work, undermining worker rights or breaking cultural norms:

They are cheap also in the sense that we have teatime and lunch, not them. You will see him working and busy eating. He is got a spanner in one hand and a loaf of bread in the other. Now, if you want to enjoy food you must sit down properly and eat. Also, before you eat you need to thank the Lord.<sup>190</sup>

## 238. There is a suggestion that bosses play divide and rule at work and that South African "borners" connive with the boss to ill-treat immigrants from African countries.

<sup>184</sup> Respondent.

<sup>185</sup> Marcellino, immigrant from Mozambique.

<sup>186</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident.

<sup>187</sup> Nana, landlady, Bottlebrush resident.

<sup>188</sup> Respondent, immigrant from Malawi.

<sup>189</sup> Respondent.

<sup>190</sup> Respondent.

We work with Zulus but we are violated. They are more in number. They treat us badly. As Mozambicans we can't say anything, you can't tell the boss the problem. It is the *umlungu* who is the problem. Also the Zulus are also violating us. They can sit down and tell us to work. We ask them why they are sitting down and we work, they say, no, you must go back and work in Mozambique. But if the *mlungu* comes they work. But the *mlungu* also speaks the same language.<sup>191</sup>

The *mlungu* allocates the South African to be the boss boy. The *mlungu* docks your pay because the Zulus say this one is not working, and then they take your money and make a *braai*.<sup>192</sup>

239. In fact it is the bosses who often promote xenophobia by paying “borners” more than immigrants. They also find many ways of making money by shortchanging the immigrant workers, for example, making them work short time all the time, say 2 days a week.<sup>193</sup> On the whole immigrants felt that there was a bigger problem at work than at home. But after work, going home, you encounter the problem of the landlord or landlady.
240. The cause of the problem at home, according to the immigrants, was exploitation and discrimination. The main culprits are the landlords:

We are okay where we live but not so well. There is difference in rentals, some pay R150, some R170, it differs. Even me I pay R160 because they add electricity. Others pay R140. They want us to suffer, to have hardship and pain while the people of here [South African born] they pay differently, they pay less.<sup>194</sup>

At home our landlady is violating us. We who use the electric stove we pay 190 [rands] and those using paraffin they use 130, but before the month is over the electricity is cut. But how can it be that before the twelfth of the month the electricity is finished? Some say, to hell, keep your electricity and they use paraffin. She rents out eleven or twelve rooms in this one yard; in fact, thirteen. There are three or four of us using the electric stove. This means she collects about 400 for electricity if I count all of us. It is not possible that the electricity can be finish [that early].<sup>195</sup>

We pay for electricity, others pay little, in some shacks electricity is expensive but it gets cut off. We don't know how to deal with this problem of the landlord because we pay but we are being violated. You can't say anything because she will say *makwerekwere*. You can't talk anything, you will go and they will put in someone else.<sup>196</sup>

241. The landlords and landladies seem to be exploiting the situation of shortage of houses in Bottlebrush and also using xenophobia as a vehicle to effect the exploitation. One landlady's responses corroborated the accusations:

<sup>191</sup> Ronaldo, immigrant from Mozambique.

<sup>192</sup> Respondent, immigrant.

<sup>193</sup> Ronaldo, immigrant from Mozambique.

<sup>194</sup> Carlito, immigrant from Mozambique, Bottlebrush resident.

<sup>195</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

<sup>196</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident.

Some of them [immigrant tenants] we are on good terms, others not because they don't want to pay. As you can see there is light here [in my shack] but I have cut their lights. So I have taken a decision to kick them out and get others to be tenants. They also don't pay on time.<sup>197</sup>

242. She admitted, without prompting, that she sometimes uses xenophobic language to get her way with her tenants:

I just frighten them and say you will go back home; but it is not easy because they are like part of the family.<sup>198</sup>

243. There is a lot of exploitation in the Bottlebrush housing market:

The landlords make the immigrants pay R120 each sharing one shack or room, three or four of them. The normal thing is for someone to pay R120 for the use of the shack being alone.<sup>199</sup>

244. Indeed, the power relations in Bottlebrush seem to be skewed sharply in favour of the landlords given the housing situation and unregulated housing market:

There is no law in Bottlebrush. The only law is that of the landlord.<sup>200</sup>

245. The local community leadership is accused of representing the interests of the landlord stratum at the expense of the tenants who form the majority of residents in the area. As a result there is huge dissatisfaction among both immigrant and South African born tenants. Apparently if you are a tenant you have no say in Bottlebrush:

Even I [an ANC committee member] couldn't speak because I was a tenant. I could only speak once I came here [at Ekupholeni]. If you are there [in Bottlebrush] you have no say.<sup>201</sup>

246. It is worse when you are an immigrant:

Sometimes if there are community meetings we attend. But they don't allow us to speak because we don't have ID. They don't say we must not talk but we can see that we can't talk. It is no use to talk, you need rights, for that you need an ID. We don't have rights.<sup>202</sup>

247. There is a suggestion that the committee exploits the situation for self-enrichment purposes:

There are many people there who are being thrown out of their shacks because of the new housing development. Some landlords don't live there in the houses, they just rent out. The committee is busy building houses where there are no landlords

<sup>197</sup> Nana, landlady, Bottlebrush resident.

<sup>198</sup> Nana. Landlady, Bottlebrush resident.

<sup>199</sup> Mhlongo, Ekupholeni resident and community leader.

<sup>200</sup> Mhlongo, Ekupholeni resident and community leader.

<sup>201</sup> Mhlongo, Ekupholeni resident and community leader. He moved out of Bottlebrush about 3 years ago and set up the new shack settlement in a well-documented struggle. Please see Shameshni Govender 'Chatsworth land invasion turns violent', *Daily News*, 5 March, 2005; Annie Dorasamy Council firm on Chats shacks', *Sunday Tribune* 22 July 2007.

<sup>202</sup> Carlito, immigrant from Mozambique, Bottlebrush resident.

so that they can sell them off. I have evidence of this; these people should already have been jailed because I took the papers to the council. There is corruption.<sup>203</sup>

248. The machinations of the landlords are seen as having the potential of stoking up xenophobic feeling:

But the new thing is that the landlords are raising rentals, for example, the women [you saw] who came here were complaining that their rent was raised to R430. They are told that if they cannot afford they must leave and the landlord will get Shangaans. Because Shangaans are easy to exploit since they pay per person not per room. I see the same problem we see at work where Shangaans are paid starvation wages, the same will happen with respect to housing and people will attack Shangaans.<sup>204</sup>

249. Another form of pecuniary interest is also a factor that might be related to the growth of xenophobic attitudes and behaviour. This is crime.

We get violated especially when we get paid, they want money. They will grab you and want to take your money. But they won't get it [from me because I hide it well]. When they find nothing they say, run away kwerekwere, we will beat you. On payday I don't carry a phone. They once took my phone. We are suffering as Shangaans.<sup>205</sup>

250. Bottlebrush was once notorious for its high crime rate, for some it still is. Criminal and xenophobic intent combine to make life hard for immigrants:

They were attacking because they want your stuff, they want to take your property. They get a chance through xenophobia to take people's goods. It is crime.<sup>206</sup>

251. There are also matters of the heart but this seems related to economic competition. These are viewed from a male perspective.<sup>207</sup>

The people's talk is that we take their women. I don't think it is a good reason. For example, with women you propose to a woman and if she loves you she will say yes. I don't propose to a man.<sup>208</sup>

I want to look at it from both sides. If I got a girl and someone, say from Nigeria, takes my girl, I will complain. Because the girl needs more money and me I can't give her a lot of money because I support my mother and family and the other guy gives the girl more money.<sup>209</sup>

<sup>203</sup> Respondent.

<sup>204</sup> Mhlongo, Ekupholeni resident and community leader.

<sup>205</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident.

<sup>206</sup> Carlito, immigrant from Mozambique, Bottlebrush resident.

<sup>207</sup> "Negrophobic xenophobic sentiment is often couched as a battle between two sets of men... Specific masculine entitlement and 'threat' are clearly encoded in this resentful articulation: Black South African women and jobs are the entitlement of Black South African men." (Pumla Gqola 'Brutal inheritances: Echoes, Negrophobia and Masculinist Violence' in S. Hassim et. al. *Go Home or Die Here*, op. cit. p.218)

<sup>208</sup> Carlito, immigrant from Mozambique, Bottlebrush resident.

<sup>209</sup> Respondent, immigrant from Malawi, Bottlebrush resident.



252. I was not able to establish the role of the local ANC committee during the attacks but there are no grounds to believe that it promoted the attacks. But this requires further research. There seems to have been some meetings before the attacks but it is unclear who called the meetings and what was discussed exactly.

There was a meeting. At first we thought it was just talk.<sup>210</sup>

253. Lack of strong local leadership espousing the anti-xenophobic cause might be a contributing factor.

Those living in Ekupholeni didn't get beaten up. Over there in Bottlebrush they got beaten at night. Not this side. This side I don't think our leader [Mhlongo] would agree [to xenophobic attacks] but I don't know really.<sup>211</sup>

So far I am the only Indian staying here. No problem with the people here; the African people. We live as a family. I don't know too much about Bottlebrush. It is not like the way we are living there. So far we live under Mhlongo, he has got his rules, he makes his rules, and so far we are happy. But in Bottlebrush there are no rules. For example, no liquor accepted here. If there was then there would be noise and fighting.<sup>212</sup>

254. Ending on this note underlines the need for political leadership to avert xenophobic attacks.

## **BOTTLEBRUSH TODAY: THE AFTERMATH OF THE ATTACKS**

255. It is now more than a year after the attacks yet immigrants, understandably, are still apprehensive. Some respondents felt that there was no danger of other attacks because everything was back to normal. But others warned that certain social problems and tensions might spark off more attacks. I think the structural factors behind the attacks should keep us worried, there is also continuing harassment of the immigrants through verbal abuse and even low key physical attacks. Some of the physical confrontations seem linked to crime but it is undeniable that xenophobia forms a large component of such attacks. Some respondents pointed out that the structural factors behind the attacks have not been dealt with some suggesting that they might be compounding. Others emphasized that no real political mechanism, as opposed to the threat of legal sanction against attackers, has been introduced to deal with the matter. Indeed, the feeling was just as the attacks started abruptly and without much warning or discussion, they suddenly ended and now it is business as usual without dealing with the issue properly. There is no sense of closure which might have been created by a collective reflection through a community discussion of the matter. From this point of view the suggestions by the Centre for Civil Society for workshops and community activities around xenophobia in this area seem to be a good idea.<sup>213</sup>

<sup>210</sup> Nana, landlady, Bottlebrush resident.

<sup>211</sup> Khambule, resident of Ekupholeni shack settlement.

<sup>212</sup> Prema and Helen, Ekupholeni residents.

<sup>213</sup> There is plan to conduct discussion on xenophobia in the research sites covered by the research project.

## 256. The attacks are over but the uneasiness lingers on:

It won't start again because people were reprimanded and told not to do it. It's over.<sup>214</sup>

Today it is quiet, nothing is happening. What makes me angry is what is going on at work.<sup>215</sup>

There were no meetings here about xenophobia. Nothing. This matter has never been discussed. I am not sure whether it is really over because there was no meeting called to tell us that you can now live in peace and you will not be beaten up. So I am scared that I can be beaten up anytime. To end xenophobia we need a meeting, where all of us, people from Malawi, Zimbabwe, Zulus, Xhosa can talk about this matter.<sup>216</sup>

No xenophobic attacks these days. It is just at work they say damn *makwerekwere* work hard if you don't want you go back to Mozambique. Here no problem the only problem is with the landlord. At work it looks as if they are joking but they are serious.<sup>217</sup>

Me too, I am a *kwerekwere* but I don't know what that is. Here in Durban that is what they call us. Even if you don't like it, you have to like it. There is nothing you can do.<sup>218</sup>

257. The committees are not against the foreigners, it is just the people. For example, another one got killed recently [a Zimbabwe national]. It was not known who killed him. They are still insulting each other. The problem is with the community, the xenophobia is underground. But once they get drunk it comes out.<sup>219</sup>

## 258. The xenophobia is kept alive at work and at public places where people access government services:

This is a problem. I had a cold and went to the clinic. The Zulus said you can't get pills because you are from Mozambique. When we were sitting in a queue the Zulus say go back you can't get the pills, go back in the line. This is a big problem.<sup>220</sup>

## 259. There is a warning that the housing crisis is stoking xenophobia in Bottlebrush. This is because of unscrupulous landlords who take advantage of both the shortage of housing and the vulnerable status of African immigrants. Parallels between the workplace and living space were pointed out by some respondents in this respect. We should not see what goes on at work as too separate or distinct from what is going on at the level of the community. The xenophobic attitudes and ill-treatment at work is carried home as thought and experience both by the victims and the perpetrators. As a result many immigrants live in fear and generally don't feel at home in the country especially those living in an area like Bottlebrush. They have negative views of South Africa. I met 2 young women from Zimbabwe walking the street and I asked them casually how life

<sup>214</sup> MaSithole 2<sup>nd</sup> daughter, Bottlebrush resident.

<sup>215</sup> Aguillo, immigrant from Mozambique, Bottlebrush resident.

<sup>216</sup> Aguillo, immigrant from Mozambique, Bottlebrush resident.

<sup>217</sup> Marcellino, immigrant from Mozambique, Bottlebrush resident.

<sup>218</sup> Aguillo, immigrant from Mozambique, Bottlebrush resident.

<sup>219</sup> Nana, landlady, Bottlebrush resident.

<sup>220</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident.

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was in Bottlebrush. They were vehement saying life is bad, it is always better to be in your own country. Other immigrants emphasise their temporary sojourner migrant status:

I am here in South Africa only to work. I will go back to Mozambique. I am not going to have children here. I will work and go back, work and go back. Get money, go to Mozambique.<sup>221</sup>

260. This legitimate attitude feeds into the xenophobes' fears:

During December you can see their buses and cars full of stuff from here, it is the money from here being take away. Then they leave it home and come back for more. Also our money becomes big on the other side [because of currency conversion].<sup>222</sup>

261. The xenophobic attacks are over but the issue has not gone away. This means the threat of further attacks remain unless something is done to reduce this possibility.

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<sup>221</sup> Ronaldo, immigrant from Mozambique, Bottlebrush resident.

<sup>222</sup> Respondent.

## Part V: Civil Society's Response through Foreigners' Eyes

262. Different foreign communities have different opinions on the response of Durban civil society to the xenophobic violence. In fact, former Albert Park dwellers are very grateful to Durban Action Against Xenophobia (DAAX) because of its sustained assistance - i.e. food and advocacy - to displaced refugees and foreigners from different areas who found refuge in the Park. However, they deplore the confrontation between the City Manager and the academics because the outcome of this dispute was harmful to vulnerable refugees and foreigners. The former Albert Park dwellers are also disappointed by a sudden retreat and lack of interest of the DAAX in refugee related issues, the quote below illustrates

... the DAAX brought us hope and some human dignity because these [academics] are very important people who advise government officials and write policy documents that the government of South Africa refers to for different actions to policies, including immigration policies and laws. We were happy to see them all the time in the Park because it helped us to forget our day-to-day struggles for life and positively expect a radical change to our lives and struggles for human rights. The failure of this institution is not being able, through its publications and research, to successfully bring the UNHCR back in the refugee related challenges.

263. Refugees who did not choose to go to the Park for security reasons wonder why so much energy and resources were used in a so small community rather than advocating for the entire refugee community of thousands people and several hundreds of non-South Africans. In fact, one respondent argue

... if refugees issues were dealt with so much enthusiasm as the Albert Park crisis, the xenophobic violence could be avoided or at least reduced. In fact, we have seen articles in the Newspapers almost every morning, we received visits all the time, and there were also soccer game and picnic on Sundays in the Park but today. Only God knows why this organisation has lost interest in refugee related issues and refugees' struggles for survival...

264. The refugee communities have mixed feelings on the role that the Durban Service Providers' Network played before, during, and after the violence. In fact, some of these institutions are funded by the United Nations High Commission for Refugees (UNHCR) to assist refugees and asylum seekers but in practice these institutions are more harmful to the same people that they pretend to assist than assisting them to cope with a perceived harsh environment. Indeed, to quote this respondent pointing finger to Refugee Social Services (RSS),

... the RSS pretends to assist refugees and migrant poor. But in practice, when we [refugees and poor migrants] go to this institution for assistance, we are treated as rubbish. Its coordinator or chairperson insults us, tells widow to get married to get assistance or go back home. She does not

understand why some many refugees come to South Africa to complain against a lack of assistance... it is painful to hear that.

265. The Lawyers for Human Rights (LHR) differ from the RSS in terms of their mandate, which consists of assisting asylum seekers and refugees to have access to legal documentations from the Department of Home Affairs, and subsequent activities on the ground. The LHR are perceived to fulfil the mandate of South African government rather than the UNHCR's. In fact, as the respondent below contends

... they do not assist refugees in court or efficiently advocacy the refugee issues to the Department of Home Affairs. If a refugee is rejected, the LHR do not assist him in reversing the decision of the Refugee Status Determination Officer. What is worse is that this institution employs one or two qualified staff members who consult only by appointment. There is no emergency! Each case is dealt by appointment through a South African lady without any qualification...<sup>223</sup>

266. The Diakonia Council of churches did a wonderful work through its church members. This institution and its affiliated members provided food, shelter, and clothes to the victims of the xenophobic violence. Yet, Diaknia is not without blame either because this institution contends that its core business is not charity but charity is the cornerstone of the Bible, and the life and mission of Christ.

267. Karen Reed agrees and argues

... Our main activities of this institution consist of pursuing social, economic, and environmental justice. It is deal with charity work, although church members do. We become involved when the victims of xenophobia invaded our premises and refused to leave...

268. As a result of this lack of interest on charity, some churches which members of the Diakonia refused to assist refugees before, during, and after the attacks of last year even charity is he cornerstone of Christian faith.
269. The Coalition Against Xenophobia, Racism, Ethnicism, and Poverty (CAXREP) is a very active institution before, during, and after May-June 2008. One of its members is always present wherever there is a meeting on xenophobia related issue. Its contribution is encouraging but the CAXREP has three Achilles' heel. First, there is the impact of its politicised networks that cut across the usual division between centre-left and left in South African politics on its activities on the ground particularly for members who have no voting power. Second, there is its main focus on Zimbabwe which overshadows the challenges that other communities face in Durban and South Africa at large. Third, and lastly, there is its main mandates which are difficult to look after because this institution would like to get involved in a wide range of issues at the same time.

<sup>223</sup> Conversation with a refugee woman from Burundi

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273. Civil society's response, in general, was a humanitarian action which was well received by the victims of xenophobic violence regardless of its shortcomings because the lives of the victims could be more difficult otherwise. The refugees and poor migrants expect more from the academics given their critical roles of educating future leaders, illuminating the masses, and contributing to policy making.

## Part VI: Conclusions and Recommendations

### Civil society shortcomings across Durban

274. It is apparent from our investigations that Durban civil society was partially successful in organising short-term crisis response to the violence of 2008, but did not offer create any long-term solutions. (The case of the Albert Park forced removal in November 2008 shows many limitations of civil society actors, including the Centre for Civil Society) Moreover, as for maintaining attention, civil society organisations have been generally incapable of preparing for a new upsurge of xenophobic sentiments. Few have been involved in these issues since the short term response in 2008; yet the analysis interlaced above posits that there is a space for civil society cooperation around the structural factors and root causes of xenophobia. For example, civil society in Chatsworth has a history of successful mobilization around issues such as housing and service delivery, but has not directly been active in xenophobia hotspots such as Bottlebrush and Unity Avenue. As another example, the KwaZulu Natal Refugee Council has barely begun the work of building political solidarity with the wide range of regional immigrants – especially from the Great Lakes region, Nigeria’s Niger Delta, Zimbabwe and Swaziland – that might be feasible. These statements we conclude with not to condemn the overworked and underpaid professionals and activists involved in this work, but to identify challenges for future activities.
275. As for short-term problems within civil society, a lack of coordination and leadership were consistently cited as the greatest challenges in dealing with this crisis. Respondents suggested that organisations had been ‘polarised’, and mentioned ‘antagonism’ and ‘finger pointing’. This suggests that, due to the lack of leadership, the situation deteriorated as the crisis wore on. Many organisations had expected local government to take a leadership role, and expressed their surprise and disappointment that this had not occurred. They eventually experienced a kind of donor fatigue.
276. All organisations reported a severe lack of capacity in dealing with a crisis situation, and several respondents expressed surprise at the lack of capacity within the Red Cross, given its crisis-response mandate.
277. All respondents seemed to view reintegration as the only realistic solution, but viewed management of the reintegration process as flawed. This was tied to the view that several respondents expressed that not enough had been done to engage both displaced people and community members in education, response and reintegration proposals. Reintegration cannot be successful without engagement with ‘host’ communities and well-facilitated dialogue between communities and refugees. In Durban, there was no coherent process to manage this communication, and this appears to have resulted in reintegration being successful in some cases but not others. We note a definite disjuncture between organizations which dealt directly with communities within their member base, and other organisations who dealt specifically with displaced people and whose response was instinctively charitable rather than developmental.
278. Most importantly, the response of civil society did not address the root causes of xenophobia. One year on, most of those repatriated have returned once again to South Africa. Worldwide economic crisis, job losses, and rising prices make the situation even more precarious. In addition, there has been threat of further violence



as South Africa prepares for the 2010 World Cup. The sentiments that bred the mid-2008 attacks are still present and although there has been no mass violence on the scale of that social catastrophe, residents and insiders in two of the case study sites – Chatsworth and central Durban - note a continuum of violence before and since the attacks.

279. To illustrate the ongoing danger, various immigrants interviewed during the investigation cited recent xenophobic murders in the Chatsworth area. For example, a Mozambican was killed by residents of Bottlebrush and a Malawian was killed by a South African in a work dispute in August 2009, although circumstances do not permit us to definitely conclude these were xenophobic – unlike a reported murder in Morningside (near Warwick Avenue) in July 2009 still to be investigated by CCS researchers. These incidents often go undocumented and rarely make the news, but they are happening nonetheless.

#### **Box 5: Organising to overcome structural oppression in Chatsworth**

The shortcomings noted above are not uncommon across South African civil society. In the post-Apartheid era in South Africa, many citizens feel that the government has not fulfilled its mandate with regard to social, economic and political rights. In this context, South African civil society groups have attempted to mobilize in different areas and around different issues with the hope of making government more accountable. At the end of the 1990s, loss of jobs in textile industry, cuts in social spending, coupled with rents and tariff increases was making an already precarious life even more so in low-income areas such as the flatted communities of Chatsworth, the working-class zones of Cato Manor and the squalid slums of the CBD. Due to spiralling economic pressures, people found themselves unable to pay their rentals and fast-rising service charges. The government's response to these failures in the face of extreme housing shortages was to begin evicting people en masse. To illustrate, in 1999, 300 families in Westcliff were slated for eviction in a community of 700. The situation was desperate and government was turning a blind eye, so the community took to the streets. What lessons can be learned about organising around such structural oppression in Chatsworth?

The Bayview and Westcliff Flat Dwellers Associations were born at the turn of the 20th century when then-president Thabo Mbeki's neoliberal reforms were forcing harder times on some of South Africa's most precarious citizens. In the face of eviction, of water and electricity cut offs, the neighbours banded together – spontaneously and in ways they had not done previously – to fight for each other and their personal and collective rights. The era saw '... an ongoing spiral of struggle against market-driven measures to make residents of poor communities become paying customers in a capitalist society supposedly made non-racial by the defeat of apartheid and by the embrace of the free market in its place'. It was then that the 'poors,' as they coined themselves, of Chatsworth cut their political teeth in an era in which all had imagined they would be reaping the benefits of a new democratic system. Those at the forefront of the struggle in Chatsworth spent the apartheid years not as activists, but as factory workers, mothers, and shop owners. Slowly and after much organizing and persistence, these housewives-cum-activists began to see the fruits of their labour.

At marches and campaigns, through lectures and municipal meetings, at functions and over the communal cooking pot their strength grew. For women especially, whose lives had previously been circumscribed within the walls of the flat, community organizing became an outlet for personal growth and empowerment. Using a strategy of municipal engagement, they have fought for a right to shelter and for better service delivery. All households are receiving 9kL of free basic water per month, new water meters are being installed in the flats and the community is being trained on how to read the meters as well as their now non-

consolidated bills. Instead of accepting the government's national policy to sign over ownership of rental properties to tenants, the residents of Westcliff and Bayview pushed to have their dilapidated flats upgraded first and work began last year. The area began to take on a fresh new feel as cracking walls were plastered, dreary faded yellow paint was covered by lively peaches and blues, asbestos roofs were replaced, ceilings were installed and damp and water-damaged bathrooms were tiled and waterproofed. Now residents have a home to be proud of when the day comes to sign the sectional title. Work goes beyond housing, electricity and water extending to social issues – these organizations play a role in community across other issues as well having been transformed from a civic body to a community resource.

#### **Box 6: Partial success with short-term mitigation of xenophobia**

There were partial successes in 2008 registered by civil society worth remembering. The Cato Manor attacks apparently did not extend beyond the tavern/ *Kwamazithanqaze* area because of combined initiatives of the police with local and foreign residents in the area. Indeed, the police responded quick to the attacks and protect the foreign nationals in the police station while their evacuation from the area was taking place under the auspices of the police. Local and foreign residents armed themselves to protect foreigners although foreigners did not witness the attacks in Cato Manor. In addition, various groups (churches, the doctors, local committees, and interest groups) provided support to foreigners. Some partners were gang raped in their attempts to fetch foreigners from the police station. Foreigners' rooms were taken care by their landlords and other local people. Some of the employers did keep contact with their employees in order to know what was going on and reinsure foreigners that the companies will keep their jobs.

This enthusiasm to assist foreigners during the peak of the xenophobic violence was lacking however in the reintegration process. There was no consultation with displaced people in order to understand their contributions and expectations in this process.

In the CBD and Umbilo, the Diakonia Council of churches mobilized its church members to provide food, shelter, and clothes to displaced foreigners. There was direct assistance to displaced foreigners who invaded the premises of the Diakonia. However, this assistance did last longer because charity is not part of the core business of this institution involved in socio-economic justice. The RSS paid for accommodation for some foreigners who were forcibly removed from the City Hall to Albert Park and refused to go back where they lived before. The KwaZulu-Natal Refugee Council did a tour with officials in different hotspots with the aim of pacifying the areas.

Individuals and several organizations including academics collected food from main retailers in town and distributed it to displaced foreigners in the park. They did advocacy work for through research papers and newspaper articles in favour of foreigners based in the park. They also provided psychological support through regular visits and discussions.

### **From short-term scapegoating to long-term mobilisation**

280. How can the positive short-term responses be built upon and turned into structural solutions? Chatsworth provides some interesting lessons. Ironically, when it comes to addressing matters including employment, housing and retail trade, both civil society groups and xenophobes in Chatsworth use similar language in making demands. What is very different however, is the actions that follow the language. Both frame their grievances with rights-based claims related to the government's new mandate towards

its citizenry since the end of Apartheid. Civil society rallies around the rights afforded them in the Constitution to water, basic services and a decent home to put pressure on the government, especially the municipality at a local level, to deliver. This allows for direct action in response to structural violence that lead to marginalization. Xenophobia also utilizes rights-based claims to express grievances such as housing and job shortages. However, unlike civil society's reactions, the reactions of xenophobes represents a misunderstanding of the structural violence of the post-Apartheid system and results in symbolic violence against certain groups of foreigners as these people are made collectively liable for structural circumstances beyond their control. The response of civil society to the xenophobic violence in Chatsworth helped to ameliorate the effects in the short term, but there is potential for the response to go further in the long term to assist areas like Bottlebrush and Unity Avenue to turn scapegoating into pressure on government to deliver.

281. Many of the structural constraints are beyond local community capacity in any case because of the politics of scale: changing regional geopolitical policies – such as South Africa's exploitation of Zimbabwe, the DRC and Swaziland – is a tall order, as is insulating South Africa from the world economic crisis. Another example of a structural challenge well beyond civil society's control is the sensibility that foreign nationals receive SA citizenship fraudulently after bribing Department of Home Affairs officials. (Such fraudulently acquired citizenship resulted in foreign nationals getting access to child support grants, permits to work permanently in SA, access to free medical treatment in state hospitals and acquisition of free houses.) It is perceived that some foreigners go to the extent of bribing Home Affairs officials and Marriage officers that conduct illegal marriages with SA women without their consent so as to acquire citizenship.
282. Not only global, regional and national-scale problems are beyond Durban civil society control. Locally, the structured inequalities in the labour market are very difficult to address. As numerous case study interviews suggested, there is a widespread perception that foreign nationals work for meagre amounts of money, and most of the employers prefer them because they are cheap and vulnerable labour. South African nationals are not employed because they are expensive, unionized and make demands on their employers about 'rights' which foreign nationals cannot make because of their precarity.
283. Another local cultural perception is that foreign men take wives and partners away from South African men, because they are willing to pay school fees for children that they are not even biological parents to. Hence some of the causes of xenophobic attacks mentioned by researchers include jealousy. Other structural, long-term problems noted by researchers include alleged crime and drug dealing.
284. In sum, in the preliminary stage of research, we have identified a series of shortcomings associated with the partial responses to xenophobia by civil society organisations in Durban, and major long-term structural problems that local organisations are unable to address – and that we are only at the initial stage of identifying and documenting. These latter include unemployment, poverty, competition for few resources that the government is providing, poor services provided by the municipality to local people, preferential treatment of foreigners by employers who perceive them as a source of unorganized and cheap labour, and fraudulent marriages that assisted foreign nationals to get SA citizenship.

285. Because of the scattered approach so far, there are very diverse views amongst hundreds of respondents in the case study areas, regarding how xenophobic attacks can be prevented in future. Some indicated that only foreigners with proper permits should be allowed to live in SA. Others felt that the country will not have enough resources to cater for the millions of foreigners that come to SA, and therefore illegal immigrants should be deported as they are the burden to state resources. Some felt that foreigners should be better integrated into SA society, rather than in specific ghettos within townships and CBD flats (e.g. a building near Mahatma Gandhi Road in the CBD where most nationals living there are originally from Nigeria).
286. Finally, by all accounts, there is severe competition for jobs, houses and social grants reported by some participants. Others disputed any form of competition as foreign nationals do work which South African nationals are refusing to do, such as operating as car guards and running cheap salon businesses in the streets. These are opportunities that foreign nationals created and local people are still reluctant to explore. Foreign nationals are willing to settle for lower-paying jobs whereas SA nationals demand a living wage when they choose jobs, a factor associated with the low cost of reproduction of labour power in the sites from which they came. In such settings, the traditional practice of superexploitation of women – who raise workers when they are young, who look after sick workers and who look after workers when they retire, thereby allowing employers to hire these workers more cheaply than those with local families, school fees, health insurance premiums, pensions, etc – is also a critical factor. Such extreme structural power – described by Rosa Luxemburg as ‘imperialism’ in the 1910s, by Leon Trotsky as ‘uneven and combined development’ during the 1900s-30s, by Harold Wolpe as ‘the articulation of modes of production’ in the early 1970s, and by David Harvey as ‘accumulation by dispossession’ in the 2000s – requires us to return to structuralist analysis for a handle on how to name and then transcend the system responsible.

## Recommendations

287. Considering the underlying and immediate causes of the crisis, civil society organisations’ short-term responses to the crisis were only partial, and will be subject to more analysis in coming weeks. But it is to the long-term problems of a durable, structural nature that our recommendations can be best addressed. Without a long-term solution, the lack of coordination and leadership exhibited in Durban civil society will continue. Hence this report recommends:
1. A unifying local/ national/regional approach to rising (and durably high) unemployment, based upon a ‘right to work’ and sufficient public work resources, directed to projects needed by poor people and the communities;
  2. A dramatic shift of state investment resources into housing/services, for both capital/infrastructure and ongoing operating/maintenance subsidies;
  3. A rising level of disposable income for low-income people – e.g. through a Basic Income Grant - to accommodate the intensified desperation in the informal sector;
  4. A commitment to dramatic increases in publicly-subsidised employment and to channelling investment resources into low-income areas, so as to mitigate the economic desperation that so often generates crime;

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5. Changes to SA state regulations that liberalise border restrictions (e.g. the Zimbabwean temporary work visa), and a very strong stance against such corruption, plus a dramatic increase in staff to accommodate the Department's rising clientele base;
  6. A much greater SA state commitment to promotion of cultural diversity and the 'melting pot' of regional citizenries within SA;
  7. A shift of SA foreign policy – driven by regional solidaristic initiatives in civil society - away from strategies which exacerbated political-economic and geopolitical tensions in Southern and Central Africa
288. Strategies to fight against xenophobia need to traverse and cover many areas of social, political and economic life. There is a need to address certain structural problems that provide fertile ground for the growth of xenophobic attitudes. There is also a need to address the 'subjective factor', that is, to affirm those ideologies, politics and actions that encourage the subaltern classes to search and find solutions that don't include xenophobia. From the study of Bottlebrush, an informal settlement, it emerges that structural conditions appear to pit sections of the working class against others, for example, the competition for jobs and for dwelling places. But this is not automatic both in design and in effect. It is granted that there is a lot of unemployment in South Africa and that this is increasing given the global economic meltdown but it does not follow that employers must pay African immigrants less than South African born workers. This is a choice they make ostensibly to lower wages and no doubt to keep the working class divided. It is the same with the shortage of housing and overcrowding in places like Bottlebrush, it seems it is greed and thoughtlessness that leads landlords to use xenophobia as an excuse to exploit and get more money from their tenants. The same can be said about crime, criminals will probably steal from anyone because that is what they do, but in some instances some of them consciously target African immigrants either because of their vulnerability or the belief that they are less likely to be found out and punished if they do so.
289. Secondly, the strategies to fight xenophobia and subsequent attacks destitute locations including Bottlebrush and other areas which are part of our sample, people need development, they need jobs, they need hope, they need something to live for rather than just surviving. It is the important that the interests of the working class as a whole need to be promoted in South Africa. The most pressing needs consist of providing decent housing, water and electricity; sustainable job opportunities; skill empowerment in self-employment, inclusive community policing forum to fight crime, and training in whistleblower techniques in order to fight corruption, and joint social cultural events to bridge the gap between South African poor and destitute migrants.
290. Thirdly, power without accountability leads to abuse and often the most vulnerable suffer the most, in this instance, African immigrants who end up paying exorbitant rents on pain of being kicked out of their shacks and possibly even out of the country. But South African "borners" suffer the same fate to some extent. There is a need for the authorities to intervene in this business of renting out shacks, there is also a need for the community to unite as "non-borners" and "borners" to fight this evil and assert the rights of tenants and the right of all to decent housing. As matters stand the landlords are getting their way partly because of playing up divisions between these two groups. A related issue is have a good political leadership which will unite the poor communities across the city because united they will stand but divided they are falling. A principle needs to be found that will provide a basis for unity and this

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platform could be the equal participation of all irrespective of gender, race and country of origin.

291. Fourth, it is ordinary working class people who pay the price for the ill-treatment of and discrimination against immigrants. They pay through being kept divided as a working class thus leaving the business class in a stronger position. South African born workers know this when they accuse immigrants of undercutting wages. They should know that the fault is less that of the immigrants, who are victims, than of the bosses who benefit from this perverse arrangement. Hence, the work of getting rid of xenophobia requires raising the awareness of ordinary people about the negative consequences of xenophobia. Political education and leadership are crucial in carrying out this work of raising awareness, of developing a 'working class consciousness.

People get violated, you violate people in a democratic country, a country of freedom. If this violation happens, it means there is no freedom.<sup>224</sup>

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<sup>224</sup> Mhlongo, Ekupholeni community leader.