

Are foreigners to blame for our evils or have we lost our humanity?

The previous article highlighted the lack of support for refugee youths and children. **Elias Cebekhulu** and **Muzumbikilwa Wilondji** show that this neglect and abuse pervades our society as it extends to 'Amakwerekwere' and 'Amagrigamba' adults.

It is an undisputed fact that the rise in number of migrants to South Africa has been accompanied by increasing acts of xenophobia particularly against those from other African countries.

Xenophobia threatens the lives of foreign African nationals (see p9). This damages South Africa's international reputation and undermines the African Renaissance agenda. Not long ago Durban hawkers staged a placard demonstration while shouting in Zulu: "Phansi ngamakwerekwere" (down with foreigners). Foreign workers are targets of violent protests, beatings and other intimidation from local competitors, police and ordinary criminals.

Recent news headlines declared "Somalis slain in horrendous killing". Approximately 32 Somalis have been killed in Western Cape informal settlements and others have been injured in violent attacks. Recent research shows that the attitude of police and immigration officials in South Africa seem to have hardened since the demise of apartheid. Xenophobia and the perception that foreigners are criminals has resulted in the police actively seeking out foreigners to brutalise.

The reality is that most powerful economies are built around foreign migrants. The US economy has been built around 12 million foreign workers, of which six million are Mexicans and the remaining six million from the rest of the world.

The rise of undocumented or "illegal" migrants to South Africa since 1994 is considered a significant problem. The media using aquatic metaphors suggest that South Africa is being "flooded" by an unstoppable "tide" of "illegal aliens". The strength and impact of this migration have become the subject of heated contestation involving government, politicians, research agencies and individual experts. Estimates are as high as 12 million.

South African culture has become increasingly xenophobic, and politicians often make unsubstantiated and inflammatory statements that the "deluge" of migrants is responsible for the current crime wave, rising unemployment, or even the spread of diseases. As this unfounded perception grows, migrants become the target of abuse at the hands of South African citizens. As a result, most "foreigners" live in constant fear.

Racism too impacts on xenophobic practices. Even South African citizens have fallen victim to xenophobia because they are perceived as "too dark" to be South African.

The government has adopted a deportation system which it believed would lead to the reduction of migrants. Over a million undocumented migrants have been deported to neighbouring states like Mozambique, Zimbabwe and Lesotho. This system has been criticised by human rights groups, including the South African Human Rights Commission. The gist of their critique has been that the methods of arrest and removal are no different from those deployed to control black South Africans during the apartheid era. This is backed up by current trials such as that of South African policemen setting dogs on defenseless Mozambican migrants.

Such responses contradict Part Four of the Draft White Paper for Refugee Affairs, which recognises that refugees should be afforded basic security rights, including protection from the abuse of state power, such as wrongful arrest, detention and physical attacks.

In the end the choice we have to make as South Africans is between humanity or barbarism.

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Dr Elias Cebekhulu is a senior lecturer at the University of KwaZulu-Natal and Muzumbikilwa Wilondji a DRC masters student in the Social Policy Programme.

Tale of human rights violation: Mushagalusha Ombeni

"I was a victim of assault, intimidation, racism and xenophobia in South Africa. In early February 2002, I was running a hair cut business in one of the Durban south townships. I was staying in town at that time. I used to take a train or taxi to the area of business every morning. The business was going very well to the extent that foreign and local competitors in the area were filled of jealousy. The latter were connected to the police officers of the area who were so closely as well as friendly to them. A plot against my business and I was therefore organised.

A certain morning, these competitors who run two of the area hair cut businesses around me came and tried to remove my shelter. While still arguing, their friends 'police officers' suddenly appeared on the spot. Without asking a question, they started to beat me and after tried to put me in their van but they failed. Few minutes later, two other police vans and two Ventures full of police officers appeared on the scene. They started beating me as if I was a criminal. They suddenly pushed and locked me in one of the police vans and took me to the local police station.

Once in the police station yard... I was once again assaulted by these police officers. They used whatever instrument available to hit me and I was bleeding. When they realised that I was bleeding a lot, they shut the

van's back door and went to drop me at the Durban bus station. I called my brothers who took me to town where I was staying.

The next day I went to the nearby police station to open an assault case but I was told to go back to the station where the incident happened. I asked the officer who was helping me: 'How can I tell the accused to open a case against themselves or their colleagues?' but the response was 'We cannot help you in this instance, go wherever you feel like they can be able to handle your matter.'

On my way back home, I met a Kenyan national who had live in South Africa for 13 years... he decided to see me off to *The Daily Sun* here in Durban to see if I could be helped, but they required me to have a case number which I did not have. We then proceeded to the Durban Central Police Station where a case was opened before I was taken by taxi to the King Edward VIII hospital where I was treated.

The following day I went to the police station to acquire the case number but instead they referred me also to the police station where the incident happened. After a week I came back for the same cause but



instead of the case number I was given a piece of paper written 'Wentworth'. I asked the officer to explain to me its meaning. He told me to go to the police station concerned and speak to the investigator. Failing to be issued with a case number, I decided to launch a complaint with Lawyers for

Human Rights and the Independent Complaints Directorate in Durban.

They addressed consecutive letters to the station commissioner of Durban Central Police Station, as well as to the station commissioner of the police station where the case was held, demanding them to furnish the case number and the investigator's name. Despite these letters, the case number could not be revealed until a delegation of Human Rights lawyers from Pretoria came down to Durban and took me to the police station where I was issued with a real case number and the investigator's name six months later. Three months after the issue of the case number, I was called to an identification parade but since that day no further progress was made. One year passed by and the case was nullified as the accused were government officials." 