

# Creating the Nation: The Rise of Violent Xenophobia in the New South Africa

by

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What started off as attacks against 'illegal aliens' soon became attacks against immigrants legally here with their families, and then attacks on South Africans who 'looked foreign' because they were 'too dark' to be South African. This is the evil story of the beginnings of fascism ... and ethnic cleansing which has been practiced in other parts of the world.

- Statement by the Congress of South African Trade Unions

The first democratic elections in South Africa, in 1994, introduced a new democracy that has been heralded internationally as a 'miracle' transition. The multiracial dispensation that replaced apartheid has progressively addressed the country's legacy of a racially divided past: discrimination has been criminalized, affirmative action policies are in place, and the new constitution is perhaps the most progressive of any democracy in the world currently. Nevertheless, discriminatory attitudes and practices continue to manifest themselves, not just in historically familiar divisions but also in new forms of identity-based violence, the most disturbing of which has been xenophobia. Over the past decade incidents of violence and discrimination against foreigners have increased dramatically. The United Nations, as well as international human rights watchdogs, have issued statements condemning the human rights abuses regularly suffered by non-nationals in a post-apartheid era (see for example, [Human Rights Watch](#), 1998; [United Nations High Commission for Refugees](#), 1999). An examination of this phenomenon and its manifestation reveals that 'the foreigner' has become a site for the violent convergence of a host of unresolved social tensions. The difficulties of transition, socio-economic frustrations, a legacy of racial division, and an inherited culture of violence are just some of the factors contributing to violent xenophobia in South Africa today.

A joint statement by civil society and the [South African Human Rights Commission](#) (SAHRC) defines xenophobia as the "deep dislike of non-nationals by nationals of a recipient state" (South African Human Rights Commission 1998). Whilst such a definition is generally adequate internationally, Harris contends that in the South African context this limited definition is misleading, because xenophobia in South Africa "is not just an attitude: it is an activity ... it is a violent practice that results in bodily harm and damage." (Harris 2002). Patterns of xenophobic hostility thus constitute a violation of the human rights of a targeted and identifiable group that undermines the very values upon which this new democracy is premised.

Much of the analysis of xenophobia has to date focused primarily on the economic and

migratory elements of intolerance, arguing that regional migration has increased post-1990 and economic indicators such as unemployment have remained stagnant or deteriorated, which has led to competition amongst the less well off for scarce resources. Claims by the South African on the street that foreigners 'steal jobs' and are 'criminals' are often accepted as the *prima facie* reasons for general attitudes of intolerance and hostility. These elements certainly explain aspects of this trend; they are however incomplete by themselves and fail to provide a comprehensive analysis of the rapid and degenerative shift in attitudes amongst South Africans, or the racially-defined target of these attitudes. This paper will look beyond these factors to locate this 'new racism' in the interplay between economics, migration, nationalism, and the unique history and transformation South Africa has experienced in the past decade.

The first section of the paper describes the rise of xenophobia amongst the South African general population, the media and the institutions of the state. Drawing on quantitative attitudinal surveys of the population, evidence from foreigners' experiences, and an analysis of institutional racism, it narrates the forms this discrimination is taking and the crippling impact it has on a section of the population. The racial nexus of South African xenophobia is then examined, drawing on the legacy of apartheid, current global and economic conditions, and the nature of the South African transition. The contribution of these various factors to rising xenophobia and the racially-determined nature of this hostility are the main areas of focus in the examination.

The second section of the paper re-examines the role of the transition with a focus on nationalism and the nation-building project adopted post-1994. The relationship between xenophobic attitudes and the rise of nationalist sentiment is a familiar one that features in much political literature on nationalism. It has long been recognised that the fostering of nationalism produces an equal and parallel phenomenon: that of an affiliation amongst citizens in contrast and opposition to what is 'outside' that national identity. In the case of South Africa, these consequences have been aggravated by the particular model adopted in pursuit of a new and united South African identity – one which attempted to create a deracialised and homogenous internal entity, and by doing so contrasted it to a constructed threat of 'difference' outside. In particular the paper examines the myths that have served to define the state post-1990, the narrative constitution of the 'new' democracy, as well as the [Truth and Reconciliation Commission](#) that served as a privileged site of nation-building and identity formation. What is uncovered is a model of nation formation that has been exclusionary in focus, thus providing an environment in which the growth of intolerance towards others could be fostered.<sup>1</sup>

### **Playing with numbers: The contribution of perception to rising xenophobia**

Qualitative information and 'guesstimates' point to a rise in the number of migrants crossing South Africa's borders since 1994. The ability, however, to provide an exact number of the undocumented migrants entering or residing in the country at any one time is hampered by the very nature of their status (being without documentation), the inability of neighbouring countries to keep data of outflows from their own states, and the absence of a methodology by which to provide reliable data. Nevertheless, alarmists have continued to circulate figures based on 'pseudo-scientific' research (Handmaker and Parsley 2000), suggesting that the number of undocumented migrants could range from 4m – 12m individuals (Mills

1998). This latter figure would imply that fully one in five residents of this country are without legitimate papers.

Such figures are generally obtained from repatriation numbers – a problematic methodology that is premised upon an even more problematic process. Since 1994 there has been a consistent rise in the number of foreigners repatriated each year. The increase reflects, in part at least, a shift in resources and priorities (Klaaren, 2000). With changing popular attitudes towards foreigners, the state has begun to focus its policies and resources on a protectionist immigration regime in which undocumented migrants are actively sought out and deported; thus increasing the recorded number of repatriations, and making it an unreliable basis upon which to draw conclusions. The methodology used is further flawed because it is unable to account for repeated deportations that drive up the figures, falsely indicating a rise in the actual number of undocumented migrants. Studies show, for example, that most Mozambicans in South Africa have been deported at least once and many of them several times. Hussein Solomon notes the case of one migrant who was arrested and deported twenty-eight times in the span of 6 months (Solomon 1998).<sup>2</sup> In spite of evidence exposing their questionable credibility, these inflated figures continue to receive extensive coverage.

In essence, the inability to quantify undocumented migration flows has led to a vacuum in which perceptions and emotions are open to manipulation, either consciously or not, for personal agendas. What South Africans are reacting to is not their experience of migration and its impact,<sup>3</sup> but the *perception* of both the phenomenon and its impact.

The rise of popular sentiments of intolerance amongst all sectors of South African society has occurred over a relatively short period of time – but it has led to a national unity that exists on few other issues. Regardless of race, education level, or income bracket, South Africans appear to feel similarly about those who come to the country from outside (Dube 2000). Opinions of xenophobia expressed in surveys are worse than those exhibited by citizens of any other country with similarly available data (Mattes, Taylor et al. 1999). Foreigners are blamed for the rise in crime, the spread of HIV/AIDS and other diseases, corrupting public officials, high levels of unemployment – in short, every social evil that now confronts the new dispensation. In a survey conducted in 1998, 52 percent of respondents stated that illegal immigrants caused crime in their areas; over three-quarters said that they took jobs away from local South Africans (Pigou, Valji et al. 1998). Five years on, more recent surveys show that these numbers have increased.<sup>4</sup>

These perceptions are manifesting themselves in dangerous attitudes towards the human rights of migrants. The overwhelming majority of citizens (85%) appear to feel that unauthorised migrants should have no rights to freedom of speech or movement, and some 60-65% also feel that they should not enjoy police protection, or access to services – expressing what Crush concludes is an attitude of 'those who are not here with permission are not covered by our Constitution' (Crush 2001). This is a particularly disturbing trend in light of the long struggle for the rights of all from which South Africa has only recently emerged.

This denial of the humanity of the other has also made it easier for such attitudes to manifest themselves in violent action. To cite but a few well publicised incidents: in

December 1994 and again in January 1995 armed youth gangs in the Alexandra township outside of Johannesburg destroyed the homes and property of suspected undocumented migrants and marched the individuals down to the local police station where they demanded that the foreigners be forcibly and immediately removed (Croucher 1998, p.646). In September 1998 two Senegalese and a Mozambican were thrown from a train by a group of individuals returning from a rally organised by a group blaming foreigners for the levels of unemployment, crime, and even the spread of AIDS.<sup>5</sup> More recently, in the township of Zandspruit residents went on a rampage, burning down shacks of Zimbabwean foreigners living in the settlement in a bid to drive out foreigners they claimed were stealing their jobs and causing crime (Mohlala 2001). In one month in 2000, seven xenophobic killings were reported in the Cape Flats district of Cape Town alone (Independent Newspapers Online 2000). As the cycle of violence and prejudice takes hold, it takes on a self-fulfilling role – dehumanisation and violence confirms to others "the belief that [the victims] are not worthy of human treatment." (Buur and Jensen 2001, p.33).<sup>6</sup>

Attitudes of intolerance and violence are however not manifesting themselves against all foreigners but, rather, xenophobia in this country has a visible continuity with the past, in that intolerance is targeted exclusively at blacks from other African countries. What characterises this phenomenon as new, however, is that although attitudes of intolerance are pervasive across all sections of South African citizenry, most incidents of violent attacks have been carried out by black South Africans. Studies reveal that amongst this racial group, there is a stated preference for admitting immigrants from Europe and North America over those from neighbouring Southern African states (McDonald, Mattes et al. 2000). Coupled with this racial differentiation is that the popular press rarely differentiates between 'illegal alien'<sup>7</sup> and other categories of migrant, and as a result studies show that the ability of the average South African to make this distinction is limited (Pigou, Valji et al. 1998). Because the problem of undocumented migrants is portrayed as one of 'Africa flooding across our borders', the inability to distinguish between, or understand, the various migration categories has led to an expressed hatred of all black foreigners as 'illegals'.

### **Institutional Racism**

With vigilantism on the rise, foreign victims find less protection or support from state institutions. Institutions which are meant to protect the rights and dignity of all residents in South Africa are perhaps the most frequent site of human rights violations and abuses themselves. As noted above, foreigners from other African countries are the main targets of intolerance and anger in this country. Law enforcement agencies increasingly use racial profiling in order to identify and detain suspected 'illegals'. Criteria used by law enforcement officers to arrest or detain a suspected undocumented migrants include such traits as skin colour, height, and the presence of inoculation marks (Human Rights Watch 1998).<sup>8</sup> Identification processes have been denounced as "humiliating", "dehumanising", and it has been stated that current policies "smack of apartheid rule" (Dludlu, 2000). This last comment was in reference to the fact that all foreigners are expected to carry their passports and identification with them at all times – a throwback to the pass laws and *dompas*.<sup>9</sup>

Deportation figures highlight the racial nexus of xenophobia – in the first months of 1996 26,000 individuals from Germany, the UK and the United States overstayed their visas. Yet

in the whole of 1995, only 49 people from these same three Western countries were deported (Peberdy, 1998).

The use of discreditable and unreliable criteria to identify undocumented migrants has led to large numbers of legally documented migrants as well as South African citizens being arrested and detained in the process – most for the crime of being 'too dark' (see for example Monare and Feris, 2001).<sup>10</sup> Recent figures suggest that nearly 25 percent of those arrested by the police as "illegal aliens" are in fact South African citizens who either could not produce their identification documents or had them torn up by officers who refused to believe their legitimacy.<sup>11</sup>

Immigration investigations and arrests are the responsibility of the police and not a separate immigration authority. Suspected undocumented migrants detained by the police are for all purposes treated as criminals. This has resulted in documentation cases being used as a means to inflate arrest numbers and thus the reputation of the South African Police Services (SAPS) unit. In 1995 arrests of undocumented migrants accounted for 20 percent of arrests made in the Witwatersrand region – the region of the country which includes Johannesburg (Peberdy, 1998). In addition to diverting much needed police resources from real crimes, the conflation of immigration matters into crime statistics reinforces an already existing affiliation between foreigners and crime<sup>12</sup> - and places these individuals in a precarious and vulnerable position.

With rising crime and increased frustration at the perceived lack of an official state response, vigilantism is on the increase, and the visibility of foreigners, coupled with their presumed criminality, can have disastrous consequences ([Harris 2001a](#)). Assumptions of a direct link between foreigners and criminal conduct are particularly pervasive amongst the police. Harris notes that of all the criminal arrests made in 1998, South African citizens comprised on average 98 percent of arrests – arrest rates for foreigners rarely exceeded one percent in any crime category ([Harris 2001b](#)).<sup>13</sup> The reality portrayed by these statistics are in harsh contrast however to the attitudes of the authorities:

We hear it at our management meetings that in a lot of cases, almost 80% of the perpetrators in South Africa are illegal immigrants, people from Nigeria, people from Mozambique, Zimbabwe, Malawi, Zambia (representative, provincial police psychological services, quoted in [Harris 2001b](#))

At Lindela, the primary national detention centre located just outside Johannesburg, the racialisation of immigration policing is visibly evident. One NGO noted in the course of its monitoring of the facility that whites are almost never picked up on immigration violations; those Asians that are detained are remanded on bail; but Africans are denied this same treatment (Centre for Southern African Studies 1995). As a result, Lindela's population is generally all black.

Conditions during the arrest and deportation process are an affront to the rhetoric of human rights in the new South Africa. The threat of possible deportation is used by officials to extort bribes from foreigners (Human Rights Watch 1998), and both the arrest as well as the detention process are frequently punctuated by incidences of abuse. In 2000, a videotape was discovered and aired of a police 'training exercise' in which white police officers let

loose their dogs on a group of Mozambican migrants they had caught, punctuating the brutalizing mauling of the individuals by shouting racist epitaphs at the victims. In the wake of the attacks, the [South African Human Rights Commission](#) (SAHRC) issued a statement condemning the incident and highlighting the ongoing racism endemic in the police force:

The fact that the victims were black, foreign, and may have been here without the proper authorisation obviously contributed to the police thinking that no matter what pain they inflicted, they would not be held accountable. There is a direct link between the alarming degree of xenophobia and racism prevailing in our society and the existence of such beliefs in people who are entrusted with the job of upholding the law. (Handmaker and Parsley 2000, p.45)

At the holding centre itself, the SAHRC found that one in five detainees reported that they had been physically assaulted to some degree during their apprehension (Kollapen, Klaaren et al. 1999). As a result of ongoing abuses, the SAHRC announced earlier this year its intention to establish a permanent monitoring presence at the facility in the near future.

Detention facilities and immigration enforcement in general are the responsibility of the Department of Home Affairs – itself the site of rampant corruption and abuse. One Departmental official admitted that; "[O]f all departments in this country, Home Affairs is the most fraught with malpractice." (Edmunds 1996).<sup>14</sup> The Department suffers from a lack of either transparency or accountability and has been in the line of fire of the SAHRC on numerous occasions. In the run up to the World Conference on Racism, then SAHRC Chairperson Barney Pityana accused the Department of Home Affairs of allowing "rabid xenophobia" in their Department. Specifically targeting those at the top of the chain as being most responsible, Pityana in a speech accusingly stated that:

[E]very bit of interaction [I have had] with the home affairs department from the Minister to the Director-General, does not give me much hope ... . The blockage (to change) and intolerance is enormous. ([Steinberg 2001](#)).

Much like the interactions with the SAPS, bribery has become commonplace in DHA offices to the extent that there appears to be an unofficial 'price list' depending on various factors such as nationality and permit required.<sup>15</sup>

As Minister of Home Affairs, Chief Mangosuthu Buthelezi holds the highest political office concerned with immigration policy. His statements are integral to defining the tone of immigration debate in general as well as sending a message of tolerance and respect to the nation. From early on in the new dispensation, however, the Minister has exhibited a willingness to blame much of the country's transitional difficulties on an "influx" from North of the borders. After only a few months in office Buthelezi pronounced on a national television programme Newsline, that "if we are to scramble for scarce resources with these people ['illegal aliens'] we might as well forget about the Reconstruction and Development Programme." (quoted in Croucher 1998, p.650). The RDP, the new government's initial macroeconomic strategy for the country, was a development plan based on widespread redistribution. It was a politically popular strategy that was used as a campaign platform leading up to the 1994 elections. The RDP failed to live up to expectations for a variety of



reasons: the bureaucratic legacy of apartheid; the political unwillingness of civil servants left over from the old regime; the difficulties of reintegrating the homelands; a lack of political commitment to the core principles of redistribution; and perhaps most importantly, unrealistic expectations of rapid social service delivery. For Minister Buthelezi, however, these complexities were more easily expressed in the form of a populist sound-bite reinforcing the perception of African migrants abusing scarce resources.<sup>16</sup> Most infamously, Minister Buthelezi's fuelling of popular stereotypes has included the suggestion that all Nigerian immigrants are criminals and drug traffickers (Forrest, 1994).

Although the current ruling party, the African National Congress (ANC), appears divided on its position towards African migrants, it is likely that, as xenophobia increases, many in the ruling party will feel the pressure to blame foreigners, rather than defend an unpopular position.<sup>17</sup>

Other political parties have also sought to cash in on these hostilities for their own gain. In the run up to the 1999 elections, each of the opposition parties found a way to politicise the issue of immigration and foreigners. One New National Party member went so far as to say that:

[I]t was no good to take R10 million from the budget of the Department of Home Affairs for the Reconstruction and Development Programme when illegal aliens were removing far more than that from the economy by taking jobs away from South Africans. (in Croucher 1998, p.651).<sup>18</sup>

### **Immigration Policy as a Site of Racist Practice**

Immigration policy and the statements of public officials lend themselves to the definition of the state itself, and are a privileged site for informing the citizenry of the values of the nation. Some describe immigration policy as an extension of foreign relations, and the other side of the nation-building coin. However it is not just immigration policy which is important, but the discourse and rhetoric which surround the debate on the policies (Croucher 1998). The White Paper on International Immigration calls for citizens to report suspected 'illegal aliens'.<sup>19</sup> In his introductory comments on the Bill, Minister Buthelezi stated: "If they are good patriots, I would hope that they would know that it is in their interests to report (illegal immigrants)." (author unknown, 1999). In an environment of intolerance and violence, reinforced by prevailing racial stereotyping of citizens as well as policing authorities, such a call by officials is dangerous and irresponsible (Williams 1999). Giving official sanction to such attitudes is likely to promote "xenophobic witch hunts, destabilise communities, and adversely affect South Africa's relations with foreigners' countries of origin." (Reitzes 1997, p.3).

Beyond the rhetoric that surrounds immigration policy lies the policies themselves and the values that they codify. In South Africa, immigration policy has long been an indicator of the nature of the state being created. For example, early immigration policy defined the South African state as racially exclusionary even before the official implementation of apartheid. The 1937 Aliens Act described the desirable immigrant as one of 'European' heritage who would be easily assimilable in the white population of the country. Continuities in this exclusionary paradigm have been carried forward into the legislation of

the new state. In 1991, the apartheid government, then in its death throes, passed the Aliens Control Act in an attempt to entrench the past well into the future. By omitting the offensive reference to 'Europeans' they nevertheless assured that the structures and administration of the policy would continue to ensure its exclusionary nature (Peberdy 1998).<sup>20</sup> As the entire field of immigration policy and administration needed to be reconstructed post-apartheid,<sup>21</sup> the introduction of new legislation has been slow. Due to a number of legal and constitutional challenges, the Bill on International Migration has only just come into force in 2003, which meant that the 1991 Aliens Act, although amended in sections, continued to regulate this sector until only very recently.<sup>22</sup>

In addition to the inherently exclusionary underpinnings of immigration policy, there are the administrative barriers to African migrants. Although formal impediments to permanent residency – such as the obvious racial criteria – have been lifted, they have been replaced by administrative barriers that have similar consequences. For example, permanent resident applicants in 1996 were required to pay a R5580 non-refundable fee (approximately \$800US). This was subsequently raised to R7000, then R10,000, and today sits at approximately R13,000. Until the courts ruled that such fees were unconstitutional if charged to the spouses of South Africans, the fees applied equally to these applicants. The unlikelihood of applicants from the African continent having the resources to meet this cost means that they are in essence a racial barrier to residency.

Despite the profound shift in the political landscape of South Africa, immigration policy remains very much rooted in the thinking and assumptions of the past, not merely in its racially discriminatory impact but equally in its emphasis on the security paradigm of immigration. As Klotz notes, current the Immigration Act continues the previous focus on control and enforcement, and amendments made to the Aliens Control Act in 1995 actually *increased* the repressive powers of the authorities (Klotz 2000). Klotz further concludes that the xenophobic mentality of immigration officials today reflects the 'total siege' mentality of the apartheid era: "A *laager*<sup>23</sup> mentality persists, although the images of what is under threat, and who comes within the protective circle of the wagons, has expanded." (Klotz 2000, p.837).

As noted above, it is precisely these unsound beliefs upon which current immigration policy continues to be based. Because new legislation attempts to implement increasingly stricter controls<sup>24</sup> and is rooted in a "security paradigm" notion of migration,<sup>25</sup> it overlooks the real nature of migration flows and instead perceives them as only a threat (Reitzes 1997). Maxine Reitzes locates this dissonance between the realities of migration in the region and the policies used to regulate it as being rooted in the continued use of a *realpolitik* model of migration left over from the Cold War. This model is particularly inappropriate for present-day South Africa as it frames migration in terms of security and threat, leading to the involvement of the security apparatus of the state (the military and police) and potentially threatening the values of human rights. Furthermore, the perception of migration as a security issue results in domestic policies that do not address the root causes of the migration, and may in fact create a self-reinforcing cycle. Research conducted in the Southern African region suggests that migrants from neighbouring countries do not propose an open border policy, and understand by and large the need to have controls (Reitzes 2000). They do however contest the legitimacy of policies which do not appear to have shifted from the old political order to the new. As a consequence, these policies are



ignored (Reitzes 2000). Reitzes concludes that policy that is written based on the framework of migration as a security issue is unenforceable, ineffective in cost terms, and does little to decrease the regional push factors leading to migration (Reitzes, 1997). These policies may in fact contribute to the very thing they seek to control.<sup>26</sup>

### **The Media and Xenophobia**

The paradigm of all African migrants as criminals has found a home in much of the local press. A large scale analysis of 1200 newspaper clippings from English newspapers between 1994 and 1998 led the [Southern African Migration Project](#) (SAMP) to conclude that whilst media sensationalism cannot be regarded as the sole reason for public attitudes and perceptions of migrants, they are without a doubt a contributing factor (Danso and McDonald 2000). In general, the report stated that the media typically produces/reproduces three stereotypes – that of migrants stealing jobs, creating crime, and being 'illegals' (Danso and McDonald 2000). About 25 percent of the articles associated migrants in some way with crime in South Africa, with some laying the blame for the high crime rates directly on non-nationals (Dube 2000).

Local press tends to cover certain nationalities only in terms of stereotypes – such as the portrayal of all Nigerians as drug dealers. Just one example of the tragic treatment of migration issues by the local media was an article printed in a leading Johannesburg daily in which the headline read "Nigerians arrested in drug raid on city hotel". The article went on to reveal that "[w]hile no drug related arrests were made ... two Nigerian nationals were arrested for being in the country illegally" (Star newspaper quoted in Peberdy 1998, p.200). The headline's misleading and sensationalist nature is only one example of the kind of borderline unscrupulous stereotyping that is often propagated in the South African media.<sup>27</sup>

Ironically, it is migrants who are in fact more likely to be the *victims* of violent crime – not only because of xenophobic attitudes, but because African foreigners are unable to seek protection from officials. Regardless of their legal status, by approaching police officials, they risk being arrested themselves, leaving them without state protection and vulnerable to criminal victimisation. A recent report by the Institute for Security Studies found that in inner city Johannesburg, levels of victimisation in all crime categories were higher amongst non-nationals than they were amongst nationals. If one looked specifically at the Nigerian nationals (for whom the stereotypes of wealth and drugs are particularly entrenched in mainstream consciousness) the discrepancy between those who were victims of robbery, assault, or murder was between two and three times that of nationals (Leggett 2003). Almost half the non-nationals reported having to pay bribes to the police in recent months. This figure would substantiate one police official's characterisation of Hillbrow (inner city Johannesburg) as "the ATM<sup>28</sup> of Africa" – utilised by both criminals as well as policing officials for their own financial gain ([Harris 2001b](#)).<sup>29</sup>

### **The Global Picture – Economics and Xenophobia**

Whilst growing levels of intolerance to foreigners have been flagged as being of particular concern in South Africa (due to its violent nature), xenophobia is by no means unique to this country and incidents of discrimination appear to be on the rise internationally since the end of the Cold War and the acceleration of global integrative forces.<sup>30</sup> These broader

elements have an influence domestically. As Manzo notes, the impulse to 'bash' foreigners "is an effect of global conditions and the reinscription of certain groups as foreign". As such, "it needs to be analysed in a historical and global context." (Manzo 1996, p.23).

Internationally, the rise of intolerant attitudes towards outsiders has accelerated in the past decade. The [UN Commission on Human Rights](#) expressed in a resolution its concern that:

despite the efforts undertaken by the international community at various levels, racism, racial discrimination, xenophobia and related forms of intolerance, ethnic antagonism and acts of violence are showing signs of increase. (United Nations Commission on Human Rights 2000).

Even the terminology of xenophobia is a common one globally. Terms used by politicians and the media in South Africa - 'aliens', 'flood', 'uncontrolled tide' or 'swamping' - are not unique, and Doty notes that, aside from being used globally today, they were used in post-colonial era Britain to summon up "images of chaos, disorder, and loss of control" when directed at their colonial subjects to the South (Doty 1996, p.138). In the United States, the rising tide of exclusivity<sup>31</sup> has led to a redefining of "American" so that crime, unemployment, welfare abuse and other social ills are labelled as foreign and "imaged on immigrant bodies of colour." (Eisenstein 2000, p.50).

Increasing xenophobia globally is a result of racist attitudes of the past coupled with increasing economic disparities. The threat that is construed as being cultural or social is in fact the supposed threat of the impoverished masses. Frontiers are clearly used to "maintain global inequalities" (Anderson 1996, p.191) and ensure the preservation of privileges in the North from encroachment by the exploited of the South. New controls on immigration mean that even asylum seekers are vilified as merely seeking a better economic life. In the United Kingdom, a 1998 White Paper by the British Home Office entitled 'Fairer, Faster and Firmer' has characterised trafficked refugees as people who seek illegal entry "after receiving daily images of the potential economic and ... social benefits available in richer countries across the globe." (UK Institute for Race Relations 2001). Carrier sanctions which shift policing responsibility to airlines and carriers, visa restrictions, and the ever decreasing social support services provided to confirmed asylum seekers internationally, reveal a shift in attitude from a minimalist humanitarian system to one which Kohler has termed "global apartheid" – a world system in which:

National boundaries, passports, border patrols and fortifications function as reinforcements of racial segregation at the world level, since they provide effective control mechanisms for keeping non-whites (of the South) out of white areas (of the North) of the world if so desired. (Gernot Kohler expounding his formulation of the term 'global apartheid' in Newman 1999)

Those immigrants from the South who are admitted within the fortress of present day industrialised nations find that the colour of their skin prevents them from being assimilated as full citizens. In the Canadian context, Sunera Thobani has contrasted the treatment of European migrants with that of developing nation migrants, using the terms 'nationalising' and 'bordering' to describe the attitudes and processes that face each of these migrant groups. The term 'nationalising' is taken from Etienne Balibar's work and is used in this

context to refer to the conscious practices of the Canadian state to integrate European immigrants into becoming members of the Canadian nation. 'Bordering' is the parallel and converse process of excluding and marginalizing Third World immigrants from this same position (Thobani 1998),<sup>32</sup> in essence premising citizenship upon racial characteristics. In the South African context, this characterisation is useful in examining the continued preference amongst not just white South Africans but more notably amongst black South Africans, for immigrants from North America and Europe over immigrants from the rest of Africa.

### **The National Picture – Economics and Xenophobia**

Economic developments contribute to the xenophobic attitudes of individuals at a national level. According to Dr. Kenneth Wilson of the Psychology Department of Witswatersrand University, xenophobia is a sentiment rooted primarily in economic competition and scarcity – a "phenomenon driven by a desire for financial benefit" (author unknown, 1997). In South Africa, economic factors have been an important contributing factor to new hostile attitudes to outsiders. Apartheid had a devastating impact on the country and on the entire region. The South African government pursued a policy of destabilisation Mozambique that left it the poorest country on the globe. Coupled with regional migration patterns that created a dependency in surrounding countries on the remittances of male mine workers, South Africa's apartheid legacy to the South African Development Community (SADC) has been the creation of optimal pull factors that draw people from neighbouring states to the comparatively enormous economy of South Africa.<sup>33</sup> One writer notes that in the villages of Lesotho and Mozambique, people sing about the wealth of South Africa (Solomon 1998).

But the presence of a large number of migrants is not a new phenomenon in South Africa. The mining sector was crucial to the apartheid state's coffers<sup>34</sup> and high margins of profitability were possible because of the oppressive labour practices of the regime which provided an endless supply of cheap black labour. In order to ensure that a strong mining trade union movement would not emerge to threaten this profit margin, the state encouraged migrant labour from neighbouring countries at the expense of local labour (Arnold 2000). As a result of this policy, between 40 and 80 percent of labourers in the gold mines since the turn of the century have been non-South Africans (Reilly, 2001; Peberdy, 1998). The Froneman Commission, established in the 1960s to inquire into the presence of 'foreign Bantu in the Republic', estimated at the time that there were 836,000 'foreign born Bantu' in the Union and that 420,000 non-South Africans from the region were employed in rural areas (Peberdy 1998).

At the time, the impact of apartheid rule on the entire region lent itself to a relationship of solidarity between South Africans and those from neighbouring states. For example, as a result of the civil war in Mozambique 350,000 refugees arrived in South Africa in the 1980s and early 1990s. Refused entry by white South Africa, the homelands of Gazankulu and KaNgwane gave 'refugee status' to over 120,000 of them (Peberdy 1998).

Since 1994, this solidarity and a sense of goodwill between neighbours seem to have dissipated. Some have located this animosity in the nature of South Africa's negotiated transition and its economic consequences. The negotiations process that took place under

public scrutiny in the early 1990s was only ever about the narrow field of political rights (Powell 2003). The economy and its transformation was never the subject of open negotiations, and was instead the domain of a few select individuals, who confirmed a commitment to a neo-liberal economy early on in order to assure the nervous and fickle international business sector of the ANC's move away from a previously held socialist agenda.<sup>35</sup> This character of these negotiations, and the resultant agreement, has been termed by many observers as a process of 'elitepacting' (see for example Bond, 2000; Saul, 2001) that traded the continual domination of whites over the economy (and a system that would assure them of such domination well into the future) in return for political rule by the majority (Marais 1998; Bond 2000; Saul 2001; Terreblanche 2002). As a result of the limited mandate of the negotiations, redistribution to address entrenched inequality has failed to occur and today levels of disparity between rich and poor, already the highest globally during apartheid, are even greater under democracy. Privatisation and a conservative macroeconomic policy have led to a growing economy, but a shrinking job market – euphemistically referred to by economists as 'jobless growth'.<sup>36</sup> Statistics South Africa in September 2002 confirmed that despite a growing GDP and more money in the government's coffers, further jobs had been lost rather than created over 2002. The official unemployment rate now stands at just over 30 percent. If the expanded definition of unemployment is utilised, Stats SA notes that the figure would be closer to 40 percent.<sup>37</sup>

These deteriorating economic conditions are in direct contrast with the expectations of the masses that were fostered throughout the liberation struggle. Many were led to believe that with liberation would come an improvement in the quality of life, and an alleviation of desperate poverty. Whilst these expectations may have been unrealistic, they have nevertheless been frustrated by the realities of the post-apartheid era (De Lille 2000) and the economic policies pursued. With this frustration has come the need to lay blame and a jealous guarding of limited gains against the perceived incursion of outsiders. In interviews with Mozambican migrants in South Africa, their perspective on why they are targeted under the new regime is telling. One Mozambican male, talking of earlier times spent in the country, noted:

We lived well in South Africa before. We were mixed together with Zulus, Xhosas, there were no problems, there were no conflicts. Now there are money problems. Maybe because of the unemployment. (Johnston and Simbine 1998, p.163).

It is difficult not to understand the economic perception of the previously disadvantaged groups in South Africa. A national budget that once served only a small percentage of the population must now provide for the social services and needs of the entire population – the majority of whom live in deep poverty. Now that the government actually serves an entire population, there is a feeling that there is not enough for everyone to have a slice of the pie. Competition for the limited resources in a context of desperation can easily turn to violence:

Unequal access to material resources leads to competition, and competition may take violent form. Such material conditions as unemployment, poverty, housing backlogs, and over-crowding, coupled with massive and disorganised influx into urban areas, may create a situation of apparent anarchy. (Jung 2000, p.31)

The rise of xenophobia has run concurrent with a rise in frustration over social service delivery. In the absence of the long awaited benefits of democracy, violent competition is playing out amongst the poor – frequently targeted against those more vulnerable than themselves. In focus groups in both formal and informal settlements in the Gauteng province, David Everatt found similar patterns of discourse in both sites. When asked about conditions in their townships, concerns over crime and jobs featured high on the list for all. After stating these concerns however the discussion would turn to blaming another group for these problems: "Formal dwellers would blame their backyard tenants; both in turn would blame squatters. At some point all ended up by blaming "foreigners"." (Everatt 1999). Each group directed its intolerance at those poorer and more vulnerable than themselves.<sup>38</sup>

Disturbingly, this intolerance and competition has manifested itself in the negation of the rights of the targeted group. Everatt's survey results found that two-thirds of survey respondents believed Alexandra (a Johannesburg township) should be for South Africans only and that "foreigners" should be repatriated. Less than 9 percent believed that all people are equal and should be able to live together, and *only 3 percent agreed that frontline states were damaged by apartheid and that citizens of such countries should be allowed to work and live here* (Everatt 1999).<sup>39</sup>

The negation of the humanity and rights of an "inferior" population group have their roots in the legacy of the apartheid past of this country, which has contributed not only to levels of xenophobia, but also to their violent nature. In both of his case sites, Everatt recorded a discourse that spoke of deportations and forced removals – a harkening back to the dark days of apartheid that is a peculiarly disturbing phenomenon to be observed when expressed by the very people who were victimised by these policies in the past. This continuity of discourse from the past to the present is part of a broader legacy of apartheid. The past can be seen reflected in current attitudes to migration as well as state policies. Notions of exclusionary citizenship; the construction of social divisions and 'hierarchies of prejudice' (Harris 2003); the construction of threats and a security paradigm that is based on a "*laager* mentality"; and the normalisation of violence as a conflict-resolution response all have roots in the policies and practices of the past.

The lesson of apartheid was one of difference and exclusion, not unity and inclusion. Even amongst those that were categorised as 'African', the racial breakdown was further disaggregated into tribes. These divisions amongst 'racial' groups as well as between them were crucial to the maintenance of the apartheid state. By encouraging Africans to affiliate themselves with 'tribal' groups the logic of separate development could be more easily perpetuated, and a barrier constructed to inter-group ties and therefore mass action. Kate Manzo writes, in an examination of apartheid-era tactics, of just how integral divisions along ethnic or 'tribal' lines were to the regime's success. Bantu Education Act of the 1950s required that classes be taught not in English but in an individuals 'mother tongue'.<sup>40</sup> Additionally, the curriculum was one in which each tribal group was taught solely the history of their tribe, enforcing a sense of exclusive affiliation which would ensure divisions amongst 'blacks'. This became the flipside of the homelands system – an educational system that aimed

to tie national identity to the socially constituted group, not to the larger society,



and to make the exclusive characteristics of the group the point of identification rather than those common characteristics linking the group to the wider society (Manzo 1992, p.75).

Beyond the use of education as a tool of colonisation, the National Party (the party of apartheid) under Verwoerd dictated that migrant workers were to be "periodically returned to their homes to renew their tribal connections." (Mamdani 1996). It was believed that this 'renewal' would counteract the possible integrating effects of modernisation and urbanisation. In this way Manzo sums up the apartheid project as "fundamentally the production of racial and national identities in South Africa, as well as the 'foreignisation' of a large proportion of the South African population" (Manzo, 1996, p.7). The impact of these racial policies of the past were exacerbated by the international isolation in which South Africa existed after being cast out of the international community of states, resulting in its citizens turning inwards and heightening "the inability to tolerate and accommodate difference." (Handmaker and Parsley 2000, p.44)

These divisions were not merely a practical consideration by the apartheid state, they also formed part of one of the founding and dominant myths of apartheid - that cultures are unassimilable (Johnson 1994). Supporters of apartheid defended the system not as one of inequality and cruelty, but as a system conceived of to safeguard the security of the Afrikaner culture. Then-President DF Malan expressed the goal of segregation as being to safeguard against the threat of 'collective drowning' "in the black sea of South Africa's non-European population" (D.F. Malan cited in Manzo 1996). In the 1971 edition of the Journal of Racial Affairs, this argument was elaborated upon, and it was noted that;

[E]very individual is a member of a nation and therefore every individual is like the spout of a funnel – the individual we accept is an opening through which a whole nation and a whole culture can flow ... (in Manzo 1996).

This constructed threat is still in evidence as a cultural trait today, transposed onto a new population where, as will be noted in further sections, the construction of a 'South African culture' is portrayed as being undermined by the cultural swamping of neighbouring nationalities.

Notions of exclusionary citizenship espoused today are similarly informed by the practices of the past. Prior to 1976, blacks in the homelands were considered citizens of both their homeland as well as South African nationals - although their citizenship to the old South Africa was ambiguous, and they were treated simultaneously as both quasi-citizens and migrants. The Sauer Commission, set up early on in the National Party's rule, laid out some of the basic pillars of its citizenship policy. With regards to the 'migration' of those now considered external to the state, the Commission ordered that:

[N]atives in the urban areas should be regarded as migratory citizens not entitled to political and social rights equal to those of whites ... The entire migration of Natives into and from cities should be controlled by the state, which will enlist the cooperation of municipal bodies. Migration into and from the Reserves should likewise be strictly controlled. Surplus natives in the urban areas should be returned to their original habitat in the country areas (i.e., white farms) or the Reserves. Natives from the country shall be admitted to the urban

areas only as temporary employees obliged to return to their homes after the expiry of their employment." (quoted in Christie 2000, p.25)

After the declaration of nominal independence for these territories in 1976, citizenship was restricted to that of the homeland territory (Klaaren 2000). The effect was to render all blacks within the borders of the old South Africa as temporary migrants. As the Minister of Bantu Administration and Development stated in 1978, the goal of granting such nominal 'independence' was to ensure that no 'black' could claim rights from a country they did not hold citizenship for:

If our policy is taken to its full logical conclusion as far as the black people are concerned, there will be not one black man with South African citizenship . . . . Every black man in South Africa will eventually be accommodated in some independent new state in this honourable way and there will no longer be a moral obligation on this Parliament to accommodate these people politically." (quoted in Klaaren 2000, p.25)

The term 'resident alien' or 'illegal' was thus used during apartheid to refer to those blacks who were expected to live in the homelands unless they had adequate documentation to permit them to reside and work temporarily in other areas. Today, these same terms, as well as the derogation and exclusion they symbolise, have merely been shifted and reapplied to a newly defined set of foreigners. Similarly, the associations created between black foreigner and criminal are a continuity of the racist attitudes of the past (and arguably still remain today) whereby African South Africans are viewed with criminal suspicion. Manzo quotes a South African businessman in 1988 stating; "We don't hate them because they're black. We hate them because they're thieves and murderers." (Manzo 1996, p.95). After three centuries of a continual affiliation of light skin with increased socio-economic privilege and darker skin with criminality and poverty, the attitudes learned appear to have been integrated, consciously or otherwise by all South Africans.<sup>41</sup>

### **The Violence of Transition – Addressing the violent nature of South Africa's xenophobia**

Xenophobia in South Africa has been particularly disturbing because of its violent manifestation. Whilst attitudes of hostility to foreigners may be on the rise globally, nowhere have these attitudes resulted in the levels of violence that they have here. This violent nature of xenophobia is in part a reflection of high levels of violence in society more generally ([Harris 2001b](#)).<sup>42</sup> There exists in this country what has been termed 'a culture of violence'; defined as being a situation where the use of violence has "become normative instead of deviant" and is viewed as an acceptable response in conflict resolution ([Simpson 1993](#)).<sup>43</sup> In 1997, the homicide rate for South Africa was estimated at approximately 57 per 100,000 inhabitants. This is compared to 9 per 100,000 in the United States and 1 per 100,000 in the United Kingdom ([Hamber 1999](#)).<sup>44</sup>

Although crime is endemic across racial categories, victims of violence are disproportionately black. This has been linked to the reinforcing relationship between poverty and violence in a country where poverty is racially-defined ([Hamber 1999](#); Terreblanche 2002).<sup>45</sup> This would in part explain why Africans from elsewhere on the

continent are being targeted for attack by black South Africans. As many of these foreigners come to the country with little, either fleeing conflict or in search of a better life, their economic situation means that they will take up residence in less well-off areas, predominantly black townships, putting them in what is perceived to be direct competition with the poor for limited resources. The prevalent myth, that foreigners are comparatively wealthy, coupled with hostility and the visibility of the 'other', leaves them vulnerable not merely to crime, but to violent attacks.

### **Reality vs. Myth**

It is important at this point to briefly examine the *prima facie* reasons given by South Africans for their intolerant attitudes towards foreigners, and assess the extent to which these attitudes are based in fact in order to be able to identify root causes.

Unemployment and the assertion that 'foreigners are stealing our jobs' is often reproduced by the media and government officials as being a primary cause in xenophobic sentiments. Unemployment figures in and of themselves however, are an insufficient causal factor for the resentment being exhibited towards non-nationals. Whilst it is recognised that deteriorating economic conditions coupled with heightened expectations has contributed to anger and frustration amongst much of the population, this explanation is insufficient in itself to explain the directing of hostility towards black foreigners. Moreover, surveys reveal that white South Africans – those that traditionally dominate the highest income brackets and are thus less likely to be affected by rising unemployment - are nevertheless more likely to cite unemployment as a concern of increased immigration than those in lower socio-economic brackets. This throws into question the usefulness of relying exclusively on economic theories premised on scarcity and competition theory.

The myth of migrants taking jobs in an economy that is characterised as being zero-sum has been called into question by the [Southern African Migration Project](#) (SAMP), who have instead found that African migrants are important contributors to the economy. In 1998 SAMP interviewed 70 immigrant entrepreneurs involved in business ventures in inner Johannesburg, the most popular destination for African migrants. They found that each of these migrants employed between two and four individuals, of which at least half were South Africans. Moreover, they also revealed that most of their profits are invested back into South Africa, contributing to the national economy (Carter and Haffajee 1998).

Furthermore, SAMP concludes from its research that the reality of a typical African migrant is far from the characterisation drawn by most South Africans:

Overall then, this survey provides a very different profile of African migrants than the stereotypical image of the impoverished, illiterate and parasitical "alien" of officialdom and the popular press: 93% of the sample population are in the country legally; 49% have partners; more than a third are heads of households; more than 90% own their own home; 78% are working; and 73% have at least some secondary school education." (McDonald, Mashike et al. 2000, p.179).

Drawing again on SAMP's research, nation-wide surveys on attitudes towards migration

have found that over 80 percent of South Africans have had little or no contact with foreigners. This was more so the case for Africans than it was for whites (McDonald 1997). This does not however prevent these individuals from expressing a xenophobic view or more importantly from exhibiting a willingness to engage in a variety of activities which would prevent people from the region from coming to South Africa (McDonald 1997).<sup>46</sup> Without personal experience of foreigners, it stands to reason that opinions and perceptions are being fuelled by something broader, than the individual, which informs the discriminatory attitudes and defensive identities. The role of the media, policing, immigration policy and economic factors have been covered thus far. The rest of the paper focuses attention on the role of nation-building and the vehicles used to create a racially inclusive South African state post-apartheid - and the concomitant 'exclusions' they have effected which have left foreigners vulnerable to being targeted as scapegoats.

### **The case for a united national identity: South Africa in the transition process –**

*[A new patriotism in the new South Africa] is a material factor in both our individual and collective efforts to achieve success in our lives ... . Thus shall we achieve national unity, national reconciliation and the mobilisation of the millions of our people to hold hands as a single mighty movement mobilised to transform ourselves into the winning nation that we can, must and will be.*  
(President Thabo Mbeki 2001)

Few countries have had to start building a future on quite the same divided and derisive history as South Africa. Apartheid, as noted above, has left a legacy of deliberately instilled divisions, not just between racial categories but along tribal and geographical lines as well. In order to legitimise the fast-paced nature of the transition as well as to deal with issues of reconciliation, global economic reintegration, and the stability of the future democracy, analysts argued that a national identity and affiliation needed to be forged amongst all South Africans. The following section outlines the arguments made in favour of a nation-building project and the perceived urgency of the project.

The consequence of encouraged divisions during the apartheid period has played itself out in the form of regionalism that, although having subsided to some extent, posed a very real threat initially to the new state. Analysts voiced early on in the transition that:

[T]he new South Africa faces two formidable political forces pulling it apart: the one mobilising for regional autonomy on the basis of ethnic self-determination, against the other attempting to build a unified nation from the fragments of a divided society. (Khosa and Muthien, 1998, p.48).

It was hoped that a national identity would not just displace such divisions but would equally lend itself to a modernising project. Under the previous regime, rural chiefs were propped up by the state to serve as puppet leaders in the 'independent' homelands, and the traditional way of life was encouraged so as to ensure that the status quo could be retained. Although the flocking to the cities of all races and the urbanization that ensued cannot be denied, the majority of Africans remained tied to the land and a traditional way of life which was reinforced by their forced segregation (Mamdani 1996). The transference of power abruptly challenged these old affiliations, and the dislocation between tradition and

the modernising drive can be seen clearly in the low-intensity struggle that has been ensuing over the first decade of democracy between the new government and traditional leaders. Leading up to the 2000 local election, the redrawing of boundaries for local constituencies and the introduction of a new local government system threatened the power base of the traditional leaders, and had some in the strong holds of KwaZulu-Natal and the Eastern Cape provinces threatening to take up arms against the federal government to protect their territory. Although this too was negotiated precariously, the tensions and contradictions between these competing elements remain.

Linked to this modernising drive is the issue of globalisation. Having been economically isolated for a number of years, South Africa has experienced a rapid reintegration into the global economy. In a society where control of information was crucial – television was not permitted until 1976 and after that was run exclusively by the state – the sudden imposition of the global onto the local has had jarring effects. The creation of a stable national identity was necessary to facilitate this reintegration, and nationalism was seen as a "phenomenon that promises the domestic security of home and family as a way to cope with globalisation" (Manzo 1996, p.4).

In terms of the transition to a new democracy, there was a need to move the fast pace of change beyond the elite, who were negotiating the agreements, to the masses who would have to enact it and upon whom future peace in the country depended. For many whites, the change from 'enemy' to partner was particularly difficult since they had lived for decades under a regime that manufactured their racially-different neighbours as a threat to their livelihood, culture, and way of life. It is easy to forget in hindsight that only a year before the National Party unbanned the ANC, many white South Africans found the prospect of a black government farfetched and difficult to accept. This was epitomized in the now famous statement from former British Prime Minister Margaret Thatcher in the late 1980s that anyone who thought that the ANC would ever form the government of South Africa was "living in cloud cuckoo land" (Boynton 1997). In 1989, a large scale survey of white university students in South Africa revealed that almost one-third of them (29.9%) asserted that they "would resist physically" the prospect of an ANC government. A further third (34.4%) stated that they would "emigrate for political reasons" should such an eventuality occur (Guelke, 1999). This abrupt dislocation from the past to a new future required careful coaxing to ensure that it was seen as natural, inevitable, and acceptable on both sides. Whites who had previously supported apartheid were required to look on South Africans of all races as fellow citizens. From the other side, 'blacks' needed to be convinced to abandon the armed struggle in favour of a peaceful – but less than victorious – settlement. Beyond that, they also needed to ascribe to the argument that peace could only come from national unity, and that revenge and retribution should be forsaken for the sake of this unity.

To all of these obstacles – the history of divisions, the need for modernisation, the overcoming of regionalism, and the creation of ownership and acceptance of a peaceful transition – the answer was seen to be a nation-building project which would inculcate a sense of nationhood and forge a common identity. There were those who dissented from this view, such as Johan Degenaar who argued that nation-building in *any* form was not a goal South Africa should strive for:

The use of nationalist terminology is dangerous since it feeds on the myth of a collective personality and creates wrong expectations in the minds of citizens



while not preparing them to accept the difficult challenge to create a democratic culture which accommodates individuality and plurality. It is a modernist discourse in a post-modernist age, enforcing a uniformity where a diversity should be acknowledged and respected. (quoted in Croucher 1998, p.649)

Degenaar's cautions, as well as others who warned of the deleterious effects of nationalism, are valid; however they do little to instruct on possible alternatives. The reality of the country in the early 1990s was that many believed South Africa to be on the brink of civil war. More than 3000 people died in political violence in 1990 alone, and over 15,000 political murders took place in the decade following (Christie, 2000). The sense of urgency with which peace was sought was palpable, and the aversion of a civil war was seen in part as lying in a shared identity which would subdue the mobilisation of divisive political identities (see for example Christie, 2000).

For these reasons this paper does not question the decision to pursue the construction of a common identity which would lend itself to the perception of a shared interest in the success of the new South Africa. What the following sections look at rather are the unacknowledged consequences the fostering of nationalism has brought about. The Janus-faced instrument of nationalism has consequences for the way in which those included in the project view those outside of it. The following sections examine first the inherent exclusions encapsulated in nationalism in general, then more specifically the two key instruments in the South African nation-building project: the use of myth and the [Truth and Reconciliation Commission](#).

### **Nationalism and its consequences –**

... nationalist practices, for all of their diverse forms and locations, are political religions that create boundaries separating sacred kin and alien kind. Nationalism's dominant conceptual partners are not simply nation and state. They are also race and alien, for without the racialised kind of alien there can be no national kin. Nation and alien are relational terms, interdependent and inseparable in nationalist thought and practice. (Manzo, 1996, p.3).

The inscribing of 'states' onto the global map disrupted previously held affiliations in a bid to command a primary position in the identity of its citizens. Whilst the very division of people into states holds the seeds of animosity towards those outside of these boundaries, these seeds flourish when encouraged through nationalist sentiments.<sup>47</sup>

David Campbell asserts that the very norms of the international society we have created permit the growth of violent xenophobia. In particular, the inscribing of boundaries:

that make the national imaginary possible requires the expulsion from the resultant "domestic" space of all that comes to be regarded as alien, foreign, and dangerous. *The nationalist imaginary thus demands a violent relationship with the other.* Given that all forms of community are bounded to at least some extent, no form of community is going to be totally free of such violence. (Emphasis mine. Campbell, 1998, p.13).

Immanuel Kant also has spoken of a natural tendency in citizens to exhibit hostility towards others, and that; "the goal of a global system, 'united by cosmopolitan bonds' could not be expected if one relied on 'the free consent of individuals'." (quoted in Shapiro, 1999, p.39). Whilst inscribed borders may inform and lay the foundation for anti-foreigner sentiments, these sentiments are heightened and provoked by nationalism that attempts to displace competing identities in favour of a common loyalty and patriotism to the state.

Nationalism is used here, as Stacey describes it: a shorthand for talking about elites, coalitions, and historians making nations (Stacey 1999).<sup>48</sup> South Africa's nation-building project started from nothing, in the sense that it is described as a 'new' state. At the same time, it was forced to contend with an internally divided history. The country was perhaps best described as what Shu-Yun Ma terms a 'state-nation', in that the geographic territory presupposed in some ways the actual existence of a nation. In other words, the sequence of events for 'nation-states' is reversed here so that: "a state structure exists ... but with no nation. *Thus, the leaders of the new state charge themselves with using the state to build a nation.*" (cited in Croucher 1998, p.642).

As argued above, the nation-building project was necessary to overcome divisions and forge loyalty to the new state, however at the same time this project was weakened and plagued by these very divisions. There was little 'natural community' to draw upon in terms of language, ethnicity, or culture. And the 'imagined community' in the sense that Benedict Anderson famously wrote of was more akin in the South African context to an 'invented community' (Anderson 1991). With little to inform what the basis for inclusion into the national body could be, focus seems to have been displaced onto two arenas – the forging of a shared history and that of defining more pronouncedly what or who was *excluded* from the nation.

With reference to this exclusionary nature of the nation, Nevzat Soguk has argued that the interaction between state and migrant is a well-scripted performance, allowing as it does for the ever-reproducing nationality to both demonstrate authority over territory as well as reinforce its own internal cohesion. In what is termed the 'economy of refugeeism and migration', Soguk describes how the presence of foreigners:

affords opportunities for the participants of territorializing practices and conceptualisations to employ that presence in order to shore up that which is problematized by refugee and migrant movements, namely, for instance, the "naturalness" of a domestic community of citizens. (Soguk, 1996, p.293).

In a similar vein, Shapiro notes that the threat immigrants pose has less to do with economics than with the threat to identity, which is then turned on its head to shore up and reinforce that which it appears to disrupt:

... although immigrants are seen from a rationalistic standpoint as competitors for jobs, more significantly, they constitute a disturbance to the mythic stories with which states are alleged to contain single nations. They are perceived as threats by those who seek identity exclusivity in their nation-state attachment. Immigrants therefore challenge national stories and attract warranting attention for purposes of individual and collective identity affirmation. (Shapiro, 1999, p.

The inherent exclusivity of nations is thereby heightened through processes of nationalism which draws on differentiating citizens from those outside the nation, whether physically or figuratively, in the absence of sufficient material from which to construct an *internal* 'imagined community'.

### **The Truth and Reconciliation Commission: an instrument of nation-building**

As negotiations progressed during the early 1990s to transform South Africa, there was much debate over how the country would confront and deal with the crimes of the past. In 1995, the Government of National Unity passed legislation that brought into being the [Truth and Reconciliation Commission](#).<sup>49</sup> Amongst the evident goals of the Commission, such as uncovering past human rights violations, issuing political amnesties, and giving victims an opportunity to tell their stories; was a deeper underlying mandate – that of nation-building and unification. The means used to achieve this mandate were two-fold: the first was through the use of archiving in order to gather and order memories into one institutionalised national narrative; the second, though arguably less conscious process, was through a distancing of apartheid responsibility from past beneficiaries, thus making room for a uniform identity of 'victim' to be used as a common ground for the 'new South African'.

Theories of nationalism give much weight to the role of memory and forgetting in the forging of a nationalist consciousness. Ernst Renan famously stipulated that forgetting, even historical error, is a crucial factor in the creation of the nation: "The essence of a nation is that that all individuals have many things in common, and also that they have forgotten many things." (Renan, 1990, p.11). Kenneth Christie argues that, in the context of the transitional state, an "institutionalised narrative of the past" is important to creating a common sense of identity in the present, stating that: "recalled past experience and shared images of the historical past ... have importance for social groups in the present and of course their identity." (Christie 2000, p.5). He notes that:

the role of nation building, identity and the sharing of a collective memory is crucial if the new South African state is to succeed in goals of peace and reconciliation. The alternative is unthinkable ... the role of the TRC in South Africa will be crucial in the *establishment of a shared memory and its contribution to nation- building*. (Emphasis mine. Christie 2000, p.94).

The process of establishing these 'shared memories' was primarily through the telling of stories in a national and public space. These stories were then documented, archived, and synthesised into an overall report.

Archiving, however, is not a value-free process as Jacques Derrida pointed out on a visit to South Africa during the TRC process. He pointed to the difference between archiving – which is what the Commission embarked upon – and memory; noting that an archive "is never neutral, if only because it is a finite set of documents." ([Sey 1999](#)). As such the selection and recording of memories is a selection which involves and is an act of power. Colin Bundy elaborates upon the application of Derrida's archive theory to the TRC,

writing that at the heart of Derrida's critique of archiving is that it exercises power over knowledge:

Archives confer authority on certain aspects of the past; they identify, classify and consign certain forms of knowledge into an apparent unity, and into a fixed, closed, artificially stabilised system. *The archive becomes the official repository of memory, but is simultaneously a crucial site in the process of forgetting.* (Emphasis mine. Bundy 2000, p.15)

Archives therefore are not the same as memory. In the case of the TRC they are rather the process of constructing and exercising power over what (or whom) becomes part of the nation's story. In this way, archiving exercises power over what is remembered and integrated in the national story, and what is forgotten. Brent Harris sees this attempt at fixing meaning and establishing an uncontested story of the past as deriving from the TRC's commitment to nation-building rather than a commitment to an 'explanatory social science' (cited in Bundy 2000, p.15).

A number of observers have critiqued the parameters the Commission adopted, in particular with reference to who was 'heard' as a victim. Related to Derrida's concerns about power and selection, Carin Williams gives us some insight into the 'selection' that took place with regards to victims. She suggests that the hearings were not about hearing the stories of the 'voiceless' but rather that the Commission selected subjects according to their ability to hold viewers interest, to be newsworthy. In other words those who were "most eloquent and articulate were to speak for themselves as well as for the rest of South Africa – the nation." (Williams 1999). Williams further stipulates that there was an unequal interaction between the 'witnesses' and the officials in the pursuance of testimony that would 'fit' the overall narrative being constructed:

The commissioners would lead witnesses and subjugate their testimonies, their stories to the national public memory that the TRC was entrusted to create ... . The author/creator of memory/public history/ official history/ official, public narrative/ teacher is thus the TRC and not the 'voiceless' public ... . The commission decided what was important for the national identity and the nation state and not the witnesses. This selection of who was allowed to tell their stories had to intersect with the 'new' nation ... (Williams 1999)

Williams concludes from this that the narrative that was being constructed was one of nationwide pain – a narrative that was then used to construe all South Africans as victims (Williams, 1999), and thus form the basis of a new identity.

In seeking to define 'victim' as encompassing all South Africans, the Commission adopted a narrow focus - concentrating on investigating individual incidences of murder, kidnapping, torture and serious mistreatment. One of the most damning criticisms of the TRC has been with respect to what it excluded from its mandate, and the implications this has had for the history that was recorded. By adopting a narrow interpretation of what constituted a 'gross violation of human rights', the TRC provided almost no analysis of the pervasive human rights violations perpetrated by the system itself. Instead, "mass forced removals, pass laws, the bantustans, the whole apparatus of decades-long territorial "ethnic-cleansing", resulting in mass malnutrition, high levels of infant mortality, abysmal levels of life expectancy" all

of this is characterised as very serious but not gross human rights abuses ([Cronin 1999](#)).<sup>50</sup> In this way, these violations were shifted outside the ambit of the TRC's mandate. Mamdani describes this narrow mandate as blinding the Commission to all but the experiences of a minority – that of the perpetrators, defined as state-agents on the one hand and that of the victims, defined narrowly as political activists on the other (Mamdani, 2000). In adopting this framework the TRC necessarily placed responsibility for apartheid in the hands of the previous elite and a few select foot soldiers. The vast majority of beneficiaries were thus able to express shock and outrage alongside the previously disadvantaged, portraying themselves as 'betrayed' and thus victims as well. The silence surrounding the stories of the masses has been a contributing factor in the persistent social amnesia and denial of responsibility by the vast majority of South Africa's whites.<sup>51</sup>

Richard Goldstone, a South African judge and chief prosecutor of the war crimes tribunals for the former Yugoslavia and Rwanda, writes that the Nuremberg Trials "were a meaningful instrument for avoiding the guilt of the Nazis being ascribed to the whole German people." (quoted in Christie 2000, p.183). Christie reflects on this comment in the South African context, wondering if the TRC comparatively can be described as a meaningful way of preventing the ascription of blame to the collective 'white' population. I would argue that, beyond distancing blame for the oppression that was apartheid, the Commission encouraged past beneficiaries to deny responsibility, express outrage alongside victims, and at the end of the day to be characterized equally as victims of the past. The TRC invariably admits its own shortcoming in the path that it chose – that of focusing only on the individual excesses of apartheid rather than the systemic mass cruelties. The Final Report states that: "[T]his focus on the outrageous has drawn the nation's attention away from the more commonplace violations. The result is that ordinary South Africans do not see themselves as represented by those the Commission defines as perpetrators." (quoted in [Cronin 1999](#)). And yet the consequence of this mandate did not appear to be treated as a failure of the Commission's but rather as an intended *benefit* – one that would bridge divides by casting the responsibility for the evils of the system onto a minority so that the majority could forge a united and common identity.

Nation-building cannot be achieved without a common unifying characteristic, at a minimum a shared history. In the case of South Africa, the divisiveness of this shared history required that all 'new South Africans' be recast into a similar relationship with their past – that of victim. Take for example the following quotes made below at key points in the life of the TRC:

[L]ooking at the guilt and suffering of the past, one cannot but conclude: In a certain sense all of us are victims of apartheid, all of us are victims of our past. (President Mandela at the inauguration of the TRC Meiring 2000, p.196)

We are charged to unearth the truth about our dark past, to lay the ghosts of that past so that they may not return to haunt us. That it may thereby contribute to the healing of a traumatised and wounded nation, *for all of us in South Africa are wounded people*. (Archbishop Tutu, Chairperson of the TRC, April 1996. Emphasis mine. Quoted in Christie 2000)

We have been wounded but we are being healed. It is possible even with our



past of suffering, anguish, alienation, and violence to become one people, reconciled, healed, caring, compassionate, and ready to share as we put our past begin us to stride into the glorious future God holds before us as the Rainbow People of God (Archbishop Tutu at the closing of the TRC which he had chaired. Meiring 2000, p.199).

The Commission wrote in its Final Report that it viewed its function as being to "recognise and acknowledge as many people as possible as *victims of the past political conflict*" (quoted in [Cronin 1999](#)). Jeremy Cronin notes however that the Commission is not referring to victims of apartheid, but rather *victims of the past*, construed as widely as interpretively possible. It would appear that in the moulding of the new nation the Commission was following the advice of one of the greatest theorists of nationalism, Ernst Renan, who once stipulated that; "suffering in common unifies more than joy does. Where national memories are concerned, griefs are of more value than triumphs, for they impose duties, and require a common effort." (Renan, 1990, p.19).

In prioritising nation-building as an end-goal of the TRC process, the Commission utilised the public hearings as an invaluable site of both public education as well as identity formation. The narrative of national victimisation was carefully constructed through the selection of victims that would testify before the nation – whites were disproportionately over-represented in the public hearings in a deliberate attempt to construe all South Africans as victims; and alternatively as a now treasured part of the new democracy. However this selection of victims and the use of the public hearings as a site of identity construction has had an impact on present day levels of xenophobia in that the Commission all but omitted from these hearings the testimony of those victims outside the country. Nowhere in the testimony did South Africans hear of the price the Southern African region has paid for the liberation of South Africa, nor did they hear the stories of suffering and violence experienced by the people of these nations.

This is not to say that the regional dimension was ignored by the [Truth and Reconciliation Commission](#). On the contrary, the Commission dedicated an entire chapter in the second volume of its report to the 'The State outside South Africa between 1960 and 1990'. In this chapter the Commission notes that the apartheid government over three decades "expanded from occasional cross-border interventions in the 1960s to a situation in the 1980s where the South African Defence Force (SADF) was involved in various levels of warfare in six Southern African states" (Truth and Reconciliation Commission 1998, p.43). The Report concludes that as a result of this involvement in the region:

the majority of the victims of the South African government's attempts to maintain itself in power were outside of South Africa. Tens of thousands of people in the region died as a direct or indirect result of the South African government's aggressive intent towards its neighbours. The lives and livelihoods of hundreds of thousands of others were disrupted by the systematic targeting of infrastructure in some of the poorest nations in Africa. (Truth and Reconciliation Commission 1998, p.43)

The Commission's findings in this regard are in line with a Commonwealth Report compiled in 1989 entitled *Apartheid Terrorism* in which it describes the costs to the region from the apartheid state's destabilisation campaign as reaching 'holocaust proportions' - one

million were killed and more than four million displaced from their homes. The economic cost to the six frontline states was in excess of \$45 billion (Christie 2000, p.158).

Despite the comprehensive description of the regional impact in the Final Report, these figures of devastation remain unknown to all but a minority of South Africans. For most, the public hearings were the only aspect of the TRC they experienced: the media of the country gave coverage to these hearings in multiple forms; the hearings themselves occurred when the country was still interested in its own transition and history; and most importantly, the Final Report, though rich in detailed history, spans 8 thick volumes and is both written and priced beyond the reach of the majority of South Africans. It is in part as a result of this public omission of the regional dimension of the struggle that attitudes that deny the joint suffering of the region are propagated.<sup>52</sup>

The role played by the TRC in creating a homogenized internal identity for South Africa has led one analyst to question whether the instrument that was intended to build one unified nation has not merely legitimised the formation of "increasingly deracialized insiders and persistently black outsiders" (Hein Marais quoted in Bundy, 2000, p.20). This uniform identity has then been represented back to the nation in the form of a myth of itself. In this case the myth has been that of a 'rainbow nation' living in internal peace.

### **Nation-building as script**

The idea of the nation is inseparable from its narration; that narration attempts, interminably, to constitute identity against difference, inside against outside.  
(Geoffrey Bennington cited in Manzo 1996, p.38)

Ernst Renan has argued that nation-states are not built on common interests alone, and that material affiliations such as race, culture, language, geography, and others are not adequate for the creation of a nation. What is vital rather is that a "nationality has a sentimental side to it" (Renan, 1990, p.19). Similarly, in 1994 Herbert Adam observed that "[A] South African nation has yet to be born. South Africa at present constitutes an economic and political entity, but not an emotional one." (Croucher, 1998, p.648).

All states arguably carry their own myths which exercise a unifying influence on those belonging to it. With regards to Canada, Daniel Francis describes core myths as forming the mainstream of culture when repeated often enough and describes them as forming a part of the "national dreams, the master narrative which explains the culture to itself and seems to express its overriding purpose" (Francis 1997, p.10). In transitional states, where change is rapid and destabilizing, myths are of even more importance (Christie, 2000). To this end, then, the truth behind myths and stories is irrelevant: "What matters ultimately is that they are believed." (Christie, 2000).

The 'foundational myth' of the 'imagined community' that is the new South Africa has been that of the 'Rainbow Nation' (Simon, 1998). Initially coined by Archbishop Desmond Tutu, the phrase was elaborated upon by President Mandela in his first month of office, when he proclaimed: "[E]ach of us is as intimately attached to the soil of this beautiful country as are the famous jacaranda trees of Pretoria and the mimosa trees of the bushveld ... a rainbow nation at peace with itself and the world" (cited in Manzo 1996, p.71). And yet, as

anyone who has followed the recent history of the country knows, the new South Africa did not on that April day of the first democratic elections, step across a threshold from violence, racism, and anger into a beautiful rainbow of peace, harmony and unity. Violence continues, there are areas of the country where one questions if the end of apartheid has in fact arrived, and each day the country struggles with the divisive legacy of its past. Alex Boraine, Deputy Chairperson of the TRC, reflects on the performative nature of the 'Rainbow Nation' discourse. Writing that perhaps what Tutu was speaking (and presumably by extension all other politicians who invoke the same myth) was not "a language of fact, but of faith". In other words that, in describing the new South Africa as he did, he was not perpetrating a falsely optimistic view of what is, but rather challenging society: "To become what it is called to be. The image embodies a promise of what is possible in the future." (Boraine 2000, p.80).

What Boraine appears to be referring to here is what Campbell and others term the 'performative constitution of identity'. It is precisely this discursive practice which I argue was employed post-1990 as part of the nation-building project. Performative constitution of identity "draws attention to the reiterative and citational practice by which discourse produces the effects that it names." (Judith Butler in Campbell, 1998, p.24). Campbell quotes Jacques Derrida as writing that:

the properly performative act must produce (proclaim) what in the form of a constative act it merely claims, declares, assures it is describing. The simulacrum or fiction then consists in bringing to daylight, in giving birth to, that which one claims to reflect so as to take note of it, as though it were a matter of recording what will have been there, the unity of a nation, the founding of a state, while one is in the act of producing that event. (Campbell 1998, p.26)

Therefore the actual existence of the 'rainbow nation' is of less importance than that the description of such an image begins to performatively constitute society in that direction.

Both the TRC as a site of identity formation as well as the myth of the 'rainbow nation' and its performative intention have served to discursively create a national identity that has been top-down in its constitution and implementation. As a result, true reconciliation has been foregone in place of a simplified and somewhat candy-coated myth of peace that has served to reconcile those on the inside whilst pitting them against those on the outside. Cronin cautions as to the pitfalls of taking the easy route to 'nation unity', warning that:

[A]llowing ourselves to sink into a smug rainbowism will prove to be a terrible betrayal of the possibilities for real transformation, real reconciliation, and real national unity that are still at play in our contemporary South African reality. (Cronin 1999).

I would add that in addition to the risk of not forging a 'real transformation', the short or facile route to a forged national identity will only exhibit the worst excesses of what we know are the consequences of manipulated and constructed nationalism – the rise of xenophobia.

South Africa's experiences of rising xenophobia are certainly not unique globally. What is unique rather is the rapid rate at which xenophobic attitudes have spread amongst the South African population in the past decade, as well as the particularly violent edge these attitudes often display. Each of the factors covered in this paper – economics, global attitudes of xenophobia, migration patterns, the role of the media, the transition to democracy, and the nation-building project - have contributed to the rise of xenophobic practices in South Africa, defining the character, nature, violent form and racially-defined victim of these discriminatory attitudes. Combating these destructive developments will require initiatives on a broad number of fronts, including: challenging resident attitudes through education and sensitisation; confronting the root causes of migration in the region including the economic disparities between South Africa and its neighbours; and actively promoting respect for the integrity of all who reside within the country's borders.

Importantly, regional economic development initiatives that are connected in popular discourse with the need to make reparations for the past would go far to reducing hostility amongst South Africans. Such a campaign would not just reduce push factors within these countries<sup>53</sup> but would serve the purpose of sensitising South Africans of the impossibility of sustaining an island of relative riches within a sea of poverty. Furthermore, the initiatives would contain some element of reparations, both economic as well as symbolic, which would ensure that economic upliftment is not viewed as an act of charity but rather one of social justice.

South Africa has made great strides in the past decade in addressing the racially-based devastation of the apartheid regime and the centuries of colonialism which preceded it. However if the new democracy is to consolidate a culture of human rights and democratic values new forms of prejudice and intolerance must also be addressed. Xenophobia must be recognised as a form of racism and be granted the same priority and given the same efforts at eradication as the new government has thus far accorded to addressing inherited racial divisions.

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**Notes:**

<sup>1</sup> It should be noted that the contribution of nation-state building to xenophobia in South Africa is not presented here as a critique of the national project embarked upon post-1990, but rather as an exploration of an unanticipated consequence. Neil Lazarus has remarked that since the end of the Cold War and the political transformations that have occurred in the past decade, the 'national question' is being reasserted in Western-based scholarship. He argues however that much of this literature is somewhat disingenuous as it treats the 'resurgence' of nationalism in developing countries as different from and dangerous to the nation-building projects of the West. In other words, the nationalism that built the Europe of today is treated as a finished and rather benign project which had as an end result the positive outcomes of modernization and national unity. Contrasted with this are the unfolding nationalisms of the East and South, which are characterized as a "dark, elemental, unpredictable force of primordial nature threatening the orderly calm of civilized life" (Lazarus 1999).

<sup>2</sup> A reputable immigration expert writes that the 'best estimates' of non-citizen population are probably more realistically in the range of 500,000 to 1.5 million (Klaaren 2000).

<sup>3</sup> As noted in following sections, those with the harshest attitudes towards migrants are often those with little experience or contact with them.

<sup>4</sup> In a recent study by the Institute of Security Studies in inner-city Johannesburg where crime is high, two-thirds of respondents blamed foreigners for crime. (Leggett, 2003)

<sup>5</sup> During the course of conducting research for the Community Agency for Social Enquiry in 1999, I interviewed the Chairperson and Deputy Chairperson of this group – the Unemployed Masses of South Africa. Although they refused to take responsibility for the incident, citing it as the action of individuals not connected to UMSA, they proceeded in the interview to blame foreigners for all of South Africa's most pressing problems.

<sup>6</sup> A third of South Africans have said that they would be 'likely' or 'very likely' to take part in action to prevent people who have come to South Africa from other countries in Southern Africa from engaging in a variety of activities, including moving into their neighborhood or becoming a co-worker (Mattes, Taylor, et al. 1999).

<sup>7</sup> This term is used by almost all – in the media as well as amongst officials - despite the international call for such derogatory language to be replaced by the appropriate term 'undocumented migrants'.

<sup>8</sup> Mozambicans often have inoculation scars on their forearms – a physical trait that the South African Police Service (SAPS) has seized upon in order to identify/misidentify foreigners.

<sup>9</sup> The derogatory term used to refer to the passes which blacks had to carry with them at all times during the apartheid years.

<sup>10</sup> This racial profiling of foreigners has had some horrendous consequences for the migrants themselves. Melinda Ferguson, a reporter for True Love magazine (in personal communication), is currently working on a story on the use of toxic skin bleaching creams by African non-nationals desperate to find a way of 'becoming invisible'.

<sup>11</sup> Between 1996 and 1999 it is estimated that South African authorities detained more than 21,000 citizens along with foreigners in Lindela, believing them to be undocumented migrants (author unknown 2001).

<sup>12</sup> In mid-March 2000 Operation Crackdown, an anti-crime initiative, was launched by the SAPS in Hillbrow, Johannesburg. Over a thousand military and police personnel were deployed to search hundreds of buildings, thousands of vehicles, and over 200,000 persons. Although more than 7000 people were arrested on suspicion of being 'illegals', only 14 persons were arrested for serious crimes ([Harris 2001b](#)). The Operation has been condemned as 'an exceptionally xenophobic exercise' (Handmaker and Parsley 2000).

<sup>13</sup> Harris further notes that these figures denote arrests and not prosecutions. As migrants are more vulnerable to being targeted for arrest, actual convictions are likely to be even lower.

<sup>14</sup> Difficulties with the Department of Home Affairs are also intimately related to the nature of the transition and issues of transformation more broadly. The negotiated settlement in South Africa included the so-called 'sunset clauses' – a compromise to the Afrikaans community which ensured that no white civil servants would be retrenched without 'golden handshakes' during the first five years of the new democracy. This ensured that many officials with no political will towards institutional transformation remained in the civil service.

<sup>15</sup> Despite this high prevalence of corruption, the White Paper on Immigration noted that migrants coming to this country corrupt "our" officials. When questioned on the relevance or substance of such a comment in an official policy document, the legal advisor to the Minister of Home Affairs admitted that it had been written into the document for personal political reasons, and despite the nature of its tone and the message it may send to ordinary citizens, it was for this reason allowed to stand (Ambrosini 1999).

<sup>16</sup> In a 1996 report in The Argus newspaper, Buthelezi was quoted as saying: "[M]ore than 2 million illegal immigrants have flooded into South Africa, posing a serious threat to the country's Reconstruction and Development Programme." (Croucher 1998).

<sup>17</sup> In 1995, Minister of Defense Joe Modise called for the addition of new fences along

South Africa's borders with its neighbors – and proposed that the existing electrical fence (already a violation of international legal norms) be increased to its previous *lethal* levels of current (Muller 1996).

<sup>18</sup> [Human Rights Watch](#) has condemned political officials of all parties for making unsubstantiated and inflammatory statements "that the 'deluge' of migrants is responsible for the current crime wave, rising unemployment, or even the spread of diseases." (Human Rights Watch 1998).

<sup>19</sup> This Bill became an Act and came into force in 2003.

<sup>20</sup> The Act also entrenched the derogatory term 'alien' in reference to foreigners in both official policy as well as public discourse (Peberdy 1998).

<sup>21</sup> Prior to the new dispensation there was no category for asylum-seekers.

<sup>22</sup> The South African Human Rights Commission has noted that the Aliens Control Act was "one of the last major pieces of apartheid era legislation that needed to be repealed." (statement available on line at <http://www.sahrc.org.za>)

<sup>23</sup> The *laager* was a defensive formation of wagons in a circle which the Afrikaners used during the Great Trek in order to safeguard themselves against external attacks.

<sup>24</sup> The call for greater resources at the border and stricter controls is erroneous. As Harris concludes:

"The participation of border authorities in illegal entry is an important feature of this research. Contrary to the perception that illegal entrants are illegal because they go undetected, border patrols and controls seem relatively effective in detecting illegal entrants, if not preventing them. Most undocumented respondents report at least one encounter with border authorities on their way into the country. While logistical and physical impediments to detection cannot be undermined, it seems that the common call for tightening border patrols will not eradicate illegal entry provided authorities continue to exploit this status to their own ends." ([Harris 2001b](#)).

<sup>25</sup> It has been argued that the restrictionist nature of immigration control in South Africa is modeled largely on the American model (Handmaker 2000).

<sup>26</sup> This is further supported by international experience which has demonstrated the futility of spending vast quantities of money on control measures, and instead points to the need for a development oriented approach to migration policy (Handmaker and Parsley 2000).

<sup>27</sup> For further examples of irresponsible newspaper headlines and their contribution to xenophobia see Peberdy, 1998.

<sup>28</sup> Bank automated teller machine.



<sup>29</sup> The [Institute for the Advancement of Journalism](#), a South African NGO that works with journalists and editors from around Africa, noted the number of times these visiting colleagues had been apprehended by police officials and made to pay up money on threat of having their documents burned and being imprisoned (in personal communication with Gwen Ansell, Director Institute for the Advancement of Journalism, Johannesburg).

<sup>30</sup> According to the European Monitoring Centre on Racism and Xenophobia, racist and xenophobic hate crimes have increased disturbingly on the European continent. In Germany, racist crime rates increased by 33% compared to 1999. In the UK, acts of racial violence and offences doubled from 1999 to 2000 (European Monitoring Centre on Racism and Xenophobia 2000).

<sup>31</sup> This sentiment has been heightened by the events of September 11, 2001.

<sup>32</sup> The practice of imposing severe restrictions on racially-defined 'unwanted migrants' is hardly new. Hannah Arendt, writes of the experience of post-WWII stateless Jews and notes that the actual tragedy of having entire groups of persons forced to flee their homes and communities was not unprecedented in history:

"[W]hat is unprecedented is not the loss of a home but the impossibility of finding a new one. Suddenly, there was no place on earth where migrants could go without the severest restrictions, no country where they would be assimilated, no territory where they could found a new community of their own. This, moreover, had next to nothing to do with any material problem of overpopulation; it was a problem *not of space but of political organization*." (Xenos 1996)

<sup>33</sup> South Africa's economy is 37 times that of neighboring Mozambique.

<sup>34</sup> South Africa at the time was a major producer of 14 of the world's principal minerals.

<sup>35</sup> The business sector has consistently demonstrated a stubborn resistance to bringing business practices in line with the overall political transformation of the country. Transformation has largely failed to occur in employment practices (namely employment equity and affirmative action) and as such senior jobs and salaries remain firmly entrenched in the hands of a racial minority. One business executive was honest enough to quip: "Asking us to support transformation is rather like asking a turkey to endorse Christmas." (Deegan 2001).

<sup>36</sup> Saul takes the elitepacting argument further, noting the continued choice of economic policies by the ANC that have been damaging to the poor. He writes that the plight of the poor today – and the ever growing gap between the rich and poor - has been the direct result of ANC peacemaking efforts, which are characterised as "a continued broadening of the scope of mere elitepacting to consolidate, on every front, a turning away from the interests of the poorest of the poor." (Saul 2001).

<sup>37</sup> This figure is worse than the unemployment rates during the Great Depression of the 1930s in the United States.

<sup>38</sup> Basil Manning of the Centre for Anti-Racism and Anti-Sexism (CARAS) (in personal communication) explains the manifestation of discrimination as being a result of racist attitudes plus the power to act on these attitudes. This would begin to explain the nexus of power and prejudice that is playing out in respondents always blaming those more vulnerable than themselves, rather than expressing this frustration at the continued wealth of the white community.

<sup>39</sup> The responsibility for this denial of apartheid's regional impact has its roots at least partially in the model the [Truth and Reconciliation Commission](#) adopted, which focused almost exclusively on the suffering of those inside South Africa's borders. This argument will be discussed further in the sections on the TRC.

<sup>40</sup> Manzo actually writes that there was a tension here between state and church, as missionary schools were despised by the regime and seen as undermining the educational project of the state. Because of the church's disrespect for African culture they tried through their 'educational' initiatives to ban all such 'barbaric' rituals and replace them with Christianity – thus a detribalizing influence. Additionally they taught English – allowing communication and affinities to be formed cross-culturally.

<sup>41</sup> The internalization amongst the oppressed of the stereotypes of the oppressors is hardly unique. In Brazil for example, a recent census requested residents to 'self-define' their racial classification. The open-ended question received over 220 different 'terms' as a description of skin colour. It has been found that is a direct correlation between socio-economic status and the individual's perceived racial classification. A Brazilian who is well off and does not live in a favela will often classify themselves as lighter than an individual who although lighter in actual color, classifies themselves darker due to their poverty (Friedman and De Villiers 1996).

<sup>42</sup> Harris continues that although xenophobia represents a 'new' manifestation of such violence: "it also reflects continuities with other forms, targets and perpetrators of violence in the society" ([Harris 2001b](#)). For a particularly insightful analysis of continuities of violence through the transition, the Centre for the Study of Violence and Reconciliation has done a number of studies on new forms of social violence and their historical antecedents in the [Violence in Transition Project](#).

<sup>43</sup> Violence in this context does not lend itself to a mono-causal explanation, and any attempt to understand this culture must take into account the history of the conflict which devalued human life, economic deprivation which exists alongside unimaginable wealth, the destruction of the social fabric of communities during apartheid, a historically patriarchal culture, easy access to guns, and the inculcation of divisions based on notions of racial superiority/inferiority amongst other factors.

<sup>44</sup> The rise of new forms of social violence has become a well-documented phenomenon in countries transitioning from authoritarianism and conflict to democracy. One theory on this is that radical transformations render the foundations of identity in flux for a period - including national identity, a key element in the constitution of the state and its sovereignty. The search for a new identity and its articulation can sometimes take on a violent form

during this period. Within South Africa, those that advance such a hypothesis contend that the impact of the transition here was compounded by the suddenness of the changes: "scatter[ing] established political identities like sand in a whirlwind." (Steven Friedman in Christie, 2000, p.92)

<sup>45</sup> Hamber notes that the poverty-stricken are 80 times more likely to die or get injured by crime than the well-off ([Hamber, 1999](#)).

<sup>46</sup> Gibson contends that in the South African context, research shows that the 'contact hypothesis' of racial reconciliation rings true – i.e., that empirical studies support the hypothesis that increased contact between racial groups increases positive attitudes towards the other group, as attitudes appear to be premised largely on ignorance and perceptions (Gibson 2001). This would appear to be the case with attitudes towards foreigners as well.

<sup>47</sup> Hobsbawm, noting the intimate connection between nationalism and violence, has asserted famously that there can be "no progressive and revolutionary kinds of nationalism", that all nationalisms are murderous in nature (Lazarus, 1999, p.76).

<sup>48</sup> To this I would add that whilst the site of primary construction and authoring of nationalism may exist at the level of the elite, as Hobsbawm has noted nationalism is a 'dual phenomenon', constructed both from above by the state elite, and below by the popular masses (cited in Croucher, 1998). It therefore requires the presence of conditions at the level of the masses – including acceptance.

<sup>49</sup> The legislation that brought the TRC into existence was called the '[Promotion of National Unity and Reconciliation Act](#)' (1995).

<sup>50</sup> Basil Manning, former Executive Secretary of the Anti-Apartheid Movement (and currently with Director of the Centre for Anti-Racism and Anti-Sexism) remarked (in personal communication) that the TRC did a wonderful job of telling the truths of murder and torture; "but where will the truth be told about what it meant to be forcefully removed? To have your possessions and home bulldozed from where it was and dumped in a heap of materials in the middle of nowhere? Where will the truth be told about the impacts of wage legislation that ensured that you earned only a tenth of a man doing the same job as you merely because of the color of your skin? Where will the truth be told about Bantu Education and how many years it will take us to 'catch up' to those who were given proper educations?"

<sup>51</sup> The [Institute for Justice and Reconciliation](#) in Cape Town runs bi-annual surveys on issues of reconciliation. In its April 2003 issue it found that only 29% of whites felt that they benefited from apartheid in the past, and continue to benefit from it today (Available online at <http://www.ijr.org.za>).

<sup>52</sup> Ironically, these attitudes of hostility exist even amongst those who sought exile in neighboring states. There has been a 'glorifying' of the apartheid struggle in the minds of many that allows them to negate the suffering of others from countries in conflict. In other words, the apartheid conflict was seen as something grand and noble, whereas the conflicts

in other African countries are perceived to be 'their own doing' and thus ill-deserving of sympathy or assistance.

<sup>53</sup> Importantly, research from a variety of sources demonstrate that migrants would much rather be in their homes of origin and do not want to stay in South Africa permanently but are rather here because of economic necessity rather than choice.