Invisible Labour: The Role of Institutionalised Xenophobia in Shaping the Experiences of Migrant Domestic Workers in South Africa

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Table of Contents

Abstract *3*

Introduction *4*

Background **4**

Literature Review **5**

1.3 Theoretical Framework **9**

1.4 Research question **14**

1.5 Methods **14**

1.6 Limitations **16**

2. Institutionalised Xenophobia in South Africa *18*

2.1 Emptying the land **19**

2.1.1 Indigeneity, Xenophobia and the Migrant Labour System 22

2.2 Apartheid and the Institutionalisation of Xenophobia **25**

2.2.1 The Role of other communities 28

2.3 Contemporary laws & Institutionalised xenophobia **34**

2.3.1 Institutional Xenophobia and Its Other Exclusionary Markers 37

Chapter 3: Domestic Workers and Institutionalised Xenophobia in South Africa .. *42*

3.1 The Racialisation and Gendering of Domestic Work **42**

3.2 The Naturalisation of Women as Domestic workers **44**

3.3. Policies Impacting Domestic Workers in South Africa **46**

3.3.1 Apartheid-Era Policies 46

3.3.2 Neoliberal Policies Post-Apartheid 48

4. Conclusion *52*

4.1. The Legacy of Apartheid and Xenophobia in Post-Apartheid South Africa **52**

4.2. Global Economic Forces and Neoliberalism **52**

4.3. Contributions to Existing Literature **53**

4.4. Areas for Future Research **55**

References *57*

Abstract

Xenophobia remains a persistent issue in South Africa, shaping the country's transition from apartheid to democracy and continuing to marginalise migrant workers, particularly in the domestic labour sector. Migrant domestic workers, many of whom come from neighbouring African countries, face systemic exclusion, precarious employment conditions, and, in some cases, outright violence. This dissertation investigates how institutionalised xenophobia has contributed to the exploitation and marginalisation of migrant domestic workers in both apartheid and post-apartheid South Africa. Existing scholarship on xenophobia in South Africa highlights its historical roots in colonial and apartheid-era policies, which entrenched racialised labour hierarchies and exclusionary nationalism. While much of the literature focuses on contemporary xenophobic violence, fewer studies trace the historical continuities between apartheid-era discrimination and present-day exclusionary labour practices. This study builds on works examining the intersections of race, gender, and migration in South Africa's labour market, contributing to the discourse by situating migrant domestic workers within this broader historical trajectory.

This dissertation seeks to answer the question: How has institutionalised xenophobia, across both the apartheid and post-apartheid eras, shaped the marginalisation and exploitation of migrant domestic workers in South Africa? Using a comparative analysis of scholarly literature and historical policy documents, it examines the persistence of exclusionary labour practices and social attitudes toward migrant domestic workers. The findings reveal that xenophobia in South Africa is not merely an expression of individual prejudice but a systemic issue embedded in historical labour structures and nationalist ideologies. While the transition to democracy introduced legal protections for workers, migrant domestic workers continue to experience discrimination, social exclusion, and economic precarity. The study concludes that contemporary xenophobia is deeply rooted in the racialised labour regimes of apartheid and remains a structural force shaping the experiences of

migrant domestic workers today. By tracing these historical continuities, this dissertation contributes to debates on migration, labour, and social justice, offering insights into the policies and interventions needed to create a more inclusive and equitable society.

Introduction

Background

Xenophobia in South Africa is a deeply entrenched issue, shaped by the country's colonial and apartheid history (Solomon and Kosaka 2013, 5, 31, 150, 163; Tafira 2018, 2-3). The legacy of institutionalised racism, labour control, and nationalist ideologies continues to marginalise migrants, particularly from neighbouring African countries (Solomon and Kosaka 2013, 19, 32-33, 42-43, 157, 164, 170; Tafira 2018, 239, 306, 310). Under apartheid, the South African state imposed rigid racial and ethnic divisions, using pass laws and segregationist policies to control the movement of Black South Africans and foreign nationals (Tafira 2018, 2-3)

Although apartheid formally ended in 1994, xenophobic attitudes shaped by that period persist in the post-apartheid context (Solomon and Kosaka 2013, 20; Mlilo and Misago 2019, 7). Migrants are still constructed as the "other," with their racial and national identities often used to rationalise exclusion and scapegoating, especially in times of economic hardship (Tafira 2018, 265, 272, 279, 324, 327; 56-58). While much of the academic literature has focused on overt, large-scale xenophobic violence, these studies sometimes overlook the more subtle and intimate expressions of xenophobia that occur within private households and workplaces (Solomon and Kosaka 2013, 25; Tafira 2018, 292).

It is within these private, close-knit environments that migrant women domestic workers experience particular challenges (Ally 2009, 94). Domestic work, despite being a critical sector in the South African informal economy, remains a largely invisible and unprotected space, especially for migrant women who face compounded vulnerabilities. Not only are they marginalised because of their gender, but their migrant status further exposes them to xenophobic discrimination. Xenophobic

attitudes shape the everyday realities of these women, manifesting in verbal abuse, physical violence, and exploitative working conditions, both from their employers and from local communities.

Although South Africa has established progressive labour laws in the post-apartheid era, migrant women domestic workers remain excluded from these protections due to the informal and private nature of domestic work (Magwaza 2008, 81). As a result, these women are subjected to systemic exploitation, with few opportunities for redress. Xenophobia then functions as a form of exclusion not only at the macro level, but also in micro-level interactions within households, where these women work in isolation, often without legal protections or the support of trade unions.

For migrant women domestic workers, xenophobia does not only involve large-scale violence but also manifests in subtler, everyday forms within the intimate spaces of private homes. This community of women experience xenophobia as they are perceived as “outsiders” or “undesirable others” by their employers and local communities. The intersection of gendered and racialised xenophobia creates a unique form of exclusion that is distinct from the experiences of male migrants or South African workers (Sigsworth et al. 2009, 08; Raniga 2019, 10). This study seeks to shift the focus towards understanding the lived experiences of migrant women domestic workers, recognising that their experiences of xenophobia are multifaceted and require a more nuanced examination than is offered by dominant discourses on migration and xenophobia. By focusing on how xenophobia manifests in domestic work, this research challenges the generalisation of migrant experiences and highlights the ways in which domestic workers, particularly women, navigate not only national borders but also the intimate boundaries of private households.

Literature Review

Migration within South Africa, particularly during apartheid, was not simply a matter of voluntary movement but rather a forced and structurally controlled phenomenon. The imposition of the Bantustan system, which sought to segregate the Black population into ethnically defined areas, created a mass of internal migrants, including many

Bantu women[1], who were subjected to the dual pressures of rural poverty and urban labour demands. These women, as both internal and cross-border migrants[2], were often pushed into domestic work a sector that became a significant source of economic survival but also a site of gendered and racialised exploitation.

The South African state's policies toward non-nationals often present a contradictory narrative: while the country officially promotes non-racialism and equality, the lived experiences of non-nationals, particularly migrant women, suggest otherwise. South Africa's post-apartheid identity remains marked by an ongoing struggle between the ideal of inclusivity and the reality of exclusion for those deemed "foreign" or "other." In this context, migrant women, particularly those working in domestic labour, continue to face severe socio-economic marginalisation, with xenophobia both a symptom and a cause of their precarious status (Ramutsindela 1997, 99 - 110).

Scholarly work on xenophobia in South Africa has largely concentrated on the study of xenophobic violence, with much of the research highlighting themes of economic competition, national identity anxieties, and the social exclusion of migrants. Scholars such as Harris (2001, 2 - 4) and Sigsworth et al. (2008) have emphasised that xenophobic violence is often driven by perceptions of migrants as economic competitors, particularly during times of economic hardship. Harris (2001, 12 - 15), for example, links xenophobic violence to the historical legacies of apartheid and the socio-political instability that followed South Africa's transition to democracy. This violence is frequently framed as a reaction to the perceived "threat" posed by migrants to scarce resources, exacerbated by rising unemployment and poor economic conditions (Harris 2001, 6 - 10). Sigsworth et al. (2008) similarly discuss the gendered nature of xenophobia, highlighting how female migrants are disproportionately affected by both racial and gendered violence. Migrant women, particularly those in domestic work, are rendered more vulnerable due to their marginalisation both in broader society and the workforce (Sigsworth et al.2008, 08 - 25).

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[1] The term "Bantu" refers to a large language family spoken across sub-Saharan Africa. While historically used for broad ethno-linguistic classification, it has limitations in capturing the rich diversity among these groups (Hirsch, 2024). In this context, "Black women from the bantustans" refers to women from various ethnic backgrounds forcibly relocated to segregated homelands during South Africa's apartheid era. However, it's crucial to acknowledge the internal diversity within these communities, shaped by factors like specific ethnicities, regional variations, and individual circumstances.

[2] From their respective homelands into the Union of South Africa as non-citizens of the Union of South Africa

While these insights provide critical context, much of the scholarship on xenophobia has concentrated on its immediate and visible manifestations, such as violent attacks, social exclusion, and discriminatory practices. However, these studies often overlook the historical dimensions of xenophobia, particularly the ways in which such attitudes evolved over time and were deeply entrenched in South Africa's colonial and apartheid history. The contemporary forms of xenophobia that are evident in South Africa's domestic labour market and broader social relations must be understood not just as a product of post-apartheid economic crises, but also as a continuation of historical processes of exclusion and racialised 'othering' initiated during the colonial and apartheid periods.

Building on these insights into the immediate causes of xenophobia, scholars such as Mamdani (1996, 37 – 62, 218 - 285) and Mpofu (2020) argue that xenophobia in post-apartheid South Africa cannot be understood in isolation from its colonial and apartheid-era roots. Mamdani (1996, 62 - 109, 218 - 285) stresses how colonial governance constructed African 'migrant' labourers as subordinate and excluded them from full citizenship, laying the groundwork for the enduring marginalisation of migrants. This racialised underclass was created and perpetuated through state policies that sought to control the mobility of Africans (Black South Africans and non-nationals), particularly in the context of migrant labour systems designed to fuel the apartheid economy. These racial divisions between nationals and non-nationals, initially enforced through colonial rule and later formalised under apartheid, persist in contemporary xenophobic sentiments (Mamdani 1996, 37 - 62, 218 - 285). Mpofu (2020) extends this argument by drawing attention to the ways in which xenophobic practices and attitudes are not merely a byproduct of the post-apartheid economic crisis but are deeply rooted in these historical processes of exclusion and racialised thinking. For Mpofu, xenophobia must be understood as part of a broader, ongoing legacy of colonial and apartheid systems of racialised labour exploitation and cultural exclusion (Mpofu 2020, 48).

While Mamdani and Mpofu highlight the deep historical roots of xenophobia, much of the existing research on migration and xenophobia has tended to generalise the experiences of migrants, failing to recognise the diverse ways in which nationality, gender, legal status, and socio-economic background shape their experiences. Tafira

(2017, 31) and Solomon and Kosaka (2014, 09, 21 - 22) observe that not all migrants face the same level of discrimination or violence. For example, migrants from wealthier countries or those with formal legal status tend to experience lower levels of xenophobic violence compared to those from economically poorer neighbouring countries or those without legal status. Mlilo and Misago (2019) further illustrate this point, showing that some migrants, for instance, tend to be subject to more scio-economic vulnerabilities than migrants from wealthier nations (Mlilo & Misago 2019, 2 - 7).

This gap in the literature regarding the differentiated experiences of migrants, particularly those based on their legal and socio-economic status, underscores the need for a more nuanced study that specifically addresses the vulnerabilities of non-national domestic workers in South Africa. Scholars such as Mbiyozo (2022) have highlighted how migrant domestic workers, especially women from neighbouring countries, face disproportionately high levels of xenophobic violence and exploitation. However, the specific ways in which these experiences mirror or diverge from the exploitation faced by Black South African domestic workers under apartheid remain underexplored. This study seeks to fill this gap by exploring how the historical roots of xenophobia, anchored in the racialised and gendered dynamics of colonial and apartheid systems, continue to shape the marginalisation and exploitation of migrant domestic workers today.

As discussed, the existing scholarship, while crucial in documenting the present-day realities of xenophobia in South Africa, has often prioritised the immediate and visible manifestations of violence and exclusion. While this work is invaluable for understanding the current situation, it frequently neglects the deeper, structural foundations of these issues, which are inextricably linked to South Africa's colonial and apartheid history. Scholars such as Tafira (2011, 2017), Mamdani (1996), and Mpofu (2020) have offered a more comprehensive framework by situating xenophobia within the broader historical context of racialised labour exploitation, colonial governance, and apartheid policies. Their work demonstrates that the roots of contemporary xenophobic violence lie in the legacy of colonial and apartheid-era exclusions, which continue to shape attitudes toward migrants in South Africa today.

In response to this gap, this research aims to bridge the divide between the immediate, visible forms of xenophobia and their deep historical origins. This work does so by engaging with the work of scholars such as Tafira (2011, 2017) and Mpofu (2020), who argue that xenophobia in South Africa is not just a fear or hatred of foreigners, but rather a form of systemic and structural racism that is rooted in colonial and apartheid history. Specifically, Mpofu's work touts the argument that what is called xenophobia in South Africa is connected to the rage and the clash of cultures that is necessitated by the colonial logic of nationalism, which is inevitably infected by the colonial and apartheid ideology of racism (Mpofu 2020,34–50).

This historical lens is crucial for understanding the intersectional experiences of migrant domestic workers, who are subjected to multiple forms of discrimination based on their gender, legal status, and nationality. By examining how these layers of oppression, such as xenophobia, labour exploitation, and social exclusion, interact with the colonial and apartheid-era systems of exclusion, this dissertation aims to contribute to the emerging scholarship on xenophobia by offering a more nuanced understanding of how the dynamics of migration, labour, and 'othering' have evolved over time. The research will demonstrate that while xenophobia may appear to be a contemporary issue, it is, in fact, deeply rooted in the historical processes that shaped South Africa's racial and labour segregation, which continue to affect the experiences of migrant domestic workers today.

1.3 Theoretical Framework

This theoretical framework brings together several critical theories to analyse migrant precarity, labour exploitation, and institutionalised xenophobia. It integrates necropolitics, intersectionality, and racial capitalism to examine how structural forces render certain migrant populations vulnerable. Below is a brief discussion of these theories:

Necropolitics (Mbembe, 2019): offers a crucial framework for analysing how power operates through the control of life and death, particularly in contexts shaped by colonialism, racial capitalism, and state-sanctioned violence. Necropolitics refers to the power to determine not only who lives or dies, but also who is abandoned or left

to die, often through mechanisms of neglect, systemic violence, and deprivation (Mbembe 2019,27 - 35). In South Africa, xenophobia serves as a manifestation of necropolitical power, creating conditions in which migrants' lives have always been devalued, rendered disposable, and relegated to the margins of society. Migrants, particularly those from other African nations, often find themselves in "zones of exception" (Agamben 2005)[3], where legal protections and basic human rights are suspended. In the context of migration, necropolitics helps frame how policies, surveillance, and policing contribute to the production of 'unlivable' conditions for certain migrant groups. It exposes how migrants are often stripped of their rights, subjected to hostile policies, and placed in precarious, often violent, environments where their existence is regulated through exclusionary state practices. The role of the state in perpetuating this necropolitical dynamic is evident in its immigration policies, which frequently create precarious legal statuses for migrants, rendering them vulnerable to exploitation and abuse. South Africa's immigration regime has been subject to extensive critique for its inconsistencies and inadequacies. In addition, the state's failure to enforce existing laws and its insufficient protection of migrants contribute to an environment where violence and exploitation are normalised and unchallenged (Landau et al. 2005, 8–10).

Intersectionality (Crenshaw 1991, 1241–1299): This framework reveals how overlapping systems of oppression, such as race, gender, class, and nationality, intersect to shape migrants' lived experiences. Sigsworth et al. (2008) highlights the intersecting systems of oppression, such as race, gender, class, and nationality, shape the experiences of migrant women. It emphasises how their vulnerability in sectors like domestic work is influenced not only by gender but also by race, nationality, and class. Sigsworth demonstrates how these overlapping forms of oppression make migrant women more prone to exploitation, exclusion, and abuse in the workplace, as

[3] Giorgio Agamben's *State of Exception* (2005) analyses the state of exception as a mechanism by which sovereign power suspends the normal legal order, thereby creating what can be understood as "zones of exception", spaces where the law is effectively nullified. As Agamben argues, "The state of exception is not a dictatorship, but a space without law" (2005,20). This suspension of law enables sovereign power to operate outside legal constraints, establishing a space of indistinction between law and fact, where the sovereign alone determines the exception. This concept, central to Agamben's broader critique of sovereign power and his engagement with the work of Carl Schmitt, is explored throughout the work, particularly in Chapter 1, "The State of Exception" (Agamben 2005,15 -30). Here, Agamben traces the historical and theoretical development of this concept, drawing on examples from Roman law, Schmitt's political theory, and the Nazi concentration camps to illustrate how the state of exception can become a permanent condition. Furthermore, in Chapter 2, "The Exception and the Rule" (Agamben 2005, 33–60), Agamben elaborates on how the state of exception blurs the distinction between the outside and the inside, creating zones where individuals such as refugees, the stateless, or those in detention are placed outside the protection of the law. As Agamben states, "The zone of indistinction between outside and inside, which is the specific characteristic of the state of exception, is thus determined by the suspension of the topological relation of inclusion" (2005,39). This suspension enables the exercise of unchecked power over those within these zones.

they depend on employers for both their livelihood and legal status. This intersectionality exacerbates the difficulties they encounter in their everyday lives. The South African Human Rights Commission (SAHRC 2010, 45 - 52) further underscores that migrant women in domestic service face intersectional discrimination, as their foreign status, gender, and class expose them to heightened violence and exploitation. Research by Bosch and McLeod (2015, 142 - 145) reveals that the isolation of domestic workers within employers' homes creates conditions where physical and sexual violence can occur unchecked. Additionally, migrant domestic workers often lack awareness of their labour rights, making it difficult for them to report mistreatment without risking deportation or job loss (Ally 2009, 114; Vanyoro 2021, 663 - 681). The intersectional lens reveals the limitations of single-axis analyses, as focusing solely on xenophobia ignores the gendered violence migrant women experience, while focusing only on gender neglects the specific vulnerabilities resulting from xenophobic exclusion and discrimination.

Crenshaw's intersectionality framework highlights how overlapping systems of oppression (such as race, gender, class, and nationality) create distinct forms of exclusion and discrimination. This research applies the framework to examine how these intersecting oppressions shape the experiences of migrant women and contribute to their exploitation in the domestic labour market, with a focus on the complexities of race and nationality in contexts like South Africa. For instance, female migrants from historically marginalised ethnic groups, such as domestic workers from the Bantustans, continue to face compounded vulnerabilities in both labour markets and social spaces. Despite gaining citizenship post-1994 and expecting improved conditions, these changes have not fully materialise, demonstrating that inclusion alone will not affect change.

Racial Capitalism (Robinson, 1983): This concept situates the exploitation of migrant labour within the broader structure of global capitalism, where racialised subjects are treated as disposable labour sources. This framework is crucial for understanding how economic structures rely on migrant labour while simultaneously dehumanising and excluding migrant workers from full social and political participation (Robinson 1983, 1 - 28). Migrants in South Africa are often confined to low-wage, dangerous, and exploitative labour sectors such as domestic work, agriculture, and construction,

where they are highly vulnerable to poor working conditions, violence, and systemic abuse, all in the name of capitalist accumulation. The exploitation of migrant labour is not incidental but a structural feature of global capitalism that sustains racial hierarchies. Research by Dinkelman and Ranchhod (2010, 12 - 15) shows that minimum wage laws, intended to protect workers, fail to safeguard migrants, who remain vulnerable to exploitation by unscrupulous employers. Furthermore, reports from the South African Human Rights Commission (SAHRC) and various labour unions highlight the widespread abuse of migrant workers, including physical violence and verbal abuse by both employers and co-workers (Magwaza 2008, 89).

Institutionalised Xenophobia: While existing literature extensively explores the phenomenon of xenophobia in South Africa, a clear and comprehensive definition of institutionalised xenophobia remains largely absent. Several scholars have provided valuable insights into the institutional dimensions of xenophobia, which inform this definition. Harris (2001, 12 - 15), provides a foundational analysis, arguing that xenophobia in post-apartheid South Africa is deeply intertwined with social, economic, and political structures, not simply a matter of individual attitudes. Harris' work identifies the marginalisation of non-nationals through institutional policies and links systemic violence and crime to xenophobic sentiments fostered by government neglect and social fragmentation. This analysis highlights how institutions, through their actions, or inactions, can create an environment conducive to xenophobia.

Similarly, Pietersen (2022, 4 -7) frames xenophobia as a form of "othering" reinforced by institutional practices. He focuses on the legal and social frameworks that fail to protect foreigners, demonstrating how these systems contribute to the exclusion and marginalisation of non-nationals. Pietersen's work emphasises how institutions perpetuate xenophobia by creating and maintaining discriminatory structures. Tawodzera and Crush (2023, 5 - 10) provide further evidence by examining informal sector policies, arguing that these policies reflect and perpetuate xenophobic attitudes, systematically excluding foreign nationals from economic participation. The South African Human Rights Commission's (2010, 45 - 60) report also offers a stark picture of systemic xenophobia within state institutions, detailing how state bodies often fail to address violence against non-nationals effectively, perpetuating a culture of discrimination. Building on earlier discussions of Mamdani's (1996) *Citizen and*

Subject, his analysis offers a crucial historical lens through which we can understand how colonial legacies have shaped institutional structures, framing citizenship and belonging in ways that continue to exclude certain groups and perpetuate a hierarchy of belonging.

Although several scholars have alluded to the systemic nature of xenophobia, acknowledging its embeddedness within institutions and policies, they often stop short of providing a precise and operationalised definition. This conceptual gap is further complicated by the fact that the term itself is still emerging in academic discourse. For example, even in the most recently published peer-reviewed article on related themes, Umeh, Olofinbiyi, and Gopal (2024, 170 - 175) do not offer a distinct definition of institutionalised xenophobia; instead, they focus on the related, but distinct, concept of *Afrophobia*[4]. While Afrophobia, which refers specifically to prejudice and discrimination against people of African descent, is a crucial aspect of xenophobia in South Africa, it does not fully capture the broader phenomenon of discrimination against all non-nationals, regardless of their origin or legal status. This study argues for a broader conceptualisation of 'institutionalised xenophobia' to encompass discrimination against all non-nationals, regardless of their origin or legal status. This conceptual gap underscores the need for a more nuanced understanding of how xenophobia operates, not merely as individual prejudice but as a force woven into the very fabric of society, affecting all non-nationals. This study addresses this gap by proposing the following definition:

Institutionalised xenophobia refers to the systemic and historically rooted discrimination against non-nationals embedded within the structures, policies, and practices of institutions, both public and private. This discrimination perpetuates the exclusion and marginalisation of foreign nationals and is reinforced by, and reinforces, broader societal prejudices and power imbalances.

This definition emphasises the key features of institutionalised xenophobia: its systemic nature, its grounding in historical power structures, and its discriminatory impact on all non-nationals. It draws upon and synthesises insights from various

[4] Isike and Isike focus on the socio-cultural and economic dimensions of Afrophobia, particularly in the context of African migrants in South Africa. They argue that Afrophobia is not merely a reaction to economic competition but is deeply rooted in historical and structural inequalities inherited from apartheid. Christopher Isike and Efe Isike, "A Socio-cultural Analysis of African Immigration to South Africa," *Alternation* 19 (2012): 93–116

scholars to capture the multifaceted nature of the phenomenon, recognising its embeddedness within institutions, its historical roots, and its intersectional manifestations. This definition is informed by the works of scholars such as Fanon (2008), Mbembe (2019), and Crenshaw (1991), who explore the psychological, social, and intersectional dimensions of colonial oppression and its lingering effects. It also incorporates insights from scholars focusing specifically on South Africa, such as Magubane (1979,1986,1996), Wolpe (1972), Mamdani (1996), and Tafira (2017), who highlight the historical and political context of racial and national exclusion. This conceptual clarity will serve as a foundation for further investigation into the policies and practices that enable xenophobia to persist within South African institutions, particularly in relation to the treatment of migrant domestic workers, which is the focus of this research.

1.4 Research question

This study makes a distinct contribution by focusing specifically on how structural xenophobia fuels exploitation within the domestic work sector. By narrowing the scope to migrant women in domestic work, the research provides a detailed examination of how xenophobia translates into concrete forms of abuse and discrimination. Furthermore, the comparative analysis of apartheid-era and post-apartheid experiences offers valuable insights into the continuity and transformation of the legal and social structures that perpetuate migrant domestic workers' marginalisation. This study focuses on understanding how power operates at both macro and micro levels to shape the experiences of migrant women in domestic work. It does so by asking the question: How has the marginalisation and exploitation of migrant domestic workers in South Africa been shaped by institutionalised xenophobia across apartheid (low and high segregation) and post-apartheid? This question inherently considers the role of legal and social structures in shaping these processes.

1.5 Methods

This study employs a qualitative methodology, specifically a desktop literature review, to investigate the interconnected themes of migration, xenophobia, gender, labour rights, and identity in post-apartheid South Africa. This research focuses on how structural xenophobia fuel exploitation within the domestic work sector, particularly in

relation to migrant women, an area that remains insufficiently understood. By exploring the complex intersectionality of race, gender, and nationality as it shapes migrant domestic workers' experiences, this study aims to contribute to a deeper understanding of how institutionalised xenophobia informs both labour market structures and migrant social integration, ultimately providing a foundation for more comprehensive policy approaches.

A desktop literature review, as employed in this study, involves the systematic and critical examination of existing secondary sources to explore a specific research question. It entails a rigorous process of identifying, selecting, analysing, and synthesising relevant materials such as academic books, journal articles, reports, policy documents, and credible news articles (Bryman 2016, 52). This approach is particularly valuable when primary data collection is not feasible due to resource constraints, time limitations, or the sensitive nature of the research topic (Jacobsen & Landau 2003, 9). In the context of studying xenophobia and its impact on vulnerable populations, accessing primary data through interviews or surveys can be ethically challenging and potentially re-traumatising for participants. Therefore, a desktop review offers a less intrusive yet equally insightful method for exploring these complex issues.

This methodology is particularly well-suited to this research because it allows for a broad and nuanced understanding of the historical, socio-political, and economic contexts that shape the experiences of migrant domestic workers in South Africa. As Jacobsen and Landau (2003, 10) argue, secondary sources can provide rich and diverse perspectives on complex social phenomena, allowing researchers to trace historical trends, identify key actors, and analyse the interplay of various factors that contribute to the issue under investigation. Furthermore, the dynamic nature of migration and xenophobia necessitates a flexible approach that can incorporate new information and insights as they emerge. A desktop review, by its nature, allows for the continuous updating and refinement of the research as new data becomes available (Hart 1998, 123). This is crucial for understanding the evolving landscape of migration and its impact on migrant domestic workers in South Africa.

While primary data collection often raises ethical challenges, such as obtaining informed consent and ensuring participant confidentiality, secondary data analysis

offers an ethical advantage in studies of vulnerable populations. Since this research does not involve direct interaction with participants, it avoids the ethical complexities of working with sensitive or traumatised groups. However, ethical considerations still apply in secondary data research, particularly in handling sensitive information with respect and ensuring that all sources are ethically gathered and represented. This research method emphasises being mindful of accurately representing the work of others and acknowledging potential biases within existing literature. This approach allows for the exploration of complex issues without the risk of causing harm or re-traumatisation to participants.

The study also underscores the importance of historical context. As noted by Mamdani (1996, 218 - 285), the experiences of migrant domestic workers are deeply rooted in the apartheid legacy, which continues to influence policies and public attitudes today. A desktop review enabled this study to delve into historical documents and scholarly analyses of archival materials to uncover the historical roots of contemporary challenges faced by migrant domestic workers. This historical perspective is essential for developing effective and sustainable solutions to address the ongoing exploitation and discrimination experienced by this vulnerable group. The reviewed literature was analysed thematically to identify key trends, patterns, and contrasting perspectives.

1.6 Limitations

While this study offers valuable insights into the interconnected themes of migration, xenophobia, gender, labour rights, and identity in post-apartheid South Africa, it is important to acknowledge its limitations. As a desktop literature review, the research is inherently constrained by the availability and scope of existing scholarship. While a substantial body of research on migration in South Africa exists, the availability of literature specifically addressing the intersection of xenophobia and labour exploitation within the domestic work sector, particularly concerning undocumented migrant workers, remains limited. This gap in existing research does, to a certain extent, restrict the study's ability to fully explore the specific vulnerabilities and challenges faced by this particular demographic.

The reliance on secondary sources also presents certain limitations. The retrospective nature of much of the available data may have limited the study's capacity to fully

capture the rapidly evolving dynamics of migration patterns and the impact of recent policy changes on migrant domestic workers. Furthermore, the exclusion of sources in languages other than English, such as isiZulu, may have also limited the study's access to crucial local perspectives on xenophobia and its impact on migrant communities, potentially overlooking nuanced cultural or social factors that influence attitudes and experiences. This linguistic limitation could inadvertently bias the study's findings towards dominant narratives available in English-language sources.

Moreover, the absence of primary data, such as interviews or oral histories, means that the study cannot fully capture the lived experiences of migrant domestic workers, including their coping mechanisms, resistance strategies, and individual narratives of exploitation. While existing research provides valuable insights into broader trends and patterns, it cannot fully replicate the depth and richness of individual experiences, potentially overlooking the agency and resilience of migrant women in the face of adversity. The interpretations presented, therefore, are necessarily based on existing analyses and may not fully reflect the complex realities experienced by migrant domestic workers on a daily basis.

Despite the breadth of data included, this study acknowledges the limitations outlined above and suggests several avenues for future research. These include primary data collection, such as in-depth interviews and focus groups, to explore the nuanced experiences of individual migrant domestic workers and the incorporation of multilingual sources to capture a wider range of local perspectives. Further research could also explore the role of specific policy interventions and their impact on the lives of migrant domestic workers who operated under apartheid, contributing to a more comprehensive understanding of the historical challenges and opportunities within this complex field.

2. Institutionalised Xenophobia in South Africa

Xenophobia in South Africa, while often presented as a contemporary issue, is deeply rooted in the country's colonial and apartheid past. During these periods, racial divisions were institutionalised, marginalising non-white populations, particularly Black Africans, and positioning them as aliens within their own land. As Mpofu (2020, 35) argues, the racial hierarchy established under colonial and apartheid rule laid the foundation for the continued racialisation of Black South Africans and African migrants, reinforcing the perception of Black Africans as ‘foreigners’ in their own land. This historical exclusion laid the groundwork for the xenophobia that persist today, targeting both historically disadvantaged Black South Africans and African migrants perceived as ‘foreign’ (Mbiyozo 2018, 7-8; Mlambo & Mlambo 2021, 349). The post-apartheid state, while aiming for reconciliation, has yet to fully dismantle these legacies of racial marginalisation, resulting in a continued 'othering' of African migrants (Tafira 2011, 115; Solomon & Kosaka 2014, 6).

This chapter explores the institutionalisation of xenophobia through the historical lens of colonial and apartheid-era policies, examining how these legacies continue to shape contemporary South African society. It focuses, in particular, on the ways in which indigenous Africans were constructed as ‘foreign’ during these periods and how this racialised notion of ‘otherness’ has evolved to target African migrants in present day South Africa. The chapter also examines the role of laws, policies, and social practices in perpetuating xenophobia, highlighting how these institutionalised structures continue to marginalise African migrant populations.

This chapter argues that the institutionalisation of xenophobia in South Africa constitutes a complex, cyclical process that has evolved historically. Beginning with the colonial era, when indigenous Africans were constructed as ‘natives’ and excluded from political and social life, the apartheid regime then formalised these racial divisions, classifying indigenous Africans as ‘blacks’ and further entrenching their marginalisation. In the post-apartheid era, these historical legacies have manifested in the ongoing exclusion and discrimination of African migrants, perpetuating a cycle of ‘othering’ whereby previously marginalised groups, upon achieving a degree of acceptance, often participate in the exclusion of others. This intergenerational

transmission of xenophobia is exacerbated during periods of socio-economic instability.

2.1 Emptying the land

The process of 'othering' was achieved through policies that dispossessed native Africans of their land. As Hudson (2013, 265 - 267) argues, these mechanisms of exclusion were not merely administrative, but were deeply tied to the psychological and ideological control the colonial state sought to exert over its subjects. The practice of land dispossession often involved violence and displacement, which created a sense of alienation and rootlessness among the native population. The introduction of segregation laws further entrenched this marginalisation, restricting the movement and rights of the native population and reinforcing their status as outsiders in their own land (Hudson 2013, 267).

The concept of 'emptying the land' is central to understanding the historical and ongoing construction of the 'native' as a foreigner, particularly in settler colonial contexts. As Wolfe (2006, 387 - 392) argues in his foundational work on settler colonialism, the process of 'emptying' involved not only the physical displacement of indigenous peoples from their ancestral lands but also the systematic erasure of their history, culture, and identity. This deliberate dispossession renders the original inhabitants foreign in their own land, facilitating the establishment of a new colonial order in which they are marginalised or excluded. In this way, settler colonialism functions as both a physical and symbolic act of violence, undermining the legitimacy of indigenous identities and creating a racialised division of space (Wolfe, 2006, 388).

Settler colonies such as Australia, the USA, and Canada provide stark examples of how 'emptying the land' was achieved through the displacement and marginalisation of native or indigenous populations. In Australia, the Aboriginal people were systematically displaced and killed as their land was seized for colonial settlement. Similarly, in the USA, Native American communities suffered brutal forced removals and the decimation of their populations. In Canada, the forced assimilation of indigenous children through residential schools, where thousands died and were buried in unmarked graves, represents another facet of 'emptying the land' – the erasure of culture and identity. While the Canadian example did not follow the same

genocidal trajectory as in Australia or the USA, the forced assimilation policies aimed to eradicate indigenous cultural practices and replace them with colonial norms, contributing to the dispossession and marginalisation of indigenous populations (Truth and Reconciliation Commission of Canada 2015, 25 - 26). These examples collectively demonstrate that the 'emptying of the land' is not merely a physical act of dislocation but also a cultural and social erasure that renders native populations foreign within their own territory. The goal of these processes was to eliminate indigenous identity and establish a new, colonised reality where the original inhabitants were made invisible or 'other'.

This pattern of dispossession and exclusion is mirrored in South Africa, where colonial and apartheid regimes systematically marginalised and dispossessed the indigenous population, constructing the native as a 'foreigner' within their own land. The systematic land dispossession that occurred in the wake of colonialism created a division between those considered 'native' to the land and those perceived as 'foreign', even if their roots in the land stretched back centuries. These policies systematically transformed indigenous[5] Africans into foreigners in their own country through forced removals, racial segregation, and the denial of their rights to land and citizenship contributing to the construction of a racial hierarchy that relegated natives to the status of outsiders in their own country.

The colonial state employed military conquest as one of its most brutal tools, seeking to crush indigenous resistance and forcibly displace populations. During the Anglo-Zulu War (1879), for instance, British forces used scorched earth tactics to destroy entire villages, livestock, and crops, killing tens of thousands of Zulu people in the process (Laband 1997, 47-51). The Zulu were not merely defeated in battle; their entire social and economic fabric was destroyed in an effort to reduce them to submission. Similarly, in the Xhosa Wars (1779-1879), British forces decimated entire communities through the destruction of vital resources like crops and livestock,

[5] The term "Indigenous" in the context of South Africa, is intentionally used in reference to include non-national Africans in South Africa to challenge colonial legacies in the region. The borders of African nations were arbitrarily delineated by foreign powers during the colonial period, often splitting culturally and historically connected groups. By using the term "Indigenous," I aim to recognise that all Africans, regardless of contemporary national boundaries, are Indigenous to the African continent. This perspective aligns with the principles of ubuntu, which emphasises shared humanity and interconnectedness. To label African individuals as "foreign" on African soil is to uphold colonial distinctions and perpetuate a limited, Eurocentric understanding of identity and belonging. Through this approach, I seek to highlight the ongoing colonial impact on African identity and contribute to a broader, decolonial dialogue on the subject.

creating widespread famine and economic dependency, which severely undermined the Xhosa people's ability to resist colonial domination (Giliomee 2013, 75-78). These wars, spanning several decades, represent the violent method by which the British sought to erase indigenous autonomy, territoriality, and culture, ultimately positioning European settlers at the apex of a rigid racial hierarchy. As Fanon (2008, 53) explains, colonial violence was not just about the physical destruction of communities, but also the systematic dehumanisation of the colonised, turning them into objects rather than subjects of history. This notion of dehumanisation was further compounded by the psychological warfare that made the colonised internalise their inferiority (Hudson 2013, 269). The legacy of this violence is critical for understanding the racial hierarchies that persist into the present day, shaping contemporary experiences of indigenous populations and non-nationals alike.

This legacy of racialisation, where some groups were constructed as threats to colonial control, translates directly into contemporary patterns of exclusion, particularly in relation to non-South Africans. Xenophobic violence in modern South Africa is not an isolated phenomenon but rather an echo of the colonial and apartheid violence that sought to maintain a rigid boundary between insiders and outsiders. Xenophobic violence in contemporary South Africa mirrors earlier state-sanctioned violence, particularly during the wars against indigenous groups, where non-South Africans were regarded as threats to colonial dominance and territorial control. Just as indigenous resistance to colonial expansion was violently suppressed in the 19th century, today's migrant populations, especially those from other African countries, are often portrayed as invaders, threatening the political and economic stability of the nation. This racialisation of migrants continues to be reinforced through contemporary migration control policies, which render non-nationals as expendable. These policies, rooted in apartheid-era logic, treat migrants and refugees as threats to national security rather than individuals with rights, echoing the dehumanising tactics used during the colonial and apartheid periods to control and marginalise non-White populations.

The history of military conquest and cultural extermination has a direct lineage to contemporary migration control practices. The violence of colonial conquest in South Africa was not confined to military force alone; it was an intricate and multifaceted

strategy designed to reshape society. Roman Dutch law, which formed the foundation of South Africa's legal system during the colonial period, played a crucial role in dispossessing indigenous peoples of their land. More than a legal framework, Roman Dutch law facilitated the extermination of indigenous cultures, both physically and culturally, providing the intellectual justification for their subjugation (Magubane 1986, 112 - 116). In the current era, the South African state continues this legacy through the exclusionary practices of border control, deportation, and restrictive immigration policies, all of which disproportionately affect non-South Africans. Much like the colonial strategy of physically and culturally erasing indigenous communities, contemporary migration policies, often framed in terms of security and economic protection, serve to maintain a racial and territorial hierarchy that marginalises non-citizens. This "post-apartheid" logic, however, continues to use violence, both physical and structural, to preserve a racialised state apparatus that views the "other" as disposable. As in the colonial past, current forms of violence directed at migrants, ranging from physical attacks to the systematic denial of rights such as healthcare, education, and employment, serve as a means of maintaining control over vulnerable populations. The contemporary xenophobic violence in South Africa, perpetuated by both state indifference and public hostility, is a direct consequence of the historical legacies of racial exclusion and territorial control that have been integral to South Africa's colonial and apartheid history. These continuities between the past and present underscore a broader theme in South African governance: the treatment of non-nationals as "disposable" subjects, whose lives are regarded as less valuable than those of citizens (Mbembe 2021, 107 – 109). The violence against migrants today should therefore be understood as part of a long history of systemic violence, first enacted during colonial rule and later perpetuated under apartheid, that continues to shape the state's approach to citizenship, belonging, and human dignity.

2.1.1 Indigeneity, Xenophobia and the Migrant Labour System

The historical context of xenophobia in South Africa is rooted in the legacies of colonialism and apartheid, which established and perpetuated systems of racial and ethnic division that continue to shape contemporary attitudes towards non-nationals, particularly those from other African countries. Xenophobia in South Africa is not a recent phenomenon but a deeply ingrained part of the country's socio-political fabric, with its origins tracing back to the colonial period and solidified during the apartheid

era. This historical context can be understood through Mahmood Mamdani's concept of the bifurcated state, where colonial and apartheid systems created and reinforced a division between urban 'citizens' and rural 'subjects', a division that persists in modern day South Africa and continues to inform xenophobic attitudes towards foreign nationals (Mamdani 1996, 37 - 62). Moreover, the bifurcated state framework can be seen in the migrant labour system that colonial authorities put in place.

Natives were treated as temporary labourers in urban areas, their presence tolerated only insofar as it served the economic interests of the colonial power. These migrant workers were seen as 'subjects', occupying a subordinated position in the urban economy without access to the rights and privileges afforded to 'citizens' (Mamdani 1996, 37 - 62). This system not only created a divide between the colonisers and the colonised but also fostered a hierarchy within the native population itself, with those in urban areas having slightly more privileges than those confined to rural areas, further reinforcing the 'citizen' versus 'subject' dichotomy. This system of labour exploitation laid the groundwork for the deep-seated divisions within South African society that would evolve into more overt forms of xenophobia in the decades to come (Mamdani 1996, 37 - 62).

The migrant labour system in South Africa became the cornerstone of colonial and apartheid-era policies, which deeply influenced the construction of the 'native' as a foreigner and shaped the racial and socio-political dynamics of the country. In the context of colonialism and apartheid, the term 'native' was used to define indigenous Africans as subjugated, landless, and outside the full scope of citizenship. Under these regimes, indigenous people were constructed as 'temporary' members of society, marked by their dispossession and lack of access to state resources. This concept of the native was central to how indigenous South Africans were treated, not as full citizens but as expendable labourers, either tied to the land, in the case of natives living in rural reserves, or to the mines and factories where they worked as migrant labourers. As Pragna Rugunanan and Nomkhosi Xulu-Gama (2021, 1 - 20) assert that migration in the region was never solely an economic phenomenon but was shaped by colonial histories, structural inequalities, and racialised social orders. The migrant labour system was therefore not just an economic arrangement but a means of further

entrenching the racial hierarchies that defined who was considered a native and who was not (Rugunanan & Xulu-Gama 2021, 56).

To make sense of xenophobia in South Africa, one needs to understand that it is a deeply entrenched and dynamic phenomenon that is neither static nor uniform but exhibits cyclical and shifting patterns across time and socio-political contexts. This cyclical nature of xenophobia in South Africa is underpinned by a complex interplay of historical, economic, and political factors. Throughout South African history, groups that were once marginalised or oppressed often find themselves becoming perpetrators of exclusion once they attain social, economic, or political power. This "revolving door" of "otherness" perpetuates cycles of xenophobia, creating a significant barrier to the construction of a truly inclusive and equitable society (Landau 2005, 58).

Harris (2001) argues that the origins of xenophobia in South Africa can be traced back to the colonial period, when European settlers and colonial authorities implemented policies of exclusion and marginalisation against indigenous African populations. These exclusionary practices were racialised, reinforcing systems of oppression and exploitation aimed at indigenous South Africans (Harris 2001, 22, 52–53, 127). Furthermore, other non-European groups, such as the Khoisan, faced both racial and cultural exclusion, often viewed as "primitive" or "savage," and subjected to violent attempts at cultural assimilation. Colonial xenophobia laid the groundwork for the racial divisions that would later be institutionalised under apartheid. However, the arrival of other groups, such as Malay, Indian and Chinese labourers during the colonial period, also generated xenophobic reactions. These groups were often perceived as 'foreign' and were subjected to various forms of discrimination and exclusion by both colonial authorities and indigenous South Africans (Mlambo & Mlambo 2021, 49). The marginalisation of Indian labourers, for example, can be seen as a precursor to the tensions that would later be exacerbated under apartheid. As colonialism entrenched racial hierarchies, the groundwork for future cycles of xenophobia was laid, with both indigenous Africans and other non-European groups experiencing exclusion based on their race, nationality, and status as "outsiders."

2.2 Apartheid and the Institutionalisation of Xenophobia

With the establishment of apartheid in 1948, the racial and xenophobic exclusions became institutionalised under a system of strict legal and social segregation. During apartheid, the indigenous population were subjected to state-sanctioned xenophobia, as the apartheid regime sought to consolidate power by categorising and marginalising non-White groups. While Black South Africans were the primary victims of systemic exclusion, other groups also faced targeted forms of xenophobia and racialised discrimination (Harris 2001; Mamdani 1996; Tafira 2017, 29). The Population Registration Act of 1950 formalised the racial classification system, categorising all South Africans into rigid racial groups, such as ‘White’, ‘Black’, ‘Coloured’, and ‘Indian’, which had profound consequences for their social, economic, and political rights. This legal framework reinforced the status of the indigenous ‘Black’ population as inferior and excluded them from political power and social integration (Mbembe 2021, 105 - 109).

The Group Areas Act of 1950 and the Bantu Education Act of 1953 further entrenched spatial and social segregation, cementing the exclusionary logic of the apartheid regime. These laws exemplified Mamdani’s concept of the bifurcated state, where urban spaces, inhabited predominantly by European settlers and later the urban elite, were designated as the domain of ‘citizens’ with full rights and privileges, while the majority indigenous ‘Bantu’ population was confined to rural, underdeveloped homelands, effectively treated as ‘subjects’ deprived of political and economic power (Mamdani 1996, 37). Mbembe's (2019, 31) critique of democratic exclusion and spatial separation aligns with the understanding of racial and political marginalisation seen in apartheid systems. The apartheid regime institutionalised this separation through rigid racial and spatial divisions that treated non-nationals as outsiders, marginalising them both economically and politically.

Xenophobia in South Africa during the apartheid era extended beyond the state's treatment of the indigenous African population (Bantu), it also manifested in the way the state viewed non-nationals, including migrants from neighbouring African countries. These migrants were frequently depicted as a threat to South African

resources, jobs, and social stability. This rhetoric was used to justify discriminatory policies and practices, further marginalising African migrants and portraying them as outsiders within a racially divided society (Tafira 2017, 23; Mlambo & Mlambo 2021,48). Xenophobic sentiment was further fuelled by the apartheid state's rhetoric, which depicted neighbouring African migrants as undesirable and blamed them for the country's socio-economic problems (Miti 2024; Tafira 2017, 23). This discourse continued to reinforce the division between 'citizens' and 'subjects' and was exacerbated by a colonial-era framework that viewed Africans from neighbouring countries as foreign interlopers.

The apartheid system of classification was one of the tools used to delineate between 'citizens' and 'subjects' as it became even more rigid, with legal instruments like the Pass Laws and Immigration Acts. These laws sought not only to segregate South Africans by race but also to control the influx of all Bantu/African non-nationals (Tafira 2017, 23). The Pass Laws specifically targeted the Bantu people, restricting their movement within the country and preventing them from accessing economic opportunities in urban areas which were part of the Union of South Africa. However, they also regulated the flow of non-national migrants into the Union of South Africa. Foreigners, particularly those from other African countries, already perceived as economic competitors and threats to the social order, were subjected to stringent control measures (Hudson 2013, 267)

Apartheid-era policies were designed to preserve the "racial purity" of the Union of South Africa and later South Africa, and migrants, seen mainly as the Bantu people and neighbouring Africans, were viewed as unwelcome outsiders. The introduction of passes, visas, and identification documents became the tools through which the state could control who was allowed to enter the country, where they could live, and the type of work they were permitted to occupy. This marking of foreigners set the stage for contemporary forms of legal and social exclusions in present-day South Africa (Hudson 2013, 267; Tafira 2017,128). Under apartheid, the state institutionalised a segmented labour market as different racial groups were assigned to specific jobs and sectors based on their racial identity. The Bantu people were systematically relegated to low-wage, manual labour jobs, while migrants from other African countries were subjected to even more extreme marginalisation (Tafira 2017, 29 - 31; Hudson 2013,

267). African migrants were considered temporary labourers, treated as expendable workers in sectors like mining, agriculture, and domestic work. Despite their centrality to the economy, all these workers were denied basic rights, citizenship, and legal recognition. This system perpetuated racial hierarchies that left African migrants vulnerable to exploitation, exclusion, and dehumanisation, both as workers and as people (Tafira 2011, 116).

The system was designed to extract labour from indigenous bodies while denying them the rights and privileges of citizenship. This was exemplified by a series of legal mechanisms, including the Natives Land Act of 1913, which confined the Bantu people to 'native reserves' and dispossessed them of ancestral lands (Mamdani 1996, 55). The Natives Land Act of 1913 prohibited Black South Africans from owning land outside of designated reserves, forcing many into economic dependency and displacement. This dispossession, combined with forced migration into overcrowded reserves, created a class of people who were not only disenfranchised but also treated as foreign within their own land. These early legal structures laid the foundation for future xenophobia by creating divisions between 'insiders' and 'outsiders', even within the same racial group (Berglund 2020, 45).

These policies forced the Bantu people into the migrant labour system, separating them from their families and communities to work in urban and industrial settings. The Pass Laws, which controlled the movement of Bantu people and required them to carry passes to enter certain areas, reinforced the perception of Bantu workers as 'outsiders' and 'foreigners' in their own country (Hudson 2013, 67). The Pass Laws were instrumental in restricting the movement of the Bantu population, in Mbembe's terms, these laws embodied automatic obedience, compelling compliance through both bureaucratic control and physical coercion (Mbembe 2019, 22). The Natives Land Act of 1913 and the Pass Laws exemplify how state-sanctioned control over movement and resources created a racially segregated society. Similarly, the Bantu Homelands Citizenship Act of 1970 stripped the Bantu people of their citizenship, creating pseudo-independent 'homelands' that further marginalised the Bantu populations and solidified their status as non-citizens within South Africa (Tafira, 2017, 29). These homelands, often impoverished and underdeveloped, created an ongoing disconnection between the Bantu people's 'home' and the economic spaces they were

required to occupy. These laws laid the groundwork for the dispossession and subjugation of indigenous South Africans, many of whom were forced into precarious migrant labour conditions, echoing Achille Mbembe's theory of necropolitics, where the state's power to manage life and death operates through structural violence and exclusion (Mbembe 2019; 2021, 107 - 110).

Beyond the legal and economic dimensions, the migrant labour system also had profound psychological impacts on Black South Africans. The separation from families, the alienation of living in migrant hostels, and the constant displacement created a sense of rootlessness and dispossession. Indigenous labourers often felt like permanent outsiders, both in the urban spaces where they worked and in their rural 'homelands', which were politically and economically detached from South Africa's urban and industrial centres (Rugunanan & Xulu-Gama 2022, 30). This fragmentation of indigenous identity, both spatial and psychological, reinforced the internalised sense that they did not belong in either space, leading to deep feelings of alienation and marginalisation (Rugunanan 2022, 76). The migrant labour system, by creating this disconnection, institutionalised a sense of perpetual outsiderness for the Bantu people, while simultaneously positioning them as 'other' in the eyes of the white ruling class (Hudson 2013, 67; Tafira 2017, 32).

2.2.1 The Role of other communities

The historical role of the poor white and Indian community in South Africa is both complex and contradictory. Although these communities themselves faced significant socio-economic marginalisation, they were often complicit in the exclusion and subjugation of Black South Africans in an attempt to secure their position within the racial hierarchy. During the colonial and apartheid periods, the poor white community, driven by fear of economic decline and competition from both indigenous South Africans and other migrant groups, often aligned themselves with the white minority regime. This alliance was not merely a survival tactic but a strategic move to reinforce their social and economic standing within the apartheid system (Hudson 2013; Ndlovu-Gatsheni & Ngcaweni 2013; Landau et al. 2005).

Policies such as the Native Land Act (1913), the Pass Laws, and the Group Areas Act were not only tools of racial segregation but also mechanisms for maintaining the privileged status of poor whites. As Magubane (2000, 112) observes, the so-called "poor white problem" was not merely an economic issue but a racialised one, wherein poor whites, despite their own marginalisation, sought to assert their superiority over indigenous South Africans. They supported policies that stripped indigenous South Africans of land and resources, thus contributing to a system of apartheid that was both economically exploitative and racially oppressive. This support was integral to the necropolitical regime described by Mbembe (2019, 35), where the state and its enforcers possessed the power to determine who lived and who died, often through economic deprivation and violence.

The violence directed at indigenous South Africans by so-called poor whites, whether through organised vigilante groups or isolated acts of aggression, further entrenched the racial divide. This violence, deeply rooted in fears of economic displacement and racial competition, played a significant role in maintaining the apartheid system, reinforcing the social and political boundaries that kept Black South Africans in a position of subjugation (Ndlovu-Gatsheni & Ngcaweni 2013).These violent acts were not merely expressions of class frustration but also reflections of a deeply racialised desire to preserve white hegemony, even at the cost of economic or physical security. As Magubane (2000, 115) notes, poor whites distanced themselves socially from indigenous South Africans to reinforce their own sense of superiority. This exclusion was not merely a matter of prejudice but a deliberate strategy to secure their position within a rigid racial order.

The histories of the Indian and Khoisan communities in South Africa are deeply intertwined with the broader narratives of colonial dispossession, apartheid, and racial segregation. Both communities, despite experiencing varying degrees of oppression, played complex roles in the perpetuation of institutionalised xenophobia and the exclusion of indigenous Bantu South Africans. The Indian community, though positioned between Bantu South Africans and the white minority, and the Khoisan, whose identities were subsumed under the racial category of "Coloured," both found themselves navigating precarious social positions that led to exclusionary practices and the reinforcement of divisive racial ideologies.

Under apartheid, the Indian community in South Africa, though also subject to discrimination, occupied a unique and complex position within the racial hierarchy. Many people from the Indian community sought to protect their socio-economic status by distancing themselves from Bantu South Africans, reinforcing a system that maintained their privileges while further marginalising the indigenous majority. This distancing was not simply an expression of prejudice but was also a survival strategy in a racially stratified society (Magubane 2000, 134).

In particular, members of the Indian community who were involved in commerce and small business found themselves in direct competition with indigenous South Africans for economic resources. Laws such as the Natal Indian Act of 1894 subjected Indian traders to economic discrimination, but these traders were still able to position themselves as a “middleman” group, controlling certain economic niches. This created a complicated dynamic in which the Indian community often viewed themselves as more “civilised” than indigenous South Africans, while indignous South Africans saw Indians as exploitative competitors. These racialised perceptions, shaped by colonial and apartheid ideologies, deepened inter-group tensions and fostered resentment between the two communities (Ndlovu-Gatsheni 2013, 76).

At the same time, some Indian elites supported apartheid policies like the Group Areas Act of 1950, which enforced spatial and economic separation between communities. While these policies were ostensibly designed to protect Indian communities from white South African competition, they also contributed to the further marginalisation of indigenous South Africans. This reinforced a racialised social order where the Indian community were afforded certain privileges, such as better housing and access to more lucrative economic opportunities, which they often sought to protect by distancing themselves from indigenous South Africans (Mamdani 1996, 109 - 135; Ndlovu-Gatsheni 2013, 79).

While the Indian community's role in apartheid-era exclusionary practices is often framed in terms of economic competition and social distancing, the Khoisan community's experiences share significant similarities in the way they were marginalised, categorised, and excluded from the mainstream socio-political order. Though distinct in their historical experiences, both the Khoisan and Indian

communities were relegated to spaces where their identities and rights were undermined by colonial and apartheid policies.

For both groups, racial categorisation was central to their experiences of oppression. The Khoisan were forced into a "Coloured" category that erased their indigenous identity, while the Indian community found themselves positioned as a buffer group between the white minority and indigenous South Africans, often complicit in reinforcing social and economic divides. Despite their different social locations, both communities were positioned in ways that perpetuated the racial hierarchies of apartheid and actively contributed to the exclusion of indigenous South Africans. This shared history of marginalisation, competition, and complicity in exclusionary practices offers important insights into the interconnectedness of their struggles and the broader racial dynamics of apartheid South Africa.

The Khoisan, comprising the Khoikhoi herders and San hunter-gatherers, suffered profound dispossession under colonialism. Before European colonisation, the Khoisan had well-established social and cultural systems that were deeply connected to the land. However, the arrival of European settlers brought violent land dispossession, the introduction of diseases, and forced labour, disrupting their traditional ways of life (Adhikari 2005, 9-11; Pirtle 2021, 394). Over time, colonial and later apartheid policies systematically relegated the Khoisan to a subordinate status, stripping them of their land, culture, and political autonomy. This dispossession laid the groundwork for the Khoisan's later categorisation as "Coloureds", a term that masked their distinct indigenous heritage and placed them within a racial category that further marginalised them.

The categorisation of the Khoisan as "Coloured" in the colonial and apartheid contexts was not just a label; it was a tool of racial segregation that denied them full recognition as indigenous peoples. Instead, the Khoisan were lumped together with people of mixed racial ancestry, further erasing their unique cultural identity and history. This classification system reinforced social and economic inequalities, relegating the Khoisan to overcrowded reserves, where they lived in conditions of poverty and marginalisation (Adhikari 2005, 23-26; Pirtle 2021, 396).

The Khoisan's struggle for survival during colonialism was characterised by both armed resistance, such as the Khoikhoi wars against the Dutch, and more subtle forms of cultural defiance. Despite facing brutal repression, the Khoisan sought to preserve their cultural identity in the face of colonial violence. However, the broader process of dispossession and categorisation as "Coloured" significantly disrupted their traditional ways of life and governance, creating long-term economic and social challenges. Their resistance efforts were not only expressions of defiance but also survival mechanisms aimed at maintaining their cultural integrity amid colonial erasure (Pirtle 2021, 395).

The racialised dynamics of apartheid were further complicated by the shared experiences of marginalisation between the Indian and Khoisan communities. Both groups, while subjected to various forms of discrimination, found themselves positioned in ways that allowed them to perpetuate a social order that excluded indigenous Bantu South Africans. This exclusion was deeply rooted in colonial ideologies that framed both the Indian and Khoisan communities as intermediary groups, neither fully white nor fully 'Black', creating a complex social hierarchy in which both communities reinforced their status by distancing themselves from the indigenous majority.

The competition for economic resources and social mobility also played a key role in shaping the interactions between these communities and indigenous South Africans. Indians, particularly those in business and trade, often viewed their socio-economic position as a buffer against indigenous South Africans, further entrenching divisions within the working class (Ndlovu-Gatsheni 2013, 80). Similarly, the Khoisan, through their classification as "Coloured," were forced into a marginalised position, excluded from the full benefits of citizenship and denied recognition as indigenous peoples. Both groups, in their efforts to protect their socio-economic standing, contributed to the fragmentation of the oppressed classes, preventing the formation of broader alliances that could have challenged the apartheid system.

Mbembe's concept of necropolitics offers a useful lens through which to understand the continued marginalisation of both the Khoisan and Indian communities in South Africa. Mbembe's notion of necropolitics refers to the governance of life and death through exclusionary practices, where certain groups are relegated to the periphery of society, denied full recognition and rights. For both the Khoisan and the Indian

communities, the colonial and apartheid systems created “death worlds” in which their survival and socio-political existence were governed by state-sanctioned neglect and dispossession (Mbembe 2019, 42). In this context, the Khoisan’s dispossession of land and culture, alongside the Indian community’s role in reinforcing economic and social divisions, reflects the ongoing process of exclusion that shaped their lives under colonial and apartheid rule.

In the post-apartheid era, these legacies continue to shape the experiences of both the Khoisan and Indian communities. For the Khoisan, their struggle for recognition as indigenous peoples is still deeply influenced by the colonial and apartheid classifications that relegated them to a subordinate racial category. For the Indian community, the persistence of xenophobia and inter-racial tensions, often linked to competition for economic resources, further complicates efforts to achieve social cohesion and justice in post-apartheid South Africa (Pirtle 2021, 400-403).

A striking example of this tension is exemplified in the 1949 Durban Riots, which erupted after an Indian shopkeeper assaulted a Bantu South African youth. The riots underscored the fraught nature of Indian-‘Black’ relations, with some segments of the Indian community aligning with the white minority to protect their social standing, while others faced accusations of economic exploitation. These tensions highlighted the complicated interplay between racial solidarity and division, a dynamic that continues to resonate in contemporary South African society (Sigsworth et al. 2008, 17). A more recent example would be the 2021 July Unrest, which saw violent protests and looting, accompanied by a surge in xenophobic sentiment, particularly directed at African migrants (SAHRC 2024). The political discourse surrounding the unrest, exemplified by the Democratic Alliance’s (DA)[6] praise of the Indian community in Phoenix for "defending themselves" against alleged looters, highlights how xenophobia continues to shape political narratives. This rhetoric, which framed indigenous South Africans as a threat to the Indian community, reinforced a racially charged narrative that exacerbated existing divisions. These actions echoed the anxieties of historically marginalised groups, similar to the "poor whites" of the apartheid era, who sought to preserve their social standing in a rapidly changing political landscape by separating

[6] This analysis builds upon the discussion of a poster used by the Democratic Alliance (DA) in the aftermath of the Phoenix violence. While the poster itself is not the focus here, it is important to note the context. In July 2021, violence erupted in Phoenix, KwaZulu-Natal, resulting in the deaths of 36 people, with 33 of the victims being Black South Africans. (Berman, 2021)

themselves and othering. By exploiting racial divisions and inflaming xenophobic sentiment, the DA's support for the Indian community in Phoenix reflects a continuation of South Africa's cycle of "othering."

2.3 Contemporary laws & Institutionalised xenophobia

Despite the fall of apartheid, South Africa's contemporary immigration and labour laws continue to institutionalise xenophobia. Laws such as the Immigration Act of 2002 and the Refugees Act of 1998 maintain a legal framework that restricts the rights of non-nationals, particularly in the labour and social sectors. This marginalisation is most evident in the treatment of low-skilled or undocumented migrants, who face significant barriers to entry or legal residence in South Africa (Tawodzera & Crush 2023, 14).

The cycle of exclusion in South Africa is far from linear, and it has been played out in various ways throughout the country's history. At different moments, distinct groups have been subjected to xenophobia, each experiencing varying forms of marginalisation depending on the prevailing socio-political and economic conditions.
The resurgence of xenophobic violence in the early 2000s and particularly the 2008 attacks against foreign nationals illustrate how the cycle of exclusion and "othering" persists even in the post-apartheid era. Immigrants, especially those from other African countries, are increasingly scapegoated for South Africa's high levels of unemployment and social unrest. This phenomenon of "xenophobic violence" was not only directed at the perceived "outsiders," but also at groups that were once the victims of exclusion themselves. Immigrants are often blamed for the same issues of economic and social marginalisation that many South Africans continue to face (Harris 2001, 45, 102).

The cyclical nature of xenophobia is further exacerbated during periods of socio-economic stress and political instability. Landau (2005) illustrates how political actors in South Africa frequently exploit xenophobic sentiments during election periods, using non-nationals as convenient scapegoats for economic woes and social unrest. For example, during the 2008 xenophobic violence, political leaders were accused of

manipulating the fears surrounding competition for scarce resources by framing the influx of immigrants as a threat to national security and economic stability. This exploitation of xenophobic rhetoric deepened social divides, intensifying the "othering" of foreign nationals and creating an environment ripe for violent outbreaks (Landau, 2005, 109). The role of politics in exacerbating xenophobia is also evident in the media's portrayal of African non-nationals. By selectively highlighting incidents involving immigrants, often criminal activities, the media perpetuates a narrative of a widespread threat, justifying discriminatory practices and policies. This political and media-driven manipulation of xenophobic sentiment forms a toxic feedback loop, reinforcing the public perception that immigrants are the cause of the country's social problems (Harris, 2001, p. 22).

South Africa's enduring legacy of dispossession and spatial segregation remains a salient feature of the post-apartheid landscape. This is evident in ongoing land redistribution debates, persistent residential segregation, and the discrimination experienced by African (indigenous) migrants, who continue to be constructed as 'foreigners' and 'outsiders.' The 2008 xenophobic attacks, exemplified by the brutal murder of Mozambican national Ernesto Alfabeto Nhamuave, highlight the ongoing vulnerability of migrant populations to violence and dehumanisation. The perception that non-nationals, particularly those from other African countries, are receiving privileges denied to the majority indigenous South Africans community could be a major factor contributing to social tensions. This perception is often fuelled by the visible presence of migrants in areas historically inaccessible to indigenous South Africans under apartheid, including formerly white areas such as Maitland, Woodstock, Hillbrow, and Yeoville. While many migrants reside in newer townships like Dunoon or Mandela Park, others have moved into more central, previously affluent areas that remain largely out of reach for many indigenous South Africans, even in the post-apartheid era. This spatial reality, where migrants occupy spaces once denied to indigenous South Africans, can foster resentment, reinforcing the belief that the benefits of post-apartheid South Africa are disproportionately enjoyed by those who did not directly participate in the liberation struggle (Harris 2001, 45 - 50; Mamdani 1996, 37 - 62).

This perceived injustice was tragically amplified by the eruption of xenophobic violence in 2008, which saw Nhamuave's death become a symbol of the broader xenophobic sentiment directed at African migrants. His brutal killing, in which he was set alight by

a mob during the attacks, underscores the dehumanisation that migrants endure, framed not only as competition for scarce resources but also as illegitimate claimants to land and opportunities (Human Rights Watch 2008, 22). In this context, Nhamuave's death reflects a deeper social division, where African migrants are scapegoated for the socio-economic challenges faced by many indigenous South Africans. Despite the formal end of apartheid, racial segregation persists, as does the struggle for land restitution, while African migrants continue to face exclusion and violence. The spatial and material "emptying of the land" thus remains a symbolic and literal process, as the historical process of dispossession continues to shape how space and belonging are contested in post-apartheid South Africa.

This enduring history of exclusion mirrors the treatment of migrants today, particularly those from other African countries. Xenophobia operates within the informal sector, where migrants are viewed as less than human and undeserving of occupying the spaces they do. As Tawodzera and Crush (2023) observe, migrants are often perceived as "outsiders," whose very presence in South Africa's low-income areas is framed as a threat to local citizens. Their analysis highlights how exclusionary narratives, rooted in racialised constructions of space, persist in contemporary South Africa. These narratives are not simply about competition for resources but reflect a deeper, more pervasive logic of necropolitics, where certain populations are relegated to "death worlds" of marginalisation, subjected to state neglect, and made to feel foreign or illegitimate in the spaces they occupy (Tawodzera & Crush 2023, 02-14).

The concept of necropolitics (Mbembe 2019) again can help us understand how contemporary forms of violence and exclusion against migrants are part of a larger, state-sanctioned system that devalues certain lives. Power is exercised through the control over life and death of African migrants, who are not only denied full protection under the law but are also rendered expendable, subject to violent exclusion and economic exploitation. The state's failure to protect these migrants, coupled with the racialised narratives that cast them as threats, underscores the necropolitical nature of their marginalisation. This exclusion is not only physical but also existential, as migrants are denied the right to thrive or even to be fully recognised as human beings in the spaces they occupy. In this context, the violence that migrants experience is not merely the result of public resentment but a broader structure of necropolitical control

that limits their agency and their very right to exist within the nation's spatial and social boundaries. Thus, the post-apartheid state, despite its democratic framework, continues to operate within a necropolitical logic that shapes the lives of non-citizens. The perception of migrants as "outsiders" and "invaders" is not just a product of xenophobia but is rooted in a history of exclusion that dehumanises certain populations. The systemic nature of this violence, both material and symbolic, ensures that the legacies of apartheid and colonial dispossession remain alive, continuing to shape the lives of those who have long been seen as expendable within South Africa's social and spatial order.

2.3.1 Institutional Xenophobia and Its Other Exclusionary Markers

This process of exclusion is not solely physical or spatial; it is also profoundly discursive. Language, in particular, serves as a powerful tool in constructing and perpetuating xenophobia, enabling the 'othering' of individuals or groups and distancing them from the national identity. In South Africa, the use of derogatory language has played a central role in perpetuating xenophobic sentiments against foreigners. Language has long been used to emphasise the foreignness of non-nationals, positioning them as threats or outsiders to the established social order. In South Africa, terms like (a*ma)kwerekwere* or (*ama)gweja*[7] have been used to denote foreign nationals, particularly those from other African countries. Originally a term for foreign Africans, it has increasingly been used to target all non-South Africans in xenophobic discourse (Harris 2001, 19, 22, 59 – 60; Tafira 2017, 24; Crush 2008, 15 - 45).

These terms carry a deeply pejorative connotation, often implying that the person is culturally inferior and further contribute to the linguistic 'othering' process. These terms often also imply that non-nationals are economically burdensome or a drain on South Africa's resources. Sigsworth et al. (2008, 18) highlight that these terms do not merely suggest foreignness but also mark the individuals as undeserving or unworthy of

[7] The term gweja is a derogatory label used to refer to non-nationals, particularly those from other African countries, and is emblematic of xenophobic attitudes in South Africa. The use of such terms contributes to symbolic violence, where language and imagery are employed to demean or marginalise a group, reinforcing harmful stereotypes and social divisions (Mgogo and Osunkunle 2023, 3, art. 1218)

rights, further reinforcing their marginalisation in the social and economic landscape of South Africa (Sigsworth et al. 2008, 18; Harris 2001; Tawodzera & Crush 2023). Beyond portraying foreigners as economic or social threats, language is also used to strip them of their humanity, presenting them as subhuman or inferior.

This can be seen in the ways in which foreign-born populations are portrayed in terms that emphasise their perceived ‘primitive’ or ‘uncivilised’ nature, suggesting that foreigners are less capable of integration into South African society and reinforcing the perception of them as inferior to, particularly, indigenous South Africans. Language such as ‘illegal immigrants’ is another powerful example of this dehumanisation, suggesting that the presence of non-national populations in South Africa is an affront to the state and society. This kind of language fosters hostility and legitimises violent acts against non-nationals, as it is easier to justify violence against individuals who are perceived as criminals or illegitimate.

Moreover, the “marking” of foreigners also has a cultural dimension. Tafira (2011) argues that the cultural aspect of xenophobia in South Africa plays a significant role in the "othering" of non-nationals, distinguishing them not only by their nationality but also through perceived cultural differences. These cultural markers can include language, accent, customs, and even clothing, all of which become ways of signalling that someone is “foreign.” Cultural racism, as Tafira describes it, functions in tandem with legal markers like visas and passes to reinforce social boundaries. Foreign nationals are often stigmatised for their “foreign” ways, which are seen as incompatible with the norms of South African society. This process of cultural “othering” is particularly pronounced when migrants come from other African countries, as they are perceived not only as outsiders but also as people whose cultures, languages, and ways of life are radically different from those of “native” South Africans. This forms the basis for much of the xenophobic sentiment in South Africa, where foreigners are blamed for economic hardship, crime, and social instability (Tafira, 2017,128)

Other exclusions include legal markers such as passes, visas, and national identity cards serving to ‘other’ non-nationals in South Africa, creating visible distinctions between citizens and migrants. Functioning as both bureaucratic tools and mechanisms of exclusion, these forms of identification perpetuate a distinction

between South Africans and non-national inhabitants. Non-nationals are regularly required to present a range of official documents, such as visas and permits, before they can engage in work, study, or even travel within the country. These documents effectively serve as legal markers of distinction, segregating foreigners from South African citizens. Despite South Africa's post-apartheid promise of equality, the legal infrastructure remains one where foreigners are regarded as temporary or secondary residents, and their rights are often contingent upon these markers of foreignness. The National Identification Card also plays a central role in this process. By providing a tangible form of citizenship, it serves as an important instrument for the identification of those who belong to the national body. Non-nationals, in contrast, are excluded from this system, marked by their lack of such documentation. As Mlilo and Misago (2019, 2, 7) observe, the "marking" of foreigners through legal and social systems continues to echo apartheid-era practices of defining people based on race, nationality, and legal status. This exclusion, embedded in the bureaucratic system, perpetuates a culture of "othering," whereby non-South Africans are continually reminded of their outsider status. The historical use of passes and passbooks during apartheid to control the movement of indigenous South Africans can be understood as a precursor to the contemporary system of visas and permits used to control the flow of non-nationals. Under apartheid, passes were required for any travel outside of designated areas, and the absence of a valid pass could lead to arrest or deportation (Hindson 1988, 13). Similarly, today's visa system serves as a contemporary form of control, regulating not only the entry of foreign nationals but also their movement and rights within the country (Crush & Chikanda 2014, 561 - 567). This necropolitical framework is further solidified by restrictive immigration policies, border militarisation, and deportation practices that systematically expose non-nationals to harm. Non-nationals deemed 'undesirable' or 'risky' are often denied entry, detained in overcrowded and inhumane conditions, or deported back to countries where they face further dangers. For instance, deportation is often carried out without due process, leaving individuals vulnerable to violence or even death upon their return to unstable environments. The deportation of migrants to countries like Zimbabwe or the Democratic Republic of Congo, where political instability and violence are rife, has resulted in more hardships, making the state's role in this cycle of suffering clear. Such policies, while presented as necessary for national security or economic protectionism,

ultimately serve to entrench the necropolitical logic that devalues the lives of non-nationals (Crush 2008, 18; Crush & Chikanda 2014, 564).

In many ways, the contemporary use of visas and work permits mirrors the pass system, functioning as a legal tool to ensure that migrants are restricted in their movements and interactions within South Africa's social, political, and economic systems. Non-nationals are often required to provide proof of employment or meet other specific conditions, which not only marks their temporary status but also reinforces the notion that their presence is contingent upon meeting state-imposed criteria. This restriction of movement is a key aspect of the "marking" process, reinforcing the boundaries between South Africans and foreigners, and further entrenching a system of exclusion. Rooted in colonial and apartheid-era policies, this legal marking persists, reinforcing social hierarchies and maintaining boundaries between the national body and perceived outsiders. As Crush (2008, 18) argues, this contributes to a culture of exclusion and marginalisation, preventing migrants' full integration into the South African body politic. The practice of distinguishing between South Africans and non-nationals has deep historical roots in the country's colonial and apartheid past. During the colonial period, particularly under British rule, racialised policies of segregation institutionalised a framework that categorised individuals based on their race and nationality. These classifications created legal distinctions between settlers, "natives," and foreigners, providing the state with the tools to control movement and maintain order based on these racial distinctions. Chikanda and Crush (2014, 561) demonstrate how this "marking" of the foreigner through bureaucratic means is still central to South African xenophobia. The nation's immigration laws and bureaucratic processes create distinctions that reinforce a sense of "insider" versus "outsider," often leaving foreign nationals, particularly from other African countries, marginalised and excluded.

The marking of foreigners is not merely a theoretical concept; it plays out in everyday life in various, often subtle, ways. Non-nationals are frequently asked to provide identification documents more often than South African citizens, whether when accessing public services, entering businesses, or even in public spaces. This can be seen as an institutionalised way of questioning their right to be in the country (Crush 2008, 36). Additionally, the social exclusion of foreigners can manifest in less obvious

ways, such as being denied housing, access to social networks, or employment opportunities due to their perceived foreignness. Social spaces, such as local community events or business opportunities, may feel closed off to foreign nationals, who are seen as outsiders or unwelcome competitors (Crush 2008, 03). The psychological impact of being constantly "marked" as a foreigner is significant. Living in a state of perpetual otherness can lead to feelings of alienation, insecurity, and dehumanisation. Non-nationals may experience emotional distress, anxiety, and fear as a result of being continually reminded of their outsider status. And this could result in a lack of belonging and a sense of powerlessness, as they navigate a system that views them as inferior or temporary.

Chapter 3: Domestic Workers and Institutionalised Xenophobia in South Africa

Migrant domestic workers in contemporary South Africa endure a precarious existence, vulnerable to exploitation and abuse, often working long hours for low wages with limited protections and facing discrimination and xenophobia. This precarious situation is deeply rooted in the historical development of South African society, particularly with the establishment of the Union of South Africa in 1910. The systemic exploitation of migrant domestic workers is a legacy of colonial policies and economic imperatives that laid the foundation for the racialised and gendered labour structures still evident today. These structures are perpetuated through the construction of a "foreign other" and intersecting form of institutionalised xenophobia that have persisted through both colonial and post-colonial periods.

This chapter explores the impact of institutionalised xenophobia, as reflected in historical policies like the creation of the homelands and contemporary realities such as the urban-rural divide, on the gendered dimensions of domestic work and the perpetuation of exploitation. It also examines the role of global power dynamics in sustaining this exploitation. Understanding these historical foundations is crucial for comprehending the ongoing struggles faced by migrant domestic workers in contemporary South Africa. By analysing the continuities and changes in xenophobic dynamics from the colonial era to the present, this chapter highlights the persistent marginalisation of these workers and advocates for policy reforms that promote a more inclusive and just society.

3.1 The Racialisation and Gendering of Domestic Work

The global economic system that fuelled slavery in the Americas played a significant role in shaping the colonial and apartheid-era exploitation in South Africa, embedding racialised and gendered labour hierarchies that have persisted for centuries.

Magubane describes South Africa as a settler-capitalist society, shaped by the imperial expansion of advanced capitalism, which reinforced these hierarchies and perpetuated the economic subjugation of Indigenous labour (Magubane 1986, 6). During the early colonial period, Indigenous peoples, particularly from Khoi and San communities, were enslaved and coerced into servitude as part of the colonial project. Their labour was framed as an extension of the colonial state's racialised economic order. Men were primarily assigned to physical labour, while women were tasked with both physical and reproductive labour, producing more enslaved individuals for the colonial economy. The resistance of enslaved women, such as Krotoa, who was executed for killing her children to prevent their enslavement, highlights the gendered nature of this labour (Christiansë 2009, 12). The reproductive labour of enslaved women has largely been erased from the historical narrative, while the male enslaved body, though often infantilised as 'boys' or 'servants,' received greater recognition. This infantilisation reinforced a racial hierarchy that positioned Indigenous African men as perpetual subordinates to their colonial masters. With the discovery of diamonds and gold, African men became the primary providers of cheap labour, a role that extended into the African family structure, where men were positioned as breadwinners and women were relegated to a dependent status. Colonial discourse further denied African Indigenous men full personhood, reducing them to mere extensions of the landscape, used solely for economic production (Lugones 2000, 194).

By the 19th century, the racialisation of domestic labour became more pronounced. Initially, European women performed domestic work within their own households, but as conditions worsened, they withdrew from this role, creating a growing demand for cheap labour. This demand was increasingly met by Indigenous workers, particularly as the discovery of gold and diamonds in the late 19th century heightened the need for labour in urban centres. African men were specifically targeted for domestic work, as their labour was not only deemed economically exploitable but also considered racially suited to the needs of colonial households (Crush and Chikanda 2014, 25–27; Kok et al. 2008, 52–54). European gendered ideologies during the colonial period positioned women as naturally suited for domestic work, while men were seen as more appropriate for manual or industrial labour (Cock 1989). Despite these assumptions, African men largely dominated domestic work at the time, with relatively few African

women employed in the sector. One reason for this was that employers in the 1920s were often reluctant to hire African indigenous women from the reserves, as they did not carry passbooks, making it harder to bind them to service contracts as they did with pass-bearing African men (Eales 1987, 4).

As industrialisation expanded and urban centres grew, colonial labour policies shifted. The demand for cheap labour in the mining sector led to the restructuring of racialised labour hierarchies. While domestic work remained racialised and gendered with African indigenous men dominating, a shift occurred that pushed African men into the mining sector, where they faced exploitative working conditions under British rule. This transition reflects broader patterns of racialised labour exploitation in settler colonies, similar to the enslavement of Africans in the U.S. Magubane further explains that, as a British Dominion, South Africa was developed with British capital to function as an agrarian auxiliary and a supplier of raw materials for British industry, entrenching racial divisions and ensuring that Indigenous labour remained a controlled and undervalued resource within the colonial economy (Magubane 1986, 6).

3.2 The Naturalisation of Women as Domestic workers

Today, while domestic work has become predominantly female-dominated, the legacy of racialised labour endures. African migrant women, especially those from Malawi and Zimbabwe, are particularly vulnerable to exploitation. Unlike African indigenous women from the reserves, whose lack of passes made them undesirable for domestic work, undocumented female domestic workers are increasingly sought after due to their lack of legal protections, making them easy targets for abuse. Migrant workers are often perceived as 'disposable' or 'foreign,' and these perceptions, fuelled by xenophobic attitudes, continue to marginalise them in the labour market (Kawar 2016, 102 - 104). The racialisation of domestic labour remains a significant driver of the ongoing exploitation of migrant workers, shaped not only by historical racial hierarchies but also by contemporary immigration policies that position migrants as outsiders, denying them the rights and protections granted to South African citizens.

The naturalisation of women as domestic workers has roots in the early 20th century, during the late colonial period, when economic hardship pushed many African indigenous women from the reserves into urban centres (Eales 1987). African women

from Bantu-speaking communities, dependent on male relatives working in the mines, were compelled to seek employment in white households as the economic crisis of the 1920s worsened (Eales 1987). As men were no longer able to support their families or started new families in urban areas, African migrant women from the reserves sought work to contribute to their households. Finding work in cities like Johannesburg was difficult, and decent-paying jobs for women were even rarer (Eales 1987, 4). Colonial authorities vilified Bantu women from the reserves, associating them with disease and rendering them undesirable for certain domestic roles (Eales 1987, 4). Simultaneously, the feminisation of domestic work was becoming institutionalised. African elites in urban centres voiced concerns over the limited employment opportunities for African women, noting that men had begun to dominate traditionally female domestic roles.

The exclusion of women from domestic service was also driven by racialised fears of contamination and disease. However, African women from the reserves were displaced due to migration policies like the 1913 Land Act, they became increasingly visible in urban domestic work. This racial and gendered "naturalisation" of domestic work was reinforced by economic and social forces that solidified Bantu migrant women's subordinate status. Unlike their white counterparts in higher-status roles, Black women, especially those from neighbouring African countries, were relegated to domestic spaces, further entrenching their racial and economic subordination (Miti 2024). The "othering" of migrant women, through the framing of them as non-citizens or "foreign," rendered them invisible and excluded from labour protections and basic rights (Raniga 2022, 4).

The intersection of race, gender, and migration solidified a social and economic order that placed migrant women at the heart of a racialised labour force, where their humanity was often denied. This dynamic endures today in the treatment of African migrant domestic workers from neighbouring countries, who continue to face exploitative working conditions due to the belief that they are "naturally" suited for such roles based on their gender and racial identity. Contemporary xenophobic sentiments have exacerbated the marginalisation of these workers, as attitudes toward migrants grow increasingly hostile (Tafira 2011, 116). The racialisation of African migrant women in domestic work is far from a relic of the past; it is actively sustained by

contemporary xenophobic discourses, which frame these workers as inferior and undeserving of the rights afforded to South African nationals (Sigsworth et al. 2008, 23). This belief continues to shape the gendered and racialised dynamics of the present-day domestic labour market, where migrant women remain the most vulnerable to the harshest forms of exploitation. Their labour is still framed not as work deserving recognition and compensation, but as an extension of their supposed racial and gendered "nature." This xenophobia, intertwined with the colonial legacy, ensures that migrant domestic workers remain trapped in a system that naturalises their exploitation.

3.3. Policies Impacting Domestic Workers in South Africa

3.3.1 Apartheid-Era Policies

The system of homelands, or Bantustans (Bantu Authorities Act of 1951), was a central element of apartheid's spatial and political segregation, aimed at reinforcing ethnic divisions and stripping indigenous South Africans of full citizenship. This strategy aligns with Crenshaw's (1991) framework of intersectionality, which examines how overlapping systems of oppression create distinct experiences of marginalisation. The Bantustans fulfilled both political and economic roles: they supplied cheap labour while controlling political participation and nurturing a racialised nationalism that excluded non-South Africans (Tafira 2017, 45–50). As previously discussed, Mamdani's (1996) theory of the bifurcated state, the division between "citizenship" and "subjecthood", illuminates how policies can operate to leave certain populations outside the protection of the state.

Apartheid-era policies, such as the Natives' Land Act (1913), the Native Urban Areas Act (1923), and the Group Areas Act (1950), entrenched divisions between urban and rural spaces, institutionalising racial and economic segregation. Urban areas were reserved for whites and select Coloured and Indian groups, while indigenous South Africans were relegated to rural Bantustans. Laws like the 1951 Bantu Authorities Act and the 1959 Promotion of Bantu Self-Government Act created separate "citizenships" within these Bantustans, compounding the disenfranchisement of indigenous South Africans, including domestic workers. These policies ensured their exclusion from full participation in South African society, relegating them to a permanent underclass

dependent on cheap labour. The Pass Laws Act (1952) further enforced this hierarchy, a framework that continues to shape the treatment of contemporary migrant workers (Hindson 1988, 18–25).

The forced rural-to-urban migration of Black South Africans created a permanent underclass reliant on urban centres for menial labour in white-owned industries (Tafira 2017, 62–70; Wolpe 1972). This system laid the foundation for the exploitation of migrant workers from neighbouring countries like Zimbabwe and Malawi, whose status as "foreigners" heightened their vulnerability. The enforcement of pass laws restricted movement and confined indigenous South Africans to low-wage, exploitative jobs, solidifying the division between “insiders” (South African citizens) and “foreigners” (migrants) (Hindson 1988, 22–30).Townships, established on the fringes of urban centres, were not just places of residence but also tools of surveillance and control. They reinforced exclusion by limiting access to resources and opportunities. Policies such as the 1923 Natives (Urban Areas) Act and the 1948 Group Areas Act ensured that indigenous workers remained a disposable, exploitable labour force, stripped of full rights, residence, and citizenship (Crush and Chikanda 2014, 25–27). These laws directly impacted domestic workers, cementing the exploitative nature of their labour.

The creation of QwaQwa, near Lesotho, exemplifies the spatial segregation of indigenous South Africans, with cross-border migration fostering a “borderland economy” where exploitation thrived. The legacy of these artificial borders continues, as former Bantustan residents remain trapped in low-wage, precarious jobs, with apartheid-driven spatial inequality shaping urban migration and migrant labour dynamics (Aerni-Flessner and Magaiza 2024, 1–22).This exclusionary framework endures today, manifesting in xenophobia and the marginalisation of African (indigenous) migrants. Although legal reforms post-apartheid have aimed to improve working conditions, entrenched patterns of exploitation persist, especially within informal sectors like domestic work. Migrant workers continue to face systemic barriers, reflecting apartheid-era practices, exacerbated by rising xenophobia. Migrants are often seen as economic competitors, making them vulnerable to exploitation and exclusion. This division between “insiders” and “outsiders” persists, deepening social and economic tensions (Umeh, Olofinbiyi, and Gopal 2024, 167; Fish 2006, 219–221).

Crenshaw’s (1991) intersectionality framework helps to illuminate how the racial, gender, and national identities of migrant workers intersect, intensifying their marginalisation. Migrant women, in particular, face compounded vulnerability due to their gender and foreign status, often confined to informal labour sectors where they experience multiple layers of exploitation. The private nature of domestic work further isolates these workers, heightening their susceptibility to abuse and exploitation (Mbiyozo 2018, 87; Umeh, Olofinbiyi, and Gopal 2024, 168).

The Immigration Act No. 13 of 2002, which restricts undocumented migrants’ access to legal employment and social services, exacerbates their vulnerability. This exclusion from legal protections ensures migrant workers remain invisible, unable to claim rights or seek justice in cases of abuse (Umeh, Olofinbiyi, and Gopal 2024, 170; Vanyoro 2019, 4–5). The intersectionality of race, gender, and legal status also manifests in internal hierarchies among migrant workers, contributing to divisions and competition within the domestic labour market. Migrants from countries like Zimbabwe, Lesotho, and Malawi are often seen as cheaper, more submissive labour, making them particularly vulnerable to exploitation (Mbiyozo 2018, 103). These hierarchical divisions, reinforced by national and racial prejudices, further weaken solidarity among migrant workers, entrenching exploitative labour practices and underscoring the persistent legacy of apartheid's racialised labour divisions (James et al. 2023, 91; Mbiyozo 2018, 112).

3.3.2 Neoliberal Policies Post-Apartheid

The implementation of neoliberal economic policies in South Africa, following the end of apartheid, has had profound consequences, particularly for migrant workers in the domestic sector. Neoliberal reforms, including privatisation, deregulation, and fiscal austerity, were introduced as measures to stimulate economic growth. However, these policies have instead deepened social inequality, with migrant domestic workers, especially those from Zimbabwe and other Southern African countries, bearing the brunt of their effects.

Privatisation and deregulation have exacerbated the exploitation of migrant domestic workers by reducing legal protections and eroding labour rights. For example, the privatisation of services such as healthcare and housing, once provided by the state,

has left domestic workers, already living in precarious conditions, even more vulnerable. The deregulation of the labour market has contributed to the exclusion of migrant workers from legal protections, such as minimum wage laws, which has left many of them with no choice but to accept exploitative wages and face abuse without legal recourse (Altman & Pannell 2012; Bosch & McLeod 2015). Additionally, austerity measures imposed by the South African government have limited funding for essential social services, further marginalising migrant workers who rely on state support for their health and welfare. Many of these workers are paid below the minimum wage, subjected to unsafe working conditions, and lack access to collective bargaining or social security benefits (Ally 2009; James et al. 2023). These effects combine to create a volatile environment for migrant domestic workers, entrenching their exploitation and marginalisation.

Neoliberal policies have also fostered a climate in which migrants are scapegoated for the country's economic struggles. Neoliberalism, which promotes competition and market-driven outcomes, has framed migration as a threat to local job security. In this context, migrants, particularly those in domestic work, have been targeted by xenophobic rhetoric, blamed for unemployment and poverty issues in South Africa. This narrative casts migrants as "job stealers" or "economic parasites," stoking xenophobic sentiments (Tafira 2011; Raniga 2022). The global economic order relies heavily on cheap labour, with non-nationals, especially migrants, treated as expendable bodies. This exploitation is central to the functioning of global capitalism, where demand for cheap, flexible labour fuels economic growth while perpetuating inequality. The legacies of forced labour, colonialism, and slavery continue to shape contemporary exploitation, with neoliberal policies reinforcing these dynamics in the context of a globalised labour market. The racialised and xenophobic marginalisation of non-nationals is not incidental but an intrinsic part of this system, driven by the need for an easily exploitable workforce.

The post-apartheid South African state, despite its democratic ideals, continues to maintain structures that treat non-nationals as disposable bodies, subjecting them to violence, exploitation, and marginalisation. Migrant workers, often from neighbouring African countries, face economic and physical violence that echoes the exclusionary practices of the colonial and apartheid eras. The institutionalisation of xenophobia in

South Africa further amplifies this exploitation. Xenophobia is not merely a reflection of individual prejudice but is embedded within institutional structures (Harris 2001). Policies, legal frameworks, and economic practices systematically exclude foreign nationals, positioning them as 'other' and as a disposable labour force. The state's failure to protect migrants reflects a historical neglect of migrant populations, which entrenches their vulnerability to violence and exploitation. This neglect is a form of institutionalised xenophobia, reinforcing the perception of migrants as a source of cheap labour while excluding them from social protections and rights.

The relationship between global capitalism and xenophobia is evident in economic policies that prioritise profit maximisation over workers' rights. Industries in South Africa, such as agriculture, domestic work, and the informal economy, rely on migrant labour, often paying workers below the minimum wage and subjecting them to precarious working conditions. These industries benefit from the exploitation of migrant workers (Rugunanan & Xulu-Gama, 2022). The broader system of global capitalism demands cheap, flexible labour, which migrant workers, especially women, provide. The gendered nature of this exploitation highlights the intersectionality of institutionalised xenophobia. Migrant women, particularly in South Africa, experience compounded marginalisation due to their gender and foreign status. Crenshaw's (1991) framework of intersectionality clarifies how these overlapping forms of oppression increase the vulnerability of migrant women to exploitation, gender-based violence, and systemic exclusion.

The state's failure to protect migrant workers in informal labour sectors perpetuates these inequities. Migrant women, in particular, often lack access to legal recourse or social support networks, isolating them in precarious and exploitative working conditions. This failure reflects broader neglect of migrant rights and protections, which deepens their vulnerability. The reliance of the global capitalist system on cheap labour and the institutionalisation of xenophobia are mirrored in exclusionary policies and social practices that marginalise migrants. This exclusion aligns with the logic of necropolitics, where the state not only fails to protect non-nationals but also actively contributes to their disposability by failing to intervene in the violence they face (Mbembe, 2019). A culture of impunity surrounding xenophobic violence, as documented in the South African Human Rights Commission's 2010 report,

demonstrates how the state's inaction reinforces the perception of migrant workers as expendable bodies. This reflects Mbembe’s argument that political power is rooted in the ability to manage life and death, particularly through the control of marginalised populations.

The colonial legacy of citizenship and belonging in Africa continues to shape national identities and borders, often to the detriment of migrant populations. This legacy creates a hierarchy of belonging that places migrants at the margins of society. This historical exclusion is compounded by contemporary neoliberal economic structures that exploit migrant labour while reinforcing national borders that determine who is entitled to rights and protection (Mamdani 1996). Neoliberal policies, which prioritise market competition and profit maximisation, exacerbate the vulnerability of migrants, ensuring that their labour is extracted while their rights remain unprotected. As necropolitics suggests, the functioning of global capitalism requires the maintenance of hierarchical structures that render migrant labour both indispensable and disposable. By treating migrant workers as expendable bodies, the global economic system operates without accountability, relying on their exploitation to sustain economic growth. The persistence of xenophobia, institutionalised through state neglect and discriminatory policies, is not a secondary concern but a foundational aspect of the global capitalist system, which depends on racial and national hierarchies to function.

4. Conclusion

4.1. The Legacy of Apartheid and Xenophobia in Post-Apartheid South Africa

This study began by defining institutionalised xenophobia as the systematic and often legally sanctioned discrimination and marginalisation of non-nationals, embedded within state policies, institutional practices, and societal structures. Building upon this understanding, the research examined the experiences of migrant domestic workers in South Africa, focusing on how the historical legacies of apartheid intersect with contemporary social, economic, and legal challenges.

The central aim of this study was to explore how the spatial, racial, and gendered dynamics of exclusion continue to shape the lives of these workers, despite the end of apartheid and the establishment of democratic governance. The research highlights the enduring legacy of apartheid's racialised labour divisions, which remain deeply entrenched in South African society, particularly within the domestic labour sector. The historical framework of xenophobia, rooted in apartheid-era exclusionary nationalism, continues to inform both the socio-economic treatment and legal status of migrant workers, especially those from neighbouring African countries.

This study argues that xenophobia in South Africa is not a phenomenon confined to the post-apartheid era, but one with deep historical roots in colonial and apartheid-era practices. The racialisation of migrant groups and the construction of the "foreign other" remain central features of South Africa's socio-political landscape, manifesting in both overt xenophobic violence and more insidious forms of exclusion within the labour market. These dynamics reflect Achille Mbembe's concept of necropolitics, where employers' control over domestic workers' lives and labour is not merely economic but existential, limiting workers' autonomy and reinforcing their vulnerability to exploitation.

4.2. Global Economic Forces and Neoliberalism

The analysis further revealed the intersection of local and global economic forces that shape the lived realities of migrant domestic workers in South Africa. Neoliberal economic policies, which prioritise cheap, flexible labour, have intensified the

exploitation of migrant workers in domestic sectors. These global economic trends contribute to the fragmentation and competition among migrant groups, thereby undermining collective action and solidarity within the sector. Neoliberalism has deepened the racial inequalities entrenched under apartheid, adapting these systems to function more efficiently within a global capitalist framework that prioritises profit maximisation. This framework exacerbates exploitation through economic insecurity, legal exclusion, and social discrimination.

The compounded marginalisation of migrant workers, especially women, is shaped by the interaction of race, gender, nationality, and migrant status. These multiple forms of oppression intersect to perpetuate exploitation and undermine any efforts to resist it. Neoliberalism not only creates demand for cheap labour but also weakens the legal and institutional protections that could shield workers from abuse. This highlights the need for stronger labour protections and the enforcement of existing laws to ensure migrant domestic workers are treated with dignity and respect. While the expansion of workers' rights and legal protections remains important, it is equally crucial to address the socio-economic drivers of migration and the structural inequalities in. Without such systemic changes, the cycle of exploitation and marginalisation will likely persist.

4.3. Contributions to Existing Literature

This study makes several key contributions to existing literature on migration, xenophobia, domestic work, and gender in South Africa.

This research provides further nuance to an existing understanding of South-South migration, particularly within the context of domestic work. It challenges the homogenising tendencies in mainstream migration studies by highlighting the unique experiences of migrant women domestic workers and their complex relationship with institutionalised xenophobia. The study reveals how migration patterns are shaped not only by economic factors but also by historical legacies of racialised exclusion and gendered inequalities. This nuanced perspective contributes to a deeper understanding of the challenges and vulnerabilities faced by migrant women in the domestic work sector, highlighting the need for policies and interventions that address the specific needs of this group (Mbiyozo 2018, 09 - 12; Ally 2009, 191).

This study contributes to the discourse on xenophobia by moving beyond overt violence to explore the more subtle, everyday forms of discrimination faced by migrant domestic workers, with a particular focus on the experiences of women who are often silenced in broader discussions of xenophobia. It highlights the structural and historical dimensions of xenophobia, illustrating how it is ingrained in labour markets, social relations, and the broader political economy. By connecting xenophobia to the legacies of apartheid and the ongoing impact of neoliberal policies, the research offers a deeper understanding of its persistence in South Africa. This analysis challenges the view that xenophobia is merely a spontaneous response to economic competition or social tensions, revealing instead its deep roots in historical systems of oppression and the continuing reproduction of inequality (Harris 2001, 22, 56, 59; Solomon and Kosaka 2014, 6-9).

Moreover, the study underscores the need for a clear and comprehensive definition of institutionalised xenophobia. While several scholars acknowledge its systemic nature and its entrenchment within institutions and policies, they often stop short of providing a precise definition. This gap points to the need for a more nuanced understanding of xenophobia, not just as individual prejudice, but as a force woven into the very fabric of South African society.

This study contributes to the literature on domestic work by highlighting its racialised, gendered, and transnational dimensions, drawing important connections between the historical context of apartheid and contemporary labour practices. It sheds light on the specific vulnerabilities faced by migrant women in this sector, who are often excluded from legal protections and subjected to various forms of exploitation. This exclusion echoes the experiences of Black South African women under apartheid, who were similarly relegated to the margins of the labour market and denied basic rights and protections (Mbiyozo 2022; Raniga 2022, 02). By examining the intersection of xenophobia, gender, and labour within the domestic sphere, the research provides valuable insights into the complex power dynamics that shape the experiences of migrant domestic workers, highlighting the continuities and changes in the exploitation and marginalisation of these workers from the apartheid era to the present day. The study's focus on the domestic work sector provides a unique lens through which to examine the ongoing impact of historical injustices and the ways in which they

intersect with contemporary forms of marginalisation (Ally 2009; Bosch and McLeod 2015).

This research contributes to gender studies by centring the voices of women who are often silenced in discussions of xenophobia in South Africa, where the discourse predominantly focuses on the experiences of men. By highlighting their narratives, it seeks to address the gendered dimensions of xenophobic violence and marginalisation. This study further explores how domestic work intersects with gender, race, and xenophobia, particularly in the context of the global economic system. It demonstrates how the feminisation and racialisation of domestic labour, coupled with the vulnerabilities of migrant status, create a unique set of challenges for migrant women workers, echoing the historical marginalisation of indigenous women under apartheid, who were similarly confined to low-wage, exploitative roles (Eales 2000; Fish 2006).

By analysing the interplay of these factors, the study highlights the ways in which the global economic system perpetuates gendered and racialised inequalities within the domestic work sector, drawing important comparisons between the experiences of migrant women domestic workers and those of their indigenous South African counterparts during apartheid. This analysis contributes to a deeper understanding of how gendered and racialised inequalities are reproduced and reinforced in the contemporary global economy, particularly within the context of precarious labour markets and transnational migration.

4.4. Areas for Future Research

This research has opened up avenues for future study. One area that warrants future research is the psychological impact of xenophobia on migrant domestic workers. This study focused primarily on the structural and social dimensions of xenophobia, but further research could examine the emotional and mental health consequences of experiencing discrimination and exclusion. Finally, future research could explore the potential for policy interventions to address the root causes of xenophobia and exploitation in the domestic work sector. This study highlighted the need for stronger legal protections and enforcement, but further research could examine the specific

policy mechanisms that could be implemented to create a more just and equitable environment for migrant domestic workers.

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