

“There’s Space for Africa in the New South Africa (?)”: African Migrants and Urban Governance in Johannesburg

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The title of this paper, borrowed from the headline (*sans* question mark) of an editorial on foreign migrants published in a South African Sunday newspaper, reflects the widespread ambiguity concerning the place of foreign migrants in South Africa, and the country’s relationship to the continent. One of the dominant discourses concerning this relationship continues to divorce South Africa from “the rest of Africa.” Anecdotal evidence abounds: for example, a black South African compere at a Johannesburg jazz club introduced a jazz band from Kenya as coming “all the way from Africa”; an academic presenting a paper on Uganda at a conference in Stellenbosch began with the telling introduction: “When I was in Africa ...”

These ambiguities are illustrated in the attitudes and responses of South African policy makers and citizens living in Johannesburg to the influx of foreign African migrants.

There are two major discourses concerning South Africa’s relation to the African continent, and to the rest of the world, which appear to be inherently contradictory. One is posited on legalistic and *realpolitik* notions of citizenship, nation-building, and territorial sovereignty. The project of forging a post-apartheid South African national identity tends to be informed by “othering” non-South Africans. This is perhaps one of the legacies of apartheid, in which diverse South African identities were constitutionally, territorially, and institutionally constituted primarily along the lines of race and ethnicity. Thus, with the advent of an inclusive, universal, and democratically constituted citizenship, South Africans had to forge a common national identity. Not really knowing who we were, as a cohesive nation with a coherent identity, the search for our own identity became largely predicated on who we were *not* - on an “othering” of non-South Africans. In addition, widespread antipathy developed toward foreigners, who were constructed as threats to hard-won inclusive citizenship rights and entitlements from which the majority of South Africans had been excluded for decades.

The other discourse, characterized by the political polemic of “I am an African,” notions of an “African Renaissance,” and programs such as NEPAD (New Partnership for Africa’s Development), suggest a transcendence of an exclusive South African identity based on a bounded, territorial sovereignty and citizenship, in favor of privileging an inclusive, African identity.

The major question which implicitly forms the backdrop to this paper concerns the apparent contradictions between these two discourses, and the attendant implications and challenges for migration policy and urban governance. The paradigm which continues to inform domestic policies relating to migration is haunted by *realpolitik*. It is therefore doubtful that initiatives such as NEPAD can be actualized: partnerships between South Africa and other African countries seem doomed when its citizens are openly hostile toward nationals of potential partners in continental development and poverty alleviation. Migration policy is informed by a perception that South Africa and its cities are besieged by foreign migrants.

To this end, and within the context of these discourses, this paper will explore South African government and citizen responses to non-South African Africans - so-called "foreign African migrants" in Johannesburg. It will investigate the contradictions between the legal "rules of the game" and the actual state of play" concerning the presence of African migrants in Johannesburg; conflicts that arise between the "naming and claiming" of identities; and inconsistencies between a discourse which, casting its eyes to the West, calls for the transformation of Johannesburg into a "world-class city" and that which calls for Johannesburg to accept its identity as an African city, which will depend on the success of the renewal of relations with the people of the region. Based on extensive fieldwork, the paper ultimately attempts to give voice to the experience of foreign migrants and their relationships with South Africans.

The Existing Policy Framework

As there is no cross-border migration policy, migrants (as opposed to immigrants) in effect exist in a legal vacuum. No appropriate policy currently exists in terms of which they may legalize their status in South Africa. However, in practice, they are dealt with by government officials and citizens in terms of the legal framework of immigration policy, and deemed to be illegal, or undocumented, if they do not subscribe to the provisions of this policy, which is inappropriate for migrants. Thus, in terms of an inappropriate legal framework, they are "named" as "illegal immigrants, although the identities which they often claim contradict this nomenclature. Immigration policy is unenforceable for the purposes of managing, monitoring, or documenting migration to South Africa.

Subjective Challenges: Conceptual Contestations

In order to represent the view from "the other side," and to understand the perspective of those perceived as "outsiders" and defined as "illegal," between 1995 and 2000 a number of interviews were conducted with foreign migrants residing in Johannesburg. The responses elicited from these interviews are not presented as definitive or generally representative. They are nevertheless important, as they begin to illustrate different perceptions held by "illegal" immigrants and migrants in South Africa of the concepts which inform immigration policy. As such, they send an important message to policy makers.

The interviews were conducted by a black South African researcher who spent a number of years in exile in Zimbabwe and Botswana. He is fluent in Shangaan, Shona, and seTswana. Some of the interviewees were accessed through Afrisaa (Affected Foreign Residents in South Africa Association), and also via networks tapped through casual conversation with people living in Kagiso (a black township outside Johannesburg) and those plying their trade on the streets of Johannesburg. Most interviewees can be categorized as unskilled and semi-skilled economic immigrants and migrants, as all claimed to be seeking improved economic opportunities.

For policy makers and urban planners, the most significant response from interviewees is that all of them expected their negative rights to be guaranteed and protected regardless of which state they happened to reside in. "Citizenship is a matter of choice of the individual," a Malawian respondent claimed, "and is not governed by legislation. One is free to choose where one wishes to reside, and the state must respect this choice. Although it does not distinguish between citizenship and human rights, this response seems to suggest an understanding of certain rights as portable, and of a responsibility of all states, at all levels of government, to protect them. By implication, this respondent regards himself as bearing a constant set of rights, regardless of which side of a national border he

is on, and, by implication, in which urban location he is situated. Similarly, a Mozambican said, "I am not a ,grigamba,"¹ but a human being, and, by implication, entitled to the guarantee of human rights. He does not accept the distinction between citizens and foreigners, and claims that everyone should be left alone to make his or her own way. For many, migration is a survival strategy related to a search for the guarantee of negative rights. In other words, what immigrants claim is participation in the normative, associational, and economic realm of society: "they should leave me to work."

Some respondents highlighted the racial exclusivity of the recognition of negative rights by the South African state. One pointed out that white foreigners, especially Portuguese from Portugal and Mozambique, are allowed to stay in South Africa. Another claimed that when he applied to the Department of Home Affairs for a residence permit, he was turned away by officials who told him that "we give it to whites who have better education."

Other respondents imposed a broader but still exclusive racial qualification on their claims to universal human rights. Although they did not perceive any differences between themselves and black South Africans - as a Mozambican said in Zulu, "People are the same, we are one type. We are black people." - their responses implied that claims for the protection of human rights are contingent on racial identity, and should therefore be limited to the region or the continent. This is in sharp contrast to some South Africans' perceptions, and a more limited politics of racial identity which seems to be developing. When asked why Zulus and Shangaans had mistakenly been targets of anti-immigrant attacks in Alexandra township, one respondent said it was thought that they were "too black to be South African."

Noting the existence of historical ties between most of the Ndebeles in Zimbabwe and the Khumalo people in South Africa, the chairperson of Afrisaa argued that most of the Khumalo people originated in Zimbabwe as victims of forced labor, which he called "semi-slavery. ... When the victims of forced labor tried to trek back [to Zimbabwe], the white men had by then introduced borders, thus inhibiting the free movement of people with the same historical ties," adding that, "Our forefathers built Jo'burg. No South African could mix sand and cement. They are lazy. Jo'burg is what it is today because of our forefathers, who were forced to work." The rights claims made by these respondents are directed particularly against the South African state, predicated as they are on specific historical understandings and constructions of ethnic and tribal identity. Many immigrants, especially those from neighboring states, asserted that they had a right to be here. They would therefore continue to enter South Africa, regardless of the potential hazards. For many, economic, social, and political problems in their home countries had forced them to migrate. Some contended that apartheid South Africa, through its destabilization policy, was directly and/or indirectly responsible for these problems.

They also argued that they had been part of the South African national liberation struggle both while working here and through alliances between their own national liberation movements and South African counterparts, and the support their governments gave the South African national liberation movements, with negative consequences for their own countries (and citizens). They implied that it was treacherous for South African democrats to pursue policies and actions that resulted in closing doors on former political allies.

Many respondents moved beyond these explanations and invoked arguments about regional historical, economic, and cultural linkages. They claimed that the southern African region was one economic entity, and that southern Africans had worked in South Africa and contributed to the country's economic fortunes - "how can we now be regarded as foreigners?" A Zimbabwean explained that "South Africa is economically better off because some bosses started leaving countries in the region, due to war, for South Africa. Therefore job seekers had to follow job providers."

Some, especially Ndebele-speaking Zimbabweans, evoked the reign of King Shaka to reinforce their claims that historically and culturally they are South Africans. These historical-economic-cultural links have resulted in much social mixing, marriages, and children. They illustrated this point by describing family ties which sometimes straddled a few countries in the region. A Zimbabwean respondent told us:

my father used to work here, but when he got too old, he went back home. My mother is originally from Zambia, and used to work in South Africa. My eldest brother was born here in 1949, during my father's working days. He then married a South African and lives with his wife and their children in Vosloorus.

Another Zimbabwean respondent pointed out that

most Zimbabweans return and settle at home after long periods of working here. My [maternal] grandfather worked here in Jo'burg in the kitchens for ages, and then returned to Zimbabwe. My husband's father worked on the mines here and returned to Zimbabwe with a Tswana wife.

The separation of people on the basis of their present nationality results in the fragmentation of families, extended and multiple households, and dependency networks, all of which have had major social consequences for South Africa and the entire region. One respondent described the negative impact of such a policy as "causing social disintegration":

Deportation causes family break-ups and emotional stress on those left behind, who sometimes have to cope on their own in a hostile and alien environment; the abandonment of children, either because they are left behind, or because the sole breadwinner has been deported, and can no longer support them; increase in child abuse, delinquency, and street children (near Jo'burg station); abortions by abandoned women who cannot support themselves; prostitution and the spread of AIDS.

Furthermore, if one income earner is removed from a particular territorial "space," he loses his "place" in the network (usually male). The survival strategy is often to replace him with a number of others. This attests to the counterproductive and destabilizing impact of current policy responses, and ways in which they exacerbate the pressure to migrate.

In terms of the enforcement of immigration policy, many respondents claimed that officials discriminated against black foreigners. A typical sentiment was that

local blacks do not harass British whites or Chinese, but harass us from Africa. They also rob us because we do not know the place very well and are scared to report to the police because they also side with locals. Blacks should recognize that we are all Africans despite our language and cultural differences.

Other respondents went further, arguing that immigration itself is a racial issue: shop stewards of the National Union of Metalworkers of South Africa (NUMSA) suggested that the notion of "immigrant" was racially constructed, noting with concern that "immigrant" had racial connotations, and meant "black" or "African." They supported this contention by arguing that "foreigners of other race groups are not usually regarded as immigrants, or harassed like blacks and Africans in this country." Another respondent said, "Africans should be more welcome here than white foreigners. Anyway, not all whites bring capital to South Africa — there are also poor white foreigners, and workers, who are accepted here. Why not Africans from the region and the continent?"

Others feel that discrimination occurs on the basis of national origin, and that “only Mozambicans and Zimbabweans are harassed.” Some respondents said they were disappointed that president Nelson Mandela’s relationship with Graça Machel² had not improved relations between South Africans and Mozambicans: “Some South Africans are saying that Mr. Mandela is bringing immigrants into his own country because of his relationship with Mrs. Machel. We thought it would bring the two countries closer together, but the opposite happened.”

A Mozambican trader claimed to have been so appalled by a particular means of enforcing immigration policy that he almost chose to go home: “There was a time in South Africa when the government promised a reward of R50 to South African citizens for every illegal immigrant that they could catch. That was the most inhuman experience I had in South Africa. I then thought of handing myself over to the police to be deported home.”

Many respondents suggested that stricter immigration control to protect South Africans’ jobs was not a viable solution. Instead, they advocated a framework for integrating the regional labor market. Unlike many South Africans who believe that their country can survive independently, migrants argued that no country in southern Africa could survive, let alone succeed, on its own. Many respondents suggested that the region should unite through the Southern African Development Community (SADC).

Many respondents are members of transnational communities and have what are, in effect, multiple national identities. One way in which these are constructed is through the institution of marriage. Many have at least two wives or partners; one in South Africa and one in their country of origin, often with children from both. For example Peter, a Zimbabwean respondent, is married in terms of traditional or customary law to three women — two South Africans and one Zimbabwean. He lives with one of his South African wives; the other lives in the Eastern Cape. He has three children with this wife, who stay with her. He also has children with his Zimbabwean wife. The wives in the Eastern Cape and Zimbabwe are subsistence farmers. The ease with which Peter can continually commute across borders facilitates these networks of dependency and multiple identities.

It is clear from the above that the “state of play” refutes the “rules of the game.” Migrants’ self-perceptions and identities, and their interpretations of the concepts which inform immigration policy are extremely varied, highly complex, and extraordinarily nuanced. The challenge for policy makers is whether to dismiss these understandings and constructions of identities as purely opportunistic, or whether to acknowledge them when formulating policy.

Experiences of Foreign Migrants in Johannesburg: A Case Study

This section is based on an intensive eight-month study of the role played by “illegal immigrants” in South Africa’s economy and society. The research was conducted mainly in the inner city of Johannesburg, from November 1996 to June 1997. The intention of the research was to challenge the pervasive demonization of foreign migrants and the perceptions on which it is based, and to begin to reformulate the image of migrants based on the research findings.

The influx of economic migrants into South Africa is a crucial issue — in terms of both human rights and social policy. However, it has become clear that the immigration policy debate will not be settled purely or even primarily by appealing to South Africans to respect the rights of migrants. Current immigration policies are repeatedly justified, most notably by Minister of Home Affairs Mangosuthu

Buthelezi, on the grounds that recognizing the rights of transborder migrants would curtail those of South Africans, since migrants are perceived to threaten the viability of the country's new democracy by diminishing its citizens' access to scarce resources.

What follows is a collage of migrant/citizen experiences within various contexts in Johannesburg.

Given the vulnerable and insecure status of undocumented and illegal immigrants and migrants, as well as many South Africans' hostility toward and suspicion of them, they are a particularly difficult subject group to access. Based on their own and others' past experience, many feared being reported to Home Affairs officials and the police, and having their property confiscated. Establishing a relationship of trust and confidence in the field workers was a time-consuming process, demanding great patience and sensitivity on the part of the researchers. And, once they had agreed in principle to be interviewed, many migrants were unwilling to answer some of the more sensitive questions demanded by this study, such as those relating to their legal status and financial and personal circumstances.

Although we tried to make our sample broadly representative of different nationalities, the vast majority of foreigners interviewed were Zimbabweans. Language barriers made it difficult to interview foreigners from beyond southern Africa, especially those from West African francophone countries. Migrants from southern Africa were also generally more willing to speak to us. Historical, geopolitical, and linguistic ties with South Africa presumably played an important role in facilitating a better understanding among researchers and interviewees.

Immigrants in inner Johannesburg are a very diverse group. They do not constitute a community, but rather a number of communities. Thus, besides the general problems of trying to win their confidence, we encountered specific obstacles resulting from this diversity. It was necessary to identify different structures and/or personalities who could help us meet individuals and groups in different communities. Random sampling in hotels, bars, nightclubs, taxi ranks, street stalls, and markets was also undertaken.

Working in a crime-ridden context such as Johannesburg's inner city exacerbated the problems faced by field workers, and often placed them in dangerous situations. They encountered illegal immigrants who are members of drug syndicates, and who indicated that the researchers were not welcome in some areas unless they were there on "business." Such persons were unwilling to be interviewed, as they considered this to be a waste of time. On one occasion, the field workers narrowly missed a shoot-out in which a police informer who had been helping to uncover a drug ring was allegedly killed by Nigerian dealers.

Some nonmigrant informants also failed to cooperate. For example, taxi drivers claimed that the time spent speaking to field workers was money lost. There was an increasing tendency among research subjects to demand payment for being interviewed. Coach companies refused to divulge information on their operating costs, an apparent increase in migrants' demands for services, fare structures, and so on. Provincial and local government departments — such as education, health, and housing — which we believe might be most affected by an increase in migration to Gauteng either failed to respond to our requests for interviews and information, or were unable to identify the person responsible for immigrant issues.

The category of "illegal" is problematic, as many foreigners so defined are in fact undocumented;³ and many so-called "immigrants" are in fact migrants, with no intention of settling in South Africa — the majority of the respondents in this study, regardless of their type of employment, can be categorized as such. For example, two self-employed Zimbabwean builders who regularly commute to and

from Zimbabwe expressed no desire to settle permanently in South Africa: “Even if I was allowed to stay here for quite a long period, I would still return home — there is nothing better than home”; and “I do not intend applying for permanent residence here, because I am proud of being a Zimbabwean, and South Africa is not my ideal country. I am only here because there are financially greener pastures, unlike at home.” Most of those who intend to settle here permanently are either married to South Africans or come from beyond the southern African region.

These findings are significant for the following reasons. First, they challenge the common assumption that *migrants* are specifically concentrated in the agricultural, mining, and informal trading sectors, and suggest that they operate in a wide range of economic sectors. Second, they attest to the economic interdependence of countries in the region. Third, migrants are likely to have a significantly different social and economic impact to that of immigrants. For example, those intending to settle permanently in South Africa are more likely to have their dependents with them and to make claims on social services, whereas the dependents of many migrants remain in their countries of origin and make no such claims. However, migrants are more likely to send South African goods and revenue out of the country. Fourth, the permanence or transience of settlement influences the extent to which foreigners are likely to integrate into the host community, which in turn affects their social impact. It is therefore necessary to formulate appropriate policies which acknowledge the differential needs and impact of these categories.

Thus the categories of people included in our sample are:

- immigrants and migrants who are either in the country illegally or have obtained their apparently legal status through illegal means;
- undocumented immigrants and migrants, who fulfill the criteria to be here but lack documentary evidence; and
- refugees.

1. Workplace Dynamics between Migrants and South Africans

Migrants in higher-income jobs - such as telemarketing and switchboard operating - and very low-income jobs experienced less hostility from South Africans. For example, a switchboard operator working with three other non-South Africans and a majority of white South Africans said there was a cooperative atmosphere, and employees “share facilities at the sports club.” A self-employed Zimbabwean mechanic said other South African mechanics whom he knew were “very good. My car was bought and registered by one of them, and they always come to my rescue when I am harassed by the police.” A Nigerian said he co-owned a nightclub with a black South African.

Conversely, a respondent who works as a messenger in a South African dominated workplace said South Africans tolerated foreigners “as long as they do low-income work which South Africans are not interested in. I would like to remain in this kind of low-status job for my own safety, since South Africans don’t want it.” A Nigerian in the informal sector said: “I do not look for formal employment, because South Africans have an attitude problem towards Nigerians.”

Black South African workers tend to be more xenophobic than white South African workers, and this xenophobia is largely justified by the pervasive perception that foreigners are responsible for the unemployment problem. Where black foreigners in the workplace are in a minority, they are disadvantaged both in relation to South African employers and employees, as they cannot effectively challenge.

xenophobia. Illegal migrants are even more vulnerable, as both employers and local workers intimidate and manipulate them and threaten to denounce them] to the police. A Zimbabwean employed as a security guard claimed that, in a context where black South Africans outnumbered foreigners by a ratio of 10:1, the attitude of the former toward the latter was openly hostile: "The South Africans in charge try by all means to get rid of non-South Africans in order to replace them with South Africans. Damaging remarks are made to bosses in order to get them to dismiss foreigners." A Zimbabwean who was previously employed as a head security officer in a private hospital and had to oversee solely South African workers, said that "South Africans hated being under non-South African, and were very disobedient. This led to serious chaos whereby the company sometimes lost contracts and workers lost their jobs. This was then blamed on me, and generated even more resentment towards me. They would threaten to kill me, saying I couldn't work while I made them lose their jobs. They would also be fired for stealing, and again blame this on me."⁴

Many of the migrant respondents volunteered their own explanation for the attitudes of South Africans, largely focusing on the perceived sense of superiority among South Africans and, paradoxically, their jealousy of foreigners: their lack of a work ethic and business acumen; their fear of competition; and their unreasonably high expectations - often created by the government, which now blames foreigners for its inability to deliver; and ignorance of the conditions which compel people to migrate. A significant number of respondents claimed that xenophobia was an expression of tribalism. A sample of these responses follows.

One respondent said that when he worked in a hotel,

the South Africans were jealous of the Zimbabweans because of their hard-working character, versatility, and perfection in their job. The South Africans did not do, their jobs properly, and stole crockery, cutlery, uniforms, and food, some of which they would sell. They justified this by saying that they were merely compensating, themselves for low wages. They accused the Zimbabweans of being 'the boss's spies,' and threatened to kill a South African woman whom they accused of "selling out" because she fraternized with foreigners.

A Malawian businessman said that "doing business with South Africans is intolerable — they don't like foreign competition." A Malawian trader at one of the markets said:

South Africans are very hostile towards us because they see that our business is thriving. They are not happy that we have a stand — they only want locals to have business, when they are not even good at it.

There is no organization to tell us what prices we should sell our goods for. We foreigners agree amongst ourselves about the prices. It also depends on the kind of stuff you are selling. If we have the same kind of stuff like this woman next to me, we agree on the same price. We always compete with locals on prices. For example, when they sell baskets for R80, we sell them for R50. We do not run at a loss, because where we buy them they are cheap. It is a healthy competition. If locals want to reduce their prices below ours, they are free to do that. We travel a lot to get our goods at a lower price; they only buy from wholesalers here who are expensive. That is why they cannot tolerate our competition.

A Nigerian respondent echoed these sentiments:

South Africans are very snobbish, yet they do not know how to do business — instead of trying to improve themselves, they complain about us taking their women and jobs. We from Nigeria are

better educated than most South Africans, which is why, when we come here, we get better jobs and do business better.

Another migrant said: “black South Africans think white-collar jobs are naturally meant for them; they cannot do any other job, which they think is cheap and dirty. Many are unemployed because of this attitude.” Another said: “people are expecting delivery, while very few are doing something to assist. There is a general unwillingness to do low jobs like selling in the street and domestic work. South Africans’ wage and salary demands are also very high.” A Zimbabwean builder said: “South Africans’ hatred of foreigners comes from the government, because it cannot address the unemployment problem.”

Migrants are subject to a complex web of pressures. Economic, social, and political difficulties in their own countries often force them to migrate to South Africa. Once here, one of their major concerns is to secure employment to maintain their dependents back home, who expect financial and material support. Migrants very often feel compelled to accept any possible means of earning a livelihood, regardless of the conditions of employment. Thus they are prepared to take dangerous, demanding, and low-paying jobs rather than remain unemployed. A Zimbabwean administrative worker said: “The South Africans where I work think that we are taking their jobs. They have told me that they would like to put their unemployed friends and relatives in my job. South Africans don’t understand the socioeconomic difficulties due to drought, unemployment, and so on that drive us here. We are not the cause of unemployment: South Africans are responsible for this.”

A significant number of respondents remarked on “tribalism,” not only in the workplace but in South Africa generally. One Zimbabwean claimed that he had encountered hostility specifically from Pedis at two different workplaces, forcing him to resign from both jobs. When he worked at a bakery in a supervisory position, they refused to respect his authority, saying that they “couldn’t be told what to do by a *kwerekwere*”;⁵ that he spoke “animals’ language”; and when he spoke Ndebele, accused him “of being an Inkatha supporter.”

Many respondents commented on the extent to which the isolation and ignorance of South Africans impacts negatively on foreigners. They also warned against tribalism: “South Africans should avoid tribalistic tendencies so that the new political dispensation can prosper.” A Kenyan respondent argued that racial solidarity ought to transcend tribal differences: “Government should ensure that all tribes are treated equally, so that there is no quarrel or tribal hatred. We should unite as blacks.” A Zimbabwean respondent noted the paradox of tribal ostracism compelling Ndebeles to migrate to South Africa, where they are now targets of xenophobic prejudice: “We Ndebeles are victims of tribalism; that’s why we’re here — they [the Shonas] killed us.” She also alleged that “Xhosas are snobs who think they are better. If you are not Xhosa, you are considered to be an outsider. This tribalism means that whites continue to prosper while blacks remain divided.”

Some respondents viewed xenophobia as an expression of tribalism, and urged South Africans to

stop propagating tribal, ethnic, and regional politics. The South African economy should be opened up just like America during the migration era of the 18th century. Such an economic open-door policy would make South Africa economically strong just as it did America. We should build a united and integrated southern African regional economic bloc because southern Africa is already an integrated economic entity.

This argument was developed further by a Mozambican respondent:

xenophobia is not a domestic phenomenon confined to national origin, but a regional and tribal phenomenon. Mozambique helped Zimbabwe during its liberation struggle, and Zimbabweans and Mozambicans were brothers in arms. But now they hate each other. Mozambicans go to Zimbabwe to steal cattle; Zimbabweans call Mozambicans all sorts of bad names, such as makarushu, which have the same reactionary content as makwerekwere and magrigamba.⁶ Such terms are now used by Zimbabweans to describe all Mozambicans whether they are thieves or not, since Zimbabweans now regard all Mozambicans as criminals.

South Africans also use certain terms towards Zimbabweans in a loose manner, for example Kalanga. Strictly speaking, Kalanga is a particular language, a mixture of Shona and Zulu/Ndebele; therefore Kalangas are of mixed descent of Zulus and Shonas. Kalanga is a type of Zimbabwean fanakalo,⁷ yet South Africans simply call all Zimbabweans and Namibians Kalangas.

The apparently high levels of xenophobia is a post-1994 election phenomenon. Some migrant respondents believe that newly enfranchised South Africans have turned against black foreigners since 1994. For example, a Zimbabwean who had previously worked as a boilermaker claimed that

relations with South Africans were very good. The anti-apartheid struggle forged solidarity among blacks, irrespective of countries of origin. There was no insulting terminology like kwerekwere or grigamba then. All this xenophobia is new, and came with the era of black rule. South Africans don't want to share the economic cake with foreigners.

Both white and black South African employers exploit foreign workers. One builder related the following story: "South Africans - both black and white - employ illegal migrants, and when payday approaches, they report them to the police, who then take them away, thus enabling the South Africans not to pay them -this is one way of how South Africans use the free labor of migrants." A South African respondent who worked as a carpenter claimed that the wage differential between locals and immigrants was as high as R130 a day, with migrants being paid R20 a day, black South Africans R100 a day, and "one colored guy R150 a day. As a result, the company threw out all the locals because it could pay migrants far less for the same job."

These claims illustrate how vulnerable foreign workers are, and the various ways in which they are abused: they work long hours; they derive no benefits, such as unemployment insurance, pension, and so on; they are not registered, so they have no legal recourse when their rights are abused; they are forced to accept such conditions or remain unemployed; they earn less than locals; they are subjected to unhealthy housing conditions, which can result in death; and they may be dismissed for voicing their grievances.

The allegations also demonstrate the extent to which employers are responsible for creating the conditions in which foreigners compete unfairly with locals, displace them from jobs, and depress wages and working conditions. Thus, while there is some truth to South African perceptions of migrant workers' negative economic impact, the causal explanations are often spurious.

While there is nothing wrong with competition for jobs and wages per se, the above quote seems to suggest that it is not the employment of foreigners as such which creates unfair competition, but rather employment practices in relation to foreigners, which depress wages and working conditions for all employees, both local and foreign. The insecure status of illegal workers - who may be illegal or undocumented immigrants or migrants - renders them more vulnerable to exploitative employment practices.

One union official remarked that foreigners had a differential impact on different classes of the economy - they "make a positive contribution to South Africa, as landlords and employers make huge profits by exploiting them. This is beneficial for landlords and employers, no matter how bad this is for South African workers and the poor. A lot of Mozambicans have building skills, and contractors exploit them heavily." Yet again, this seems to suggest that the problems often attributed to foreigners lie very much with how they are treated by locals.

Some foreigners contribute a range of skills to the market, and are very often multiskilled. Some migrant respondents pointed out that South Africans are not equipped to perform certain jobs, as a result of having been victims of bantu education. They therefore see themselves as making an economic contribution which many South Africans are unable to make. They do have a competitive advantage over locals, and may indeed displace them. A shop steward of the National Union of Metalworkers of South Africa (NUMSA) said that "due to their skills, immigrants can be very helpful to the South African economy. The South African government should arrange with other governments in the region to bring immigrants here in an orderly manner, to impart their skills to South Africans, but not to displace them."

The nature and extent of migrants' economic participation and contribution seems to suggest that current immigration policy is far too restrictive, and is depriving the South African economy of skills, experience, competition, and entrepreneurship.

2. Social Dynamics between Migrants and South Africans

Many migrants share accommodations and socialize with South Africans. Some also share with foreigners from the same country of origin as themselves, or from different countries. Some share with fellow country people with whom they also work.

Although foreigners' social relationships with locals vary, many foreigners who experience hostility from South Africans in the workplace have amicable social and living arrangements with them, as described by a Zimbabwean respondent: "in Yeoville [where I live], I mix with South Africans a lot, and there are no problems, like at work. I have many Zimbabwean friends living with, and married to, South Africans, and some even have children." A Zambian telemarketer offered a socioeconomic explanation for differential levels of xenophobia outside the workplace similar to that offered by a respondent for xenophobia in the workplace:

South Africans are xenophobic; especially when they see a non-South African whom they consider to be economically and socially better off than them, they get jealous. I once shared a flat with two South African women who were jealous of my success. Hoping to steal my things, they called the police to arrest me and promised them their share. One of the police told me, and the plan collapsed.

A Zimbabwean respondent allegedly had a similar experience when he and his friend "had almost everything we owned stolen by South Africans we shared a flat with, and the police were involved. We now feel we cannot share living space with South Africans."

Conversely, a Zimbabwean who lives in a flat building inhabited by South Africans and foreigners said that

relations between South Africans and non-South Africans are good; there are no inter-country tensions. There is good social interaction among residents, who eat and drink together. When someone has visitors staying over, and their flats are overcrowded, neighbors assist with accommodation. Interpersonal relationships such as marriage and friendship also cross national boundaries. Tensions are caused by bad behavior, irrespective of one's country of origin.

The profiles of South African/migrant relationships, in the work context and in the social context, suggest that South Africans and foreigners are more likely to come into conflict in situations of competition and perceived conflicts of interest, and are more likely to integrate in and through organizations which represent a perceived commonality of interests, such as religious institutions and sports clubs. This was endorsed by a number of respondents. For example, a Malawian businessman who is married to a South African said, "South Africans are very hospitable people. I have not experienced any problems with them. I attend the Methodist church, and frequent the township to visit friends." A Muslim respondent attends mosques where he experiences no problems with South Africans. One of the interviewees is a member of a predominantly South African band, and a Malawian trader plays for the Bruma Lake Football Club, which consists of foreigners and South Africans.

One of the factors which inhibits social integration is the transient and sometimes highly individualized nature of migrants' stay in South Africa. For instance, a Kenyan who rents a room in a hotel in Hillbrow said he had no problems with non-South Africans as "people just keep to themselves. I have my own small TV in my room, and thus avoid contact with South Africans - I don't have to watch the common one." He said it was difficult to organize social activities "such as football clubs, music groups, etc, because people don't stay here for long. Traders return home once the stuff they are selling is finished."

Many respondents cited language as an inhibitor of social interaction with South Africans, not only because of problems of communication but more importantly because it revealed one's foreign identity. This, they said, often elicited hostile responses from South Africans, acting on a range of assumptions which they harbored about foreigners. A Zimbabwean respondent explained that he had many South African friends, mostly Zulus, who "think I am South African because I speak Ndebele and Zulu. Once South Africans discover that one is not South African, they start distancing themselves from you. At best, they simply isolate you; at worst, they call the police to arrest or deport you." Another migrant explained that "people speak to you in their own language and you can't respond — then they know you are a foreigner, and foreigners do business and therefore have money. Then they harass you for money."

Speaking English is often likely to stigmatize a foreigner in the eyes of the locals: "If one can only speak English and not a South African language, you are immediately identified as a *kwerekwere*." Competency in a local African language seems to be a fundamental criterion for acceptance and integration of foreigners into black South African society.⁸ A Zambian who works as a hotel receptionist said that "sometimes we receive locals who are hostile, especially if you cannot speak or understand a local language." A Malawian said, "South Africa is a good place as long as you speak one of the local languages." A Zambian respondent explained how "bad situations develop when one is among South Africans and can't speak their languages. Resorting to English just worsens the situation. Even the police have a negative attitude towards a 'suspect' who responds in English. They immediately associate you with being a *kwerekwere*, and give you a hard time." This respondent has learnt seSotso, and a number of others are also learning South African languages: "It is socially necessary to do so, as well as being useful for work."

3. Foreigners and Crime

Many respondents cited crime as one of South Africa's biggest problems, affecting both their personal safety and their business. They primarily blamed South African citizens and official corruption in the criminal justice system. A woman from Zambia said: "What is really bad about South Africa is the crime rate, especially crime against women, like rape. This shows that South African men do not have respect for their women." A Malawian trader commented on the negative impact which crime in Johannesburg has on his business:

There are very few tourists here in Johannesburg because of crime. Many go to Cape Town and Durban. Yet everybody here is complaining that we are the people who commit crime and chase the tourists away. I believe many of us foreigners come here to earn a living decently, not by mugging, selling coke, or fraud. It is only a few who are involved and making life difficult for all of us. They also contribute to the bad attitudes locals have towards foreigners.

A Mozambican claimed that many South Africans justify their children's involvement in crime, arguing *bayaphanda* (crime as a survival tactic). However, identical allegations are made by South Africans against foreigners. A local respondent claimed that

one finds that immigrants have got new electricity stoves, color television sets, and many utensils, yet they do not work. New cars are seen every three months in shacks inhabited by immigrants. When asked where do they get all these things, their reply is "bayaphanda."

And a new form of scapegoating may be developing in terms of which southern Africans criminalize foreigners from beyond the region: a Zimbabwean respondent said "non-southern Africans are criminals, for example drug dealers. The 'self-employed' ones are just using their 'self-employment' as a cover for drug dealing. Very few non-southern Africans are genuine job seekers." This could indicate a growing awareness of regionalism and the search for a regional identity through the construction of non-SADC state citizens as an adversarial "other." It may also be a response by citizens of SADC members states to their perceived victimization by South African authorities. A Zimbabwean respondent claimed that Zimbabweans were discriminated against, as "it is easy for the government to deport us, as [our country] is nearer to South Africa than Ghana and Nigeria."

4. Policing, Crime, and Foreigners in the Inner City

There are four stations policing inner-city Johannesburg: Hillbrow, Jeppe, Johannesburg Central, and Yeoville. Johannesburg Central is the largest police station in the country, with two sub-units, and services the central business district; Hillbrow station services Berea, Parktown, and Hillbrow; and Yeoville services parts of Observatory and Yeoville. The Hillbrow and Yeoville stations service areas with the highest population of immigrants.

From observations and informal discussions with the police, it seems there is no specific strategy for policing Hillbrow and Yeoville. With reference to "illegal aliens," the police cited as problematic the lack of mechanisms or data to indicate how many foreigners are living in these areas; the absence of entry points to the city to regulate the flow of people; and a lack of control centers from which the movements of migrants could be monitored. A spokesperson also said that "migrant networks (both criminal and noncriminal, documented and undocumented) are so sophisticated that it is difficult for

the police to trace them. Often the police are paid protection money by undocumented migrants and criminals. Migrants often have no permanent abode, and very often are not documented as residents of certain addresses as the name of the person on the lease is not the same as that of the occupant(s)."

Research also revealed that police do not always distinguish between criminals and "unauthorized" foreigners. Both Yeoville and Hillbrow police stations have special units dealing with "illegal aliens," and twice a month they search buildings and check people's documents. However, crime prevention is based on operational analysis derived from monthly crime statistics from each station, and these statistics include foreigners who have been arrested solely because of their illegal status and not because they are criminals. This reflects a legal conflation of criminality and illegal status, which in turn informs inappropriate policies, confuses their implementation and the official functions of different line departments, and results in the misallocation of resources.

Even the National Crime Prevention Strategy (NCPS) reflects some confusion in distinguishing between illegal status and criminality: it raises the issue of "much of the popular concern over the role of ... illegals within the criminal sub-economy in South Africa," but then cautions in the very next sentence that "[t]here is a real danger that popular paranoia about this role of illegal immigrants will begin to generate ethnic-based xenophobia which could eventually manifest itself in serious social conflict and violence in the months and years ahead"; further on, it states that "[t]he impact of illegal immigration directly on crime is probably overrated, as illegal immigrants tend to be wary of attracting attention."⁹ However, the conflation of criminality and illegal status, and the inclusion in general crime statistics of the number of arrests of unauthorized foreigners, are likely to have the exact effects against which the NCPS is warning: falsely representing foreigners as a particular criminal threat by exaggerating their impact on crime, thereby possibly exacerbating xenophobia.

Police contend that a high concentration of foreigners in the inner city resort to crime because

Johannesburg is the economic heartland of South Africa, and has many incentives which attract people from across the borders. They migrate to the city with the hope of finding a job. The nearest place to find cheap accommodation close to the city is Hillbrow, Berea, and Yeoville. Many people's expectations are disappointed, and they fail to find economic opportunities. They then have to sustain themselves either by opening a shebeen, selling vegetables, prostitution, or selling drugs.

Hillbrow police also claim that certain nationalities are primarily involved in particular types of crime:

most housebreaking in the area is done by Zimbabweans, drug trafficking by Nigerians and their local counterparts, and motor vehicle theft by South Africans and Zambians and Zimbabweans who have access to home markets. Zairians, Senegalese, and Ghanaians are primarily involved in fraud.

According to the police, the infrastructure of the area also contributes to the criminal environment. Many hotels, pubs, and nightclubs are havens for prostitution and drug smuggling. Derelict and uninhabited municipal houses have become chop shops for stolen motor vehicles, and some flats house brothels. Street hawkers' stands are transit points for drug peddlers. Certain pharmacies and surgeries are used as covers for major drug and housebreaking syndicates, many of which include illegal immigrants.

We would argue that the relationship between migrants, unemployment, and crime is far more complex. Foreigners employ a range of survival strategies, both when they are employed and unemployed. Some of the respondents participated in credit societies at work, some of which were initiated by, and established exclusively for, foreigners. Others have their income supplemented or complemented by relatives, both here and outside the country — for example, a Ghanaian who earns an irregular income repairing shoes has a sister in Canada who used to send him money monthly when he was unemployed. She now assists him financially on request, but his brother in London continues to send him money every month.

A Zimbabwean respondent described how he survived unemployment for six months:

I was given retrenchment pay of one month's wages by my previous employer. I used this money to buy goods in South Africa, and resold them in Zimbabwe. For example, a black and white television set for about R200 resold for about R450. I then bought two more of them in South Africa and resold them in Zimbabwe, and so the cycle continued, until I found a job again.

One unauthorized migrant explained that, during periods of unemployment, he would sell durable goods originally purchased for personal use, and which also served as a means of investment and a form of unemployment insurance: "Instead of saving money in [a] bank [which in any event is difficult without an identity document], I would buy things; and then when I was unemployed, I could sell them. Then, when I work again, I buy some more. We look after ourselves — we don't just resort to crime," he volunteered.

However, there is little doubt that international criminal syndicates are increasingly penetrating South Africa. But members of such syndicates are often illegal because they are criminals, and therefore wish to remain undocumented. It does not therefore follow that undocumented foreigners are necessarily criminals. But a South African respondent inverted the causality of this argument: "Immigrants ... easily get involved in criminal activities because they are not registered with the authorities and can therefore get away with crime because they have no fingerprints in the central database in Pretoria." However, Johannesburg police spokesperson Mark Reynolds conceded that "it was difficult to say how much crime could be attributed to illegal immigrants," but many had been involved in criminal activities.¹⁰

The confusion between the categories is not exclusively a result of an inability to distinguish between criminality and illegal status, but is also sometimes used intentionally by various stakeholders to pursue their own political agendas. Police may consciously target foreigners and conflate two different sets of statistics in order to inflate the numbers of arrests, as a response to community and political pressure and to justify their demands for more resources.

Because of the high crime rate in the inner city, it is difficult to establish healthy community-police relations. Hotel and pub owners refuse to be involved in crime prevention activities because they are either involved in crime themselves or feel that by doing so their business will be affected, as many are patronized by known criminals, some of whom are also unauthorized migrants. As explained by a police spokesperson, "Participation in crime prevention against your own clients and customers will mean a closure of some businesses, as they move to more friendly areas."

Many foreigners — both legal and undocumented — also refuse to cooperate with the police, because they resent the xenophobia which makes them a scapegoat for high levels of crime. One respondent expressed the views of many:

Policing is always equated with anti-immigrant sentiments. Why should [we] be involved in crime prevention when police make life uncomfortable for us? Why should we report crime when all crimes are blamed on us? We are always harassed by police who are involved in corruption, like when police evict us from our flats in favor of a local subtenant, and our belongings disappear with no trace of the subtenant or the police, or when police accept or demand bribes from us. Those of us arrested for our undocumented or illegal status can pay up to R300 for our "freedom." Those of us who do not have the money are thoroughly beaten and taken to Johannesburg prison or the detention center in Krugersdorp.

All the respondents condemned criminals, both South African and foreign. Some said that they would willingly collaborate with the South African Police Service (SAPS) in tackling crime, especially among foreigners, but cited corruption within the SAPS itself as the chief obstacle in the fight against crime. Since one of the main forms of this corruption is police harassment of immigrants by, *inter alia*, demanding bribes, unlawful arrest and deportation of immigrants, and dismissal of their cases against South Africans and the SAPS, immigrants have become alienated from the police. Zimbabweans in particular are so disgusted with this corruption that they have suggested "that the SAPS should go and learn from their Zimbabwean counterparts how to do their work professionally."

The majority of respondents had personally had negative experiences with the police, or knew someone who had. A trader explained that among the problems experienced by migrants as a result of police action is that "when the police arrest and deport you, your stuff is just left at the market. It's terrible if one has no friends; it means that one loses everything. Also, when raiding the homes of immigrants, police often 'confiscate' property, such as television sets."

Conclusion

To return to the beginning: South African migration policy and the sentiments of the majority of South Africans toward foreign migrants largely stand in direct contradiction to the NEPAD and newly formulated African Union initiatives. This also has far-reaching consequences for other member states.

If South Africa, as the champion of these initiatives, and other African states are to pursue political cooperation and joint socioeconomic development, implying some cessation of sovereignty, then the rights and entitlements of foreigners, the local siege mentality toward them, and xenophobia must be addressed and immigration policy revised accordingly. States must cease to view foreigners as threats to social security, and recast them as agents of socioeconomic security and development: the "D" in NEPAD stands for "development." Migrants are, arguably, agents of development. To this end, NEPAD and African Union member states need to take more cognizance of the implications of their principles and visions for guaranteeing and protecting the rights of foreigners. A commitment by individual states to uphold democracy, good governance, and the guarantee and protection of the rights of their own citizens, as well as voluntary submission to peer review, are necessary but not sufficient conditions for the success of these initiatives. What needs to be addressed is how these states intend to deal with the implications of the partial ceding of state sovereignty, and the extent to which this obliges them to guarantee and protect the rights of foreigners, resident both in their own states and in the countries of other member states.

This requires an immense and sustained exercise of political will across the entire continent.

This paper is primarily based on a large body of research which was conducted by the author at the Centre for Policy Studies, Johannesburg, and Cambridge University, from 1994 to 2001.

Maxine Reitzes. "There's Space for Africa in the New South Africa (?)": African Migrants and Urban Governance in Johannesburg. In: Okwui Enwezor, Carlos Basualdo, Ute Meta Bauer, Susanne Ghez, Sarat Maharaj, Mark Nash, Octavio Zaya (ed.): *Under Siege: Four African Cities, Freetown, Johannesburg, Kinshasa, Lagos. Documenta11_Platform4*. Hatje Cantz Verlag, Ostfildern-Ruit. 2002, pp. 215-237.

References

- 1 A derogatory term for foreigner.
- 2 Nelson Mandela was the first president of South Africa, post-1994; his wife, Graça Machel, is the widow of former Mozambican president Samora Machel.
- 3 Undocumented migrants are those people who oscillate regularly between their home countries and South Africa and who do not attempt to obtain temporary work and residence permits, usually because it is too difficult or impractical for them to do so. Most are citizens of SADC states, and were recently afforded the opportunity to apply for amnesty. The term "undocumented" was first used by critics of earlier South African immigration policy to denote those people who could not qualify for immigration to South Africa simply because they were black. As such, the term had a normative function; it is now used purely descriptively. For a more detailed discussion, see Maxine Reitzes and Nigel Crawhall, *Evaluating the 1996 SADC Exemption: Its Origins and Accessibility* (Cape Town: Idasa/SAMP, 1997). In a further development in terminology, the draft green paper on international migration refers to "unauthorized" rather than "illegal" immigrants or migrants, in an attempt to move away from the latter term's criminal connotations.
- 4 But another respondent perceives South Africans to be more obedient than Zimbabweans, exploit the "home-boy" factor, and band together in defiance of the osiers of superiors Another exceptional response came from a Ghanaian hawker who sells fruit in Yeoville. He said that the majority of street vendors in the area are South Africans, and that ,relations are okay - there is no talk of immigrants occupying space of South Africans, or competing unfairly." He does not belong to a hawkers' organization, and does not know of any. But he said that those in the area "do meet to discuss business-related issues, such as the cleanliness of the business spot.
- 5 Another derogatory term for foreigner used by South Africans.
- 6 All derogatory terms for foreigner.
- 7 Fanakalo is a type of southern African "esperanto" — a pidgen language which is a mixture of numerous southern African languages and English. It was developed in the mines as a means of communication between migrant workers and mine managers.
- 8 A recent study has suggested that black South Africans themselves see English as an agent of access to and membership in the national bourgeoisie, and as an instrument of elite formation. See Maxine Reitzes and Nigel Crawhall, *Silenced by Nation-Building: African Immigrants and Language Policy in the New South Africa* (Cape Town: Idasa/SAMP, 1997).

9 Cited in Maxine Reitzes, *Government Speaks with Forked Tongue: The 1996 SADC Exemption and the Lack of a Coherent Polity Vision* (Cape Town: Idasa/SAMP, 1997).

10 *The Star*, May 1, 1997.