Combatting violence against African foreign nationals

A criminological approach towards community safety in the KwaZulu-Natal province of South Africa

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South Africa has seen waves of collective xenophobic violence and daily criminal attacks targeting foreign migrants. This study interviewed foreign nationals from African countries living in Durban. Through the lens of strain theory, it explores possible solutions to combat violence against foreign nationals in South Africa. The findings suggest the need to address poverty, socioeconomic integration, community participation, and skills. This will reduce strain and build social cohesion. The government should also revise the Immigration Act to accommodate foreign nationals who legally find themselves within its borders. This revision should take into consideration the suffering of foreigners and reduce any restrictive measures that limit their socioeconomic integration.

Introduction

According to Crush and Ramachandran,[2] a large number of immigrants who are unskilled or semi-skilled generally settle in informal settlements near major cities, such as Pretoria, Johannesburg, Cape Town, and Durban. The informal economy in South Africa

relies on cheap and easily exploitable labour of undocumented immigrants, mostly from Mozambique, and other African countries. The migrants' willingness to work for low wages and to enter this informal economy is perceived as taking opportunities from South Africans, resulting in animosity between the two groups.[3]

Moreover, the South African economy is characterised by high rates of unemployment, widespread underemployment, and deepening inequality.[4] There is evidence that perceptions of direct competition between South African citizens and foreigners for jobs and housing may have been a catalyst for the periodic outbreaks of xenophobic violence that have occurred in South African cities. However, research by Crush and Ramachandran[5] found heightened levels of xenophobia among self-employed South Africans working in the informal economy. This suggests that, if informally employed South Africans perceive that foreigners are "stealing" their jobs or driving down wages, immigrants could face dramatically increased risks to their lives and livelihoods from these tensions and the outbreaks of collective violence they seem to have engendered. This is sustained by strain theory, which explains how strains lead to anger, due to the unsatisfactory life conditions of individuals.

Exploring the lived experiences of xenophobic and discriminatory attitudes towards Mozambican immigrants in an informal settlement in South Africa, Moagi et al.[6] found emotional, physical, and verbal abuse these immigrants experienced from South African citizens, merely for being foreigners. Again, the same study reports that immigrants are discriminated against, both in general but also based on ethnicity, in accessing work and other human services as one of the experiences of immigrants in South Africa at large.

Hunter-Adams and Rother[7] concur that migrants in South Africa continue to be marginalised and subject to a broad range of discrimination (e.g., violence against foreign-owned businesses, and job discrimination). The experiences of exclusion are exacerbated by a lack of legal status, as well as minority status, relative to South African population groups. Conversely, a study conducted by Cinini[8] has demonstrated that having the appropriate legal status is not a guarantee to secure a job in Durban and that foreign nationals who have legal documentation still face discrimination in governmental and private institutions, not only for jobs but for other services earmarked for them as migrants. For instance, Crush and Tawodzera[9] report that migrants and refugees face severe obstacles in accessing loans from formal sources in South Africa as they require collateral. To that end, Moagi et al.[10] confirm that, in South Africa, xenophobia has damaged the informal employment sector, resulting in higher unemployment rates due to the displacement and burning of immigrant shops that employed South Africans.

South Africa has an unfortunate reputation as one of the more hostile destinations in the world for African migrants. Widespread attacks, targeting foreigners, took place in May 2008, killing 62 people and making international headlines. Another wave of violence occurred in April 2015, leading to an outcry across Africa and the recall by Nigeria of its ambassador as a protest against the attacks. These are not attacks caused by small bands of provocateurs or criminals. Both qualitative and quantitative evidence suggests widespread participation in, and support for, the attacks in the affected communities.[11] Indeed, several commentators have remarked on the elevated levels of xenophobia observed in South Africa, with African nationals, in particular, facing everyday hostility and violence.[12] In South Africa, xenophobia appears to take the form of widespread antipathy and intolerance, punctuated by acts of hostility and violence.

Operation Dudula, a substantial vigilante movement attacking Black immigrants, has recently emerged in South Africa. According to Nhemachena, Mawere and Mtapuri, it may grow further as politicians attempt to deflect from their own mistakes and the catastrophic effects of Covid-19.[13] Xenophobia and Operation Dudula are typical of a worldwide pattern of increasing right-wing vigilante violence that is gaining favour at a time of economic recession. Nhemachena, Mawere and Mtapuri conclude that "xenophobic vigilantism shreds and tears apart the vision of African unity espoused by our forebears who envisaged Africa as a strong unitary state with one army, one parliament and one economy to serve its people."[14] The violence that took place in 2008 and 2015, as well as the hate crimes that occur with everyday regularity, present a pressing human rights concern.

Strain theory and violence against foreign nationals

This study uses Merton's strain theory to identify the triggering factors (or root causes) to African foreign nationals' security threats in the KwaZulu-Natal province of South Africa. Robert K Merton developed the first major strain theory of crime in the 1930s. This theory was developed amid the Great Depression, so it is not surprising that it focused on the type of strain involving the inability to achieve monetary success. The strain theory of deviant behaviour holds that people are more likely to pursue illegitimate means to attain culturally prescribed goals when they are blocked from accessing the institutionalised means to these goals.[15] The rationale for this theory lies in Merton's observation that the social structure limits access to the goal of success through legitimate means.[16]

Robert King Merton and Merton[17] proposed that there were different ways for people to resolve the strains generated by the inability to attain success. The theory holds that crime and deviance would be a consequence of a system that was to blame for unfairly holding back many of its citizens.[18] In addition to Merton's strain theory, Robert Agnew has come up with the *General Strain Theory* (GST), which states that people engage in crime because they experience certain strains or stressors. These strains involve the inability to achieve valued goals, such as monetary success and status; the experience of negative treatment, such as verbal and physical abuse; and the loss of valued possessions. Strains lead to negative emotions, such as anger, frustration, and depression. These emotions create pressure for corrective action and crime is one possible response.[19] Crime may be a means of reducing or escaping from strains, seeking revenge against the source of strain or related targets or alleviating negative emotions. Robert Agnew is of the view that individuals are most likely to cope with strains through crime when they lack the resources to engage in legal copying, the costs of crime are low, and they are disposed to criminal coping. However, most studies have focused on the emotion of anger, and tend to find that strains increase anger, and that anger explains part of the effect of strains on crime – especially violent crime.[20]

Historically, South African citizens have been marginalised by the apartheid regime, the effects of which are still alive today. There is a shortage of employment among the locals and a huge number of uneducated householders.[21] This poverty, unemployment and social inequality place strain on the poor Black majority. There is a perception that the government is unable to cater to and satisfy its population.

Due to the anger created by strains, local citizens tend to threaten foreigners, accusing them of stealing their jobs and many other stereotypes such as migrants as "illegal".

Foreigners are blamed as the scapegoats for societal ills and thus become easy targets. This leads to xenophobia, which, according to Dodson,[22] refers to any acts of collective violence (by local communities, groups or crowds) targeted at foreign nationals or "outsiders" merely because they are foreigners or strangers. Foreign nationals or outsiders are explicitly targeted for violent attacks, regardless of any other material, political, cultural or social forces that might be at play.

Arguably, the violent attacks on African foreign nationals by local citizens express their anger, frustration, fear, and depression caused by these strains through xenophobic violence, which has become a perennial feature in post-apartheid South Africa.[23] Since 1994, tens of thousands of people have been harassed, attacked, or killed because of their status as outsiders or foreign nationals.[24] Xenophobic violence in South Africa has included murder, assaults causing grievous bodily harm, looting, robbery, arson, displacement, intimidation and threats.[25] Hence, the need to get foreign nationals' views on possible measures to combat violence against them within South African communities.

Methods

The data collection for this research was conducted in May 2019, in the city of Durban, province of KwaZulu-Natal (KZN). Census 2011 states that "Durban is the largest city in the South African province of KZN. It is also the second most important manufacturing hub in South Africa after Johannesburg".[26] It forms part of the eThekwini metropolitan municipality.

Only documented foreign nationals from African countries – in other words, those with asylum seeker permits, refugee status and with work permits – who were at least 19 years old were interviewed for the study. The study purposively selected 50 participants, from 16 African countries who have lived in Durban for two years or more.

Semi-structured interviews were conducted individually, and a person-centred approach was used to ensure respect and support for the participants while allowing them the flexibility to talk about their experiences without fear and anxiety. The data was analysed following Braun and Clarke's[27] thematic analysis model.

Results and discussion

Participants in this study came up with the following measures, which should be considered as resolutions to the problem stated within this research. These measures could be implemented in communities to combat and prevent the violence that migrants face on a daily basis.

Address poverty

One of the suggested measures to combat violence against African foreign nationals living in the city of Durban was to address poverty in the local community. Poverty is a big problem for developing countries in Africa, Asia, and South America.[28] It is well known that poverty is one of the root causes of crime in a particular community or state. Participants in this research are aware of the existence of the high level of inequality in the country at large. They have reported that most of the citizens who threaten African foreign nationals, or who commit crimes live in severe poverty. A participant from Uganda contends:

> We have to address poverty, racial issues, and inequality to solve these problems and to ensure safety for the foreigners staying in this country. The labelling of black people as lazy and incompetent is not true it is all inequality and discrimination. Crime and hatred towards foreigners are due to the low wages that locals have. The state has to audit the irregularities in terms of

wages for people and this will also make foreigners safe and secure.

Hence there is an appeal to the South African government to invest more in policies that play a role in addressing poverty in the country. These policies should be addressing the poor living conditions of the local citizens in a way that enhances their lives. Social grants are understood as a temporary provision of assistance intended for persons in such dire material need that they are unable to meet their family's most basic needs, but they cannot address poverty alone. The government needs to come up with a sustainable program that positively responds to social inequality and social justice issues for the betterment of its people. Improved service delivery and other social services, such as equal job opportunities and free access to quality education for those with a very poor background can be helpful.

Socioeconomic integration

Integration means immigrants' ability to participate in all spheres of society as a way to solidify their membership and belonging in the national community.[29] According to Valtonen, structural inequalities and different forms of social resistance inhibit individuals' and groups' access to participation in economic and other critical areas of mainstream society. Socioeconomic integration is portrayed and can be measured by migrants' equal and proportional participation and representation in the areas of employment, education, health, and housing. Participant 46 from Congo, who has been in South Africa for 14 years, said:

> The only integration that can help us to deal with our social problems is when you are integrated economically when you are allowed to go and work like any other person and then your income will determine the area where you are going to live so we are concentrating on saint Francisco with the locals because we

don't have the income to go to places like Margay even other places. After all, when you have your income you create your security so, if you are not integrated economically it is impossible for us to run away from these xenophobic attacks and so forth.

The findings demonstrate that African foreign nationals are not employed within the formal sectors, indicative of a serious issue within the labour market. Furthermore, they do not have access to education due to a lack of funding opportunities, such as scholarships and bursaries. Nor are they able to afford the cost of studies from their income.

The government should have initiatives to provide work to unemployed South African citizens. But when thinking of curbing xenophobia and crime, it should also consider the number of foreign nationals who are unemployed and try to craft ways to include them. These migrants also contribute to crime within their host communities. The government should be involved in the creation of jobs for which qualified foreigners can compete. It can also consider skills transfer for those who have passed the age of schooling and who are unemployed but still can be trained in different entrepreneurship activities to empower them, after which they should be able to find employment in the formal economy.

It is through stereotyping and scapegoating that African foreign nationals find it difficult, if not impossible, to easily integrate within host communities; not because they do not want to, but because of their lived experiences as foreigners in townships. Literature[30] shows that those who lived in townships with locals have experienced violence in different ways and have shared their experiences within the migrants' communities. This can be observed by comparing the number of foreigners living in town and those living in the townships. The

majority live in the central city due to fears of increased xenophobic attacks like those recorded in 2008, 2015 and March 2019 across the country.[31] These attacks affected the lives of thousands of foreigners countrywide simply because they are not welcome in townships. Those who sought refuge in townships due to cheap housing and cheaper life have seen themselves being violently attacked by local citizens due to the negative attitudes they hold towards fellow Africans.

Community participation

According to the definition currently in use in the European Union,[32] integration is understood as migrants' ability to participate fully in the economic, political, cultural, and civic life of the society. Integration as "participation" has connotations of action rather than status, and of migrants as actors and agents in role-bearing categories. It signifies the ability of migrants to take an active and meaningful part in the life of society.

To ensure their safety and security in the city, participants requested that they should be allowed to participate in community programmes. This can only be possible if there is social integration and social cohesion. But for this to happen, the community leaders need to liaise with the community members and the process should run smoothly through understanding and acceptance of African foreign nationals. Participant 34 from Eritrea, who has been in South Africa for 15 years, stated:

> The locals and the foreigners must work together when they will start working together, there will be safety and security when they talk about the vigilante, I do not think they involved foreigners, from what I know, I do not think they involved foreigners when they are trying to create a forum for vigilantes or community forum. If they work together, they will be able to

challenge even the police, anyone, let them work together.

The purpose of participating in community programmes is to remove the "fear" of the "other" and by being part of the activities of the community. There is social interaction, which leads to cultural assimilation. African foreign nationals learn the culture of local citizens and abide by the norms and values of the host community. This can be an effective preventive tool against violence and can only bring peace and security to both sides.

Representatives for African foreign nationals

Another measure suggested is that migrant communities should have representatives within the host communities. These representatives should be working hand in hand with local community leaders in a way to provide an understanding of who a "foreigner" is and how they should be treated in the community. Participant 44 from Nigeria contends:

> Well … at the moment we have come to understand that they are channels that we can use to address issues of conflict, so we decided to start organizations that can speak on our beliefs and sit and discuss issues that can make it easier for us to speak with one voice.

The lack of organised structures among foreign nationals poses a challenge. Participants in this study originate from 16 different African countries and found themselves in Durban for different reasons. When talking about representatives, participants suggested that each of their countries of origin should have a representative, from whom one representative for all, will be elected, like the African Union (AU) kind of structure.

The above suggestion has numerous advantages. The representative can serve as a gatekeeper for researchers but also as

a reference to those who seek employment and documentation. This should assist to combat social disorganisation within the host communities and together with the host communities fight against crime.

Skills transfer to the local community

When conducting this research, it was noticed that a lot of foreign nationals have different skills that can be of benefit to the locals. Participants reported being capable and willing to provide or transfer skills to locals, mostly with poor backgrounds, depending on their needs within the community. Some of the statements are as follows:

> I believe we do have skills; we came here with skills and we can transfer those skills if peace between us and the locals is established. Once we give them the skills, they can use those skills to push the economy of the country (Participant 13, from Kenya).

Participant 9 from Zimbabwe who has been in South Africa for three years conceded:

> I am an advocate for refugees and asylum seekers and local people as well. We got issues to do with the skills transfer. We think if we can sit around the tables. In communities, we have had projects in Bambai where we transferred skills and sat down with the community and taught people how to use their heads and develop skills. These are some of the interventions that we need to promote more and more so that the locals feel we are at home together. This will break some of the barriers. We can build on that momentum where every foreigner who got a skill can come on board to transfer the skill this will go a long way to building a good relationship with the local citizens.

In the same vein, participant 20 from Congo, who has been in South Africa for 10 years said: "We have asked them to allow us to stay in their locations so that they can learn from us so that they will never cry again as they use to cry. They will learn from the way we do our things". Participants believe that if allowed to fully integrate the community, they can help locals to gain entrepreneurship skills that will then aid in poverty reduction. Fargues,[33] confirms that migration can also reduce poverty and increase growth in host countries through increased productivity, new demand for and supply of goods and services, and more labour-intensive production.

Again, this requires social integration and cohesion within the local communities for foreigners to be able to deliver different training skills as per their area of expertise. The government, together with local community leaders, should take up this offer, which according to participants, should be provided at a low cost, to allow poor families and households within the host communities to benefit from migration.

Government commitment

Participants reported that the South African government is not supportive of their challenges, and in some instances, the government has been blamed for supporting the locals during violent outbreaks. Government officials such as the South African Police Services, the Department of Home Affairs and other institutions have been reported to be in concert with locals when threatening foreign nationals mostly from African neighbouring countries. Participant 19 from Nigeria, reinforces the above ideas by stating:

> the government needs to do something because people are dying every day, they are supposed to put policies that protect foreigners and safeguard their security and safety from any form of harm.

In the same vein, Participant 6 from Ghana echoed these sentiments, saying "We need

the government to protect us here in South Africa, they put police all over, but police are not working." In addition to these claims, Participant 3 from Burundi, who has been in South Africa for 16 years, suggested:

> Of course, the government should be a key major player, it must create a platform where foreigners and locals can sit together to address issues because for any allegation that may be seen as a challenge, there is the issue in the society and those issues can be addressed if there is a dialogue. The platform should be created by the government through cultural events or educational activities where everyone is welcomed. Social activities that promote entrepreneurship, and security measures.

However, as one of the suggested measures, participants in this research have called upon the government to directly get involved in addressing the challenges affecting their safety and security in the city. Participants reported that in most of their challenges (e.g., violent attacks, unemployment) the government is absent, they do not hear or see any government intervention in their challenges in the city. Hence the call for the government to acknowledge their existence and to give them positive attention in dealing with their socio-economic challenges in the city and the country at large.

Cooperation with local authorities

For integration to be effective, there must be a high level of cooperation between local leaders and foreigners. Foreigners must acknowledge the leadership of the host society and be submissive to gain their trust, which will enable these leaders to facilitate or negotiate the integration of foreigners within the host communities.

However, when asked what should be done and by who for their safety and security, participant

32 from Uganda, who has been in South Africa for 10 years stated:

> The government, the counsellors, and the mayors are the ones who need to educate people here. People are lacking education; they are supposed to teach them how foreigners are surviving. They need to educate them about why people are moving to another country because most people here do not know why foreigners move to this country, they do not move to visit other countries. They do not know the advantage of foreigners being here.

Nonetheless, African foreign nationals, living in the city, indicated their need to cooperate with the local authorities of the community. This cooperation is a way to build the trust and accountability needed to tackle the challenges facing foreign nationals in the city. By working hand in hand with local authorities, this type of cooperation should enhance the protection of foreigners within their host communities and could be a platform for conflict resolution between the two groups. The role of local authorities in generating safety and security in local communities, or generating discord in communities, is immense.

Revise the Immigration Act

Immigration debates are politically charged since they simultaneously spark fundamental questions of national cohesion among majority groups who are faced with the need to update their understanding of the nation and polity, and to come to terms with their position concerning these. Although the state usually carries the leading responsibility in policy formulation and implementation, the input of immigrants and other stakeholder organisations and institutions should be taken into account seriously in the policy-making process. For instance, participant 43 from Ghana who has been in South Africa for eight years suggested that "the African embassies here should take it upon themselves

to meet with the South African government so that they can come up with a good policy concerning foreigners because this is a country is a metropolitan country."

The participants called for the Immigration Act[34] to be revised to accommodate foreign nationals who come to this country. The Act is exclusionary and is also one of the triggering factors of their victimisation and secondary victimisation experiences in their daily life in the city. This revision should take into consideration the suffering of foreigners by for instance looking at the employability of foreigners and removing or lessening any restrictive measures with the purpose to accommodate the immigrants.

The participants in this study are of the view that immigrants would be represented proportionately in roles of all types and at all levels, horizontally and vertically, in society. They would be visible in the public life spheres as agents, contributors, decision-makers, and societal stakeholders. This calls for a policy that would open up existing career paths to immigrants and minorities by facilitating equitable and open competition along upward as well as lateral mobility trajectories.

Conclusion

The South African government has demonstrated the lack of political will to acknowledge the existence of xenophobia and the damages caused. At all levels of human interaction, poorly handled conflict between authorities and constituents or between majorities and minorities can lead to frustration and alienation on both sides. Wherever important differences exist between groups, there is the potential for destructive intergroup conflict. Given that such conflicts can be very costly to the parties involved as well as to the wider system, especially at the intercommunal and international levels, it is essential to

understand them and to look for ways of managing and resolving them.

Hence, this study has developed different proposals that can be utilised to establish peace, based on the perspectives of migrants. The strain theory was used to understand why locals turn to violence when they face "outsiders". The theory explains that people engage in crime because they feel anger and frustration when they experience certain strains or stressors. Due to the anger created by strains, local citizens tend to threaten foreigners, accusing them of stealing their jobs. Foreigners become easy targets, leading to their victimisation.

The African foreign migrants interviewed in Durban made an appeal to the South African government to invent policies that could play a role in addressing poverty issues in the country. By doing so, the government will have prevented and directly decreased the high level of crime in the country at large. There should be socioeconomic integration for migrants and participation in community programs. Migrants suggested that they should have representatives within the host communities, who could work with local community leaders. The government and community leaders should identify different skilled migrants and use them to build strong and safe communities in the favour of the host community and the host country at large. This requires social integration and cohesion for foreigners to be able to deliver skills training as per their area of expertise.

The government was urged to sensitise local citizens about the values of living together with other African nationals. Creating good relationships has the potential to address the safety and security of African foreign nationals but also to create safety within South Africa at large. There should be initiatives to start building social cohesion through workshops and other conflict resolution awareness campaigns that

will lead the two sides to understand the need of living together for the betterment of the whole society which will then prevent hatred and create a safe environment for all. This goes back to the South African constitution stating that "*South Africa belongs to all who live in it*".

Regardless of the public attitudes towards migrants, the government and the local community leaders have a huge role to play in ensuring the safety and security of foreign nationals. A common feeling among participants was that there is an urgent need for the government of South Africa to set standard policies that protect foreign nationals. An important part of this is to revise the Immigration Act. As one participant says, "the message I have for the government is that they must seat and look back to their migration laws and know that Africa we are one."

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Notes

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