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UNIVERSITY OF CAPE TOWN, POLITICS DEPARTMENT

“Speaking with One Voice”: The Somali Retailers’ Association, Rights and Xenophobia in Cape Town’s Townships

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This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in this dissertation from the work or works of other people has been attributed and has been cited and referenced.

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ABSTRACT

In the wake of extreme xenophobic violence, which swept South Africa in 2008, a group of Somali refugees resident in Cape Town formed the Somali Retailers' Association (SRA) as a mutual support network made up of those who were targeted by xenophobes most: Somalis involved in informal sector trade in the townships. This study investigates the networks of targeted populations, analysing how this Association helps to mitigate the impact of xenophobia on the lives of its members. The SRA, at first glance, seemed to be exclusively a trade network for mutual-benefit amongst Somali. These Somali entrepreneurs in Cape Town formalised their pre-existing informal co-national network ties. In doing so, I argue, they were actually mobilising existing social capital, exercising their agency and attempting to realize their legal and human rights. Many of the Association's functions are actually the mobilization of social capital to fill the gaps in national and city-level governance – providing assistance, critical services and fulfilling obligations where the State has failed to uphold their constitutionally guaranteed rights. The SRA appears to have a positive impact upon the quality of life for its members in the four areas under investigation (safety, livelihood, housing and health). In terms of responding to violence and negotiating with South Africans, the SRA has a positive impact on safety although not in terms of prevention. It has, at times, a positive role in conflict resolution with South African communities. One discovery was that the Somali network in Cape Town is less cohesive than it seemed initially; the divisions within the greater Somali society are exaggerated in this smaller network. The SRA altered the perception of the Somali community by outsiders and the agencies providing assistance, but internally the community is still divided by family and clan. The SRA's network is good for business not in terms of financial gain, but as a lobbying and negotiating party with South African government and business-owners who are actively preventing the expansion of competitive Somali enterprise in the townships. The SRA does not appear to have a direct impact on housing for its members, although general network ties are helpful for those displaced by the violence that need a temporary place to stay. Mutual assistance provided through the SRA and general co-national networks helped in cases of physical attacks, but the overall impact on Somali retailers' health was indeterminate. This study serves as a foundation for further research into how forced migrant populations utilize their networks to improve their collective resilience to violent xenophobia.

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University of Cape Town

LIST OF ACRONYMS

Department of Home Affairs (DHA)

Basic Human Needs Theory (BHN)

Consortium for Refugees and Migrants in South Africa (CoRMSA)

Ethnic Minority Business (EMB)

Forced Migration Studies Program, University of Witwatersrand (FMSP)

Geographic Information System (GIS)

Global Positioning System (GPS)

Gross Domestic Product (GDP)

Human Development Index (HDI)

International Organization for Migration (IOM)

Non-governmental Organization (NGO)

Refugee Reception Office (RRO)

United Nations Development Program (UNDP)

United Nations High Commission for Refugees (UNHCR)

University of Cape Town (UCT)

University of Cape Town

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CHAPTER ONE: INTRODUCTION AND BACKGROUND

Throughout most of the 20th century, South Africa – in law, legislation, policy, practice and everyday life – was a country predicated upon the segregation, limitation of rights and disenfranchisement of the majority of the population. Rights, particularly after 1948, were a luxury of the few. As a pariah in the international community, the apartheid government stood outside the norms of behaviour, even as 48 of the 56 members of the United Nations General Assembly declared human rights ‘universal’. Under apartheid, the white minority government manufactured identities to suit its needs by dividing and separating the majority population (Mandami, 1996) and effectively created foreigners out of the native population, while setting up a clear urban-rural divide (Mandami, 1996; Neocosmos, 2009). These manufactured identities still haunt the country and its inhabitants – citizens and non-citizens alike.

Sixteen years after the historic elections of 1994, the majority of South Africans have yet to reap the promised benefits of the nation’s celebrated transition from the racialised authoritarian regime to democracy or realize their rights to a healthy environment, safety, education, profession/trade/occupation, housing, dignity and 30 other rights enshrined in the Bill of Rights (Worby, Hassim & Kupe, 2008). The primary ‘ethic’ of this transition was inclusion (Ibid: 7) based upon a human rights regime. The foundation for the newly inclusive nation is a Constitution that explicitly states that “South Africa belongs to all who live in it” and a Bill of Rights that “enshrines the rights of all people in our country” (SA Constitution). If that is the case, how can we comprehend the continued assault, exclusion and violence levied upon foreigners? Are political rights, freedoms and entitlements enough to guarantee the safety, human rights and dignity of every person who lives in South Africa?

As many studies of attitudes of South Africans and experiences of African foreign nationals demonstrate, the answer to the last two questions is a resounding NO. Whether you call it Afrophobia, negrophobia, xenophobia or simply prejudice against a perceived ‘other’, the negative attitudes, behaviours and violence unleashed against ‘foreigners’ is racist in practice (Warner & Finchilescu, 2005) and violates the human rights of not only the victims but also those who experience the psychological damage of being under siege. The victims are almost exclusively Africans from outside South Africa’s borders – which is alarming in a country whose transition was to ‘deracialise’ difference,¹ a country “where skin colour has always served as an excuse for whole catalogues of discriminatory policies and practices” (Nyamnjoh, 2006: 49).

The vulnerability of refugees and asylum seekers is a universal trait of their existence and not at all unique to South Africa; in fact, "racism aimed at foreigners is a common trend in Europe and America, it

¹ Deracialising difference is not the same as eliminating difference. Culture, religious and linguistic difference are protected in the Bill of Rights (SA Constitution); thus difference and race are not eliminated but race is no longer the only means of recognising or legislating difference.

has received particular attention in societies undergoing transition, such as that of post-unification Germany" (Harris, 2001: no page numbers). What does make South Africa exceptional in this anti-foreign sentiment is the magnitude of the violence and large-scale citizen action. Those committing acts of murder, torture and violations of human rights see their 'work' as legitimate, rational and above all, necessary (Landau, 2010c: 216). With tacit consent from government, ordinary South Africans are demonizing and attempting to eradicate African foreigners (Ibid; Landau, 2008). Even more frightening is that the state plays a role in "encouraging and empowering the citizenry to alienate and liquidate in the name of political self-actualization" (Landau, 2010c: 219).

In May 2008, a wave of violent xenophobic attacks swept South Africa leaving more than 60 people dead, around 670 wounded, and over 100,000 displaced (Cape Argus Supplement, 2009; IOM, 2009). Although this certainly was not the first violent expression of xenophobia in this country, it was by far the worst on record in post-apartheid South Africa. During these assaults, the devastation in Western Cape was *relatively* light compared to that of Gauteng. Daily violence against foreigners continues across the country long after xenophobia was declared 'over' by the government.

The vast majority of the intimidation, 'eviction notices', looting, beatings and other violence experienced in Western Cape in 2008 – particularly in Cape Town and the surrounds – was and continues to be levied upon the Somali community.² This violence against Somalis is practiced daily in the townships and informal settlements across Western Cape. Whether it is because they are easily recognized as looking physically different (appearing slightly lighter or more Arab looking than black South Africans) or because of their increased visibility and vulnerable positions as informal traders with a reputation for carrying cash, Somalis appear to be the favourite target for xenophobes and opportunistic or professional criminals in Cape Town.³

As the World Cup in 2010 – South Africa's highly successful global event during which the nation, and thousands across the globe declared 'we are all African' – drew to a close, rumours spread like wildfire that all foreigners (African foreigners) were to leave by the end of the final match or be killed. Foreign nationals in the townships across the country, but particularly in Cape Town, were threatened with the language of genocide – foreigners were told that their presence would only be tolerated until the Closing Ceremony and those who remained would be subject to a 'cleansing' of the townships, eradicated, rounded up and expelled or executed. Although many foreigners fled the townships, most have since returned since the genocide threats of these rumours was not ultimately borne out in reality.

² Attacks in Cape Town are also heaped upon the Zimbabwean community, but Africans of all nationalities have felt the sting. See Misago, J.P. "Violence, Labour and the Displacement of Zimbabweans in De Doorns, Western Cape." December 2009. Migration Policy Brief #2. University of Witwatersrand Forced Migration Studies Programme.

³ This is based upon interviews as well as several articles in the local print media. See Underhill, 2010; Johnston, 2010; Vegter, 2010; Nibishaka, 2010; among many others.

Instead, 'small-scale' daily murder of Somalis in Cape Town's townships is carried out in order to kill the competition in business, deter more Somali from settling here and intimidate all those who remain. Extreme acts of hideous and torturous violence have been levied upon the Somali community in Cape Town and the surrounds for years.⁴ During the four months of fieldwork for this dissertation (August – November 2010), approximately 22 Somalis were murdered in the locations surrounding Cape Town, countless more were injured, harassed or otherwise subjected to xenophobia and not all of these murders appear in print or in official statistics (observations/discussions during fieldwork; interview with Aden 011811; discussion with translator 170111).

Statements by Somali participants as well as large-scale opinion surveys (Crush & Pendelton, 2004; Crush, 2000) demonstrate that the sentiment behind the rumours and the frequency with which these threats are lobbed at foreigners residing in South Africa demonstrate the truth: anti-foreign sentiment is pervasive in this country and people are willing to kill to 'rid their country of the foreign menace.' The ANC government has a strong record of accomplishment of denying the existence of any problems until they cannot hide from them any longer. The current government is no exception with Ministers and other civil servants repeatedly denying that xenophobia is a problem after the 2008 attacks.⁵ The last 16 years saw a great deal of change and progress, but none of that was accomplished by ignoring the problems at hand.

South Africa's transition to democracy has not been perfect and sixteen years after the country's first democratic elections, the nation is still learning how to live up to the lofty goals set out in its rights-based Constitution. The relationship of the government to its people, indeed the relationship of the state to all those who live in the country, is still in flux. One consequence of democratization is that the country now respects the basic human right of freedom of movement, not only for its citizens, but also for the many foreigners who flocked to South Africa since it reengaged with the world and opened its borders in keeping with international standards (Amnesty International, 2008; Crush, 1999; Harris, 2001; Vigneswaran, 2007b). This study takes the transition from racial autocracy to inclusive democracy – a process of transitional justice – as its point of departure and focuses on a small group of individuals at the municipal level. The process, a rocky and unfinished one, affects not only South African citizens, but also those who were born elsewhere and presently call South Africa home. The realization (or lack of realization) of those rights for some of the country's most vulnerable inhabitants – forced migrants living amongst the poor in townships and informal settlements – at the analytical level of the city (specifically Cape Town) should provide insights into the nation's social contract with

⁴ No formal data exists as to the number of attacks, lootings, murders etc. on Somali traders or other foreigners because there is no specific category for xenophobic violence. See Appendix 2 for a detailed discussion of this issue.

⁵ See Appendix 2 for more details; also, "ANC denies xenophobic attack claims," Independent Online, 2 July 2010.

all who live here. More specifically, we will develop a more nuanced understanding of an association of Somali entrepreneurs' efforts to fulfil these obligations where the state has failed to do so.

Networks are defined across various social sciences according to different definitions that fit broadly within three main categories: social, industry or organisational and market-bound (Rindoks, Pinninx & Rath, 2006: 2). For the purposes of this study, the lines are blurred between the former two categories as it examines an immigrant association: the Somali Retailers' Association. Although this Association is represented in multiple cities across Western Cape, this thesis is geographically located in Cape Town, specifically with those Somalis who trade in informal settlements (the site of the most xenophobic violence against Somalis over time, inclusive of the May 2008 attacks and those following the World Cup in 2010).

This specific Association is but one part of the greater network of Somalis within South Africa – and as will be discussed later, Somalis are considered highly networked examples of transnationals as they "live a life that spans across geographical borders because they have ended up all over the world when they fled Somalia" (van Liempt, 2010: no page numbers). The Somali Retailers' Association is by no means the only Somali organisation in South Africa. The Somali Business Owners Association, the Somali Association of South Africa and the Somali Community Board serve various facets and components of the Somali community in South Africa; the recently formed Somali Youth League also supports the Cape Town region.

As this study will illustrate, through extensive in-depth interviews with 8 members of the SRA and 10 other Somali traders in the townships, the Association serves many functions, several of which are actual substitutes for effective national and city-level governance and are indicative of the insecurity that pervades the migrant experience here in Cape Town.⁶ With this study, I am attempting to examine the nature of a single network in the Somali community of Cape Town and investigate the impact that this has on their ability to withstand the "orgy of xenophobic attacks" (Nieftagodien, 2008; 65) in post-transition South Africa. This study helps to shed light on the shifting perceptions of the Somali community by the UN and city-level governance, which resulted from the formation of a semi-formal network.

In a climate of continued xenophobia, which often manifests itself through violent outbursts, seeking out alternative and non-violent means of addressing these underlying issues and identifying groups

⁶ Although the focus is on traders, this study is not an analysis of the financial or economic contributions to South Africa by Somali informal traders, migrants or migrant networks – this has been extensively studied in the European and North American contexts and debated amongst academics and policy makers here in South Africa (Ehrenreich, 2003; Jacobsen, 2002; Jacobsen, 2006; Macchiavello, 2003). Across the board, data routinely supports the conclusion that migration promotes economic growth in the country of settlement (Glover et al; 2002), although the issue is so incredibly complex that we cannot delve into the costs, benefits and externalities of migration in this study.

within both the Somali and South African communities that could potentially manage the conflict is a critical task. As most of the attacks against Somalis are levied against shopkeepers or informal traders and money/jobs are used as 'excuses' for the violence, the Somali Retailers Association would seem ideally poised to help negotiate and reduce the number of violent physical attacks.⁷ Their capacity to function as such came up incidentally throughout the interview and observation process.

AIMS, OBJECTIVES AND RESEARCH QUESTION

Investigating the nature of this group's ties with both the Somali broader community and South Africans generally in the townships surrounding Cape Town is one aspect of this study which also seeks to understand how these ties help them manage conflict and impact their experience with the liveability (quality of life) of the city. What are the functions and roles that this Association plays in the lives of its members? Has this group of traders in Cape Town, by coming together under a single umbrella, been able to realise their constitutionally guaranteed rights and enhance their experience of liveability in terms of safety, securing livelihoods, health and housing? Are the lives of Somali traders significantly better because the Somali Retailers Association exists? In addition, what is the role of a particular community network in responding to xenophobia or related conflict? I set out to investigate the structure of the association, understand what activities it undertakes, and the role it plays in community, governmental or other organizational involvement that at its core seeks to mitigate the issue of xenophobia between the South African and Somali communities.

DEFINING TERMS

Prior to exploring the world of the Somalis in Cape Town, it is necessary to explain and define several terms, which will be used widely in this dissertation. Some of these terms are controversial, highly politicized, or used interchangeably (Kirkup and Evans, 2009).⁸ Thus, it is necessary to agree on a neutral definition for each of the following terms.

Migrant: In the most general terms, a migrant is someone who crosses a border. In this, the most general and broad definition, we could speak of rural to urban migration within a country *or* crossing international borders. Throughout this paper the term 'migrant' or 'migrants' will be employed as a

⁷ We must acknowledge that this conflict is not simply about looting stores and violence levied upon Somalis (or any other non-South African foreigners) but is a much deeper undercurrent within society that cannot be dealt with simply through community-level conflict resolution. This will be dealt with and scrutinized extensively in Chapter 2.

⁸ "This confusion [between migrant and refugee] plays into the hands of irresponsible politicians whose rhetoric draws upon and feeds the fears of those who see foreigners as taking jobs, who might be terrorists or criminals, who might upset the ethnic balance, or who might just stay too long...Refugees and migrants are becoming confused in the public mind, the policies of government and the laws of states. As the distinction starts to disappear, so does the line between migration control and refugee protection... The confusion is not only dangerous, it is also legally unsound" (Kirkup & Evans, 2009).

general category of foreign-born people, non-westerners who are in South Africa on a medium- to long-term basis.⁹ Migrants do not legally exist as a specific category of persons who are not entitled to specific rights in the South African Constitution or international legislation.

Forced Migrant is defined by the International Association for the Study of Forced Migration as “a general term that refers to the movements of refugees and internally displaced people (those displaced by conflicts) as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects” (FMO; 2010). As a field of study, it is more of a catchall term to include refugees, asylum seekers and internally displaced people. There are three basic reasons why we separate out forced migrants out as a sub-category of migrants in general: 1) they have distinct needs; 2) there are millions of them globally and 3) they make special claims on rights or entitlements (Turton; 5-6). The term forced migrant will be used in this study when speaking of Somalis and other groups from refugee-producing countries or similar situations.¹⁰

Asylum Seeker: An ‘asylum seeker’ is “someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated” (UNHCR, 2007). In addition, in South Africa, this term is delineated in the 2008 Refugee Amendment act as “a person who is seeking recognition as a refugee in the Republic” (2008). Asylum seekers may hold a Section 22 permit, but as with refugee documentation, these may be lost, destroyed or simply disintegrate. Thus, the possession or lack of legal documentation does not have bearing on the definition of such persons.¹¹ Thus, in the context of this study, asylum seekers are persons who see themselves as refugees, and seek recognition by the government as such.

Refugee: The term ‘refugee’ is the most specific category; they possess (or at some point possessed¹²) official, legal status and documents that differentiate them from other migrants and entitle them to international protection. According to the 1951 Convention relating to the Status of Refugees, a refugee is someone who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that

⁹ By defining it thus, we exclude expatriate workers here on temporary or long-term visas; Western tourists who chose to remain after their visas expire; retirees and others who settle with considerable foreign-earned capital; international students on study-permits; and other categories of visitors or immigrants.

¹⁰ According to the UNHCR Statistical Online Database, the top refugee-producing countries as of 2009 are: Afghanistan (1,905,804), Iraq (1,785,212), Somalia (678,308), Democratic Republic of Congo (455,852), Sudan (348,500), Vietnam (339,289), Myanmar/Burma (206,650), Eritrea (197,313), Serbia (195,167) and China (180,558).

¹¹ See definition of ‘refugee’ or CoRMSA, 2008; Klaaren & Ramji, 2001; Landau, 2004; Landau, 2005b; Landau, 2009; de la Hunt, L.A. 1998; de la Hunt, V.L.A, 1998; Peberdy, 2010, among others for more on the complications of these permits.

¹² As will become apparent later in the paper, in South Africa, status documents expire frequently and they are often destroyed or confiscated by police officers. Thus, someone may possess an official refugee identity document that expired or have it taken by the police but they would still qualify under this definition as a ‘refugee’ for the purpose of this paper.

country” (UNHCR, 1950). South Africa defines refugees according to the Refugees Amendment Act of 2008:

*“(a) owing to a well-founded fear of being persecuted by reason of his or her race, gender, tribe, religion, nationality, political opinion or membership of a particular social group, is outside the country of his or her nationality and is unable or unwilling to avail himself or herself of the protection of that country, or, not having a nationality and being outside the country of his or her former habitual residence is unable or, owing to such fear, unwilling to return to it; or (b) owing to external aggression, occupation, foreign domination or other events seriously disturbing **[or disrupting]** public order in either a part or the whole of his or her country of origin or nationality, is compelled to leave his or her place of habitual residence in order to seek refuge **[elsewhere]** in another place outside his or her country of origin or nationality; or (c) is a spouse or dependant of a person contemplated in paragraph (a) or (b)” (2008).*

Refugees formerly were given Section 41 or 28 Permits, whereas under the Refugees Act of 2000 (and Amendment in 2008), they too have Section 22 Permits (Harris, 2001).

Community/Network: Although Castells’ social network theory is considered the seminal work in this area (Castells, 1996), a great deal has been done since to expand upon network theory and identify certain aspects that are specific to migrant networks. Some may define it as connections beyond that of familial or kinship ties (Gottdiener, 2006) that are not necessarily spatially bound (community without locality) (Wellman, 1988). They can be created purposefully and formally, as with the Association studied here, or entirely “unpurposeful and unplanned” (Olsen, 1968) but most are formed for at least one of five reasons: 1) expectations and obligations; 2) personal satisfaction; 3) common interests and goals; 4) force; or 5) mutual interdependence (Ibid). The Somalis in this study and in the 2004 UNHCR study refer to the “Somali community” to mean in a general and broad sense most Somalis living in South Africa or in a specific city or area; I will utilize their meaning in the inclusive sense, while recognising it is a problematic term.

Liveability: The term has variously been used in regard to economic and marketplace indicators for socioeconomic comparisons amongst cities (Savich et al, 2002) or as a two-sided coin with livelihood and environmental sustainability on either side of the coin (Evans, 2002). Most of the World Bank materials concerning liveability centre on environmental sustainability, the brown agenda, and the provision of infrastructure and services such as water and sanitation (Bigio & Dahiya, 2004). These definitions neglect key components of the liveability of a city. To preserve life, one must have the basics of clean water, food and shelter. Access to healthcare facilities and education as well as the protection of person (and in the case of refugees or asylum seekers, protection against *refoulement*) must be guaranteed to maintain a minimum standard for quality of life. While a clean urban environment and pleasant green spaces are desirable and important, without the fundamentals required for life, a city remains unliveable. For the purpose of this paper, liveability as a broad concept will be employed in

line with Vuchic's work and Meyer's work on "quality of life" (Vuchic, 1999; Meyers, 1987). The components chosen for the purpose of this dissertation are safety, economic opportunities, housing and health. Essentially, these four components translate into the some of the most fundamental needs and human rights of all people.

HISTORICAL OVERVIEW & REVIEW OF LITERATURE

The lofty goals and vision for an all-inclusive, rights-respecting South African nation remain unfulfilled when it comes to their most vulnerable inhabitants – asylum seekers and refugees. This section covers the development and changes in South African immigration and refugee legislation with an assertion of a human rights perspective. Tracing the creation of legal rights for immigrants, refugees and asylum seekers in South Africa and contrasting this with notions of human rights as guaranteed in the Bill of Rights of the country's Constitution and international human rights regimes, this section highlights the abuse of rights of refugees and asylum seekers in both positive and human rights. It also serves to raise serious questions both about the dynamics of this legislative and policy history and the legacy it created as well as the possible limitations of a national-level human rights perspective.

FRAMING THE ISSUE – THE DEVELOPMENT OF SOUTH AFRICA'S IMMIGRATION REGIME

A rough understanding of the history of South Africa's immigration legislation is relevant to the current study. By detailing the historical development and framing the legal rights and entitlements of forced migrants, we have a better contextual grasp of the issues presented in this dissertation, particularly as structural causes of xenophobia are addressed in later sections. In the words of Harris, "the law itself can be read as an institutional site of xenophobia... an overview of South African immigration legislation highlights xenophobic discrimination at work across time" (2001; 19), therefore understanding its development is essential. Other studies such as Peberdy and Crush (1997), Peberdy (2010) Harris (2001), Crush (1996 & 1999), de la Hunt, L.A. (1998), and de la Hunt, V.L.A (1998) among others give detailed historical accounts and analysis of each relevant piece of legislation.

For this dissertation, we will acknowledge that from at least 1910 -1991 every piece of immigration legislation was racially discriminatory and each one was in support of what Crush and McDonald call the four pillars of South Africa's 20th century immigration policy: "racist policy and legislation; the exploitation of migrant labour from neighbouring countries; tough enforcement legislation; and the repudiation of international refugee conventions" (Crush & McDonald, 2001: 2). Table 1.1 provides a timeline of immigration legislation through 1991. Not one of these pieces of legislation dealt directly with refugees, although several of these laws were crafted in response to shifts in international migration trends. These policies helped to construct the present immigration regime in South Africa and subsequently helped to shape social relationships with non-nationals.

Table 1.1 Legislation pre-1992¹³

Year	Legislation
1913	Immigrants Regulation Act Land Act
1930	Immigration Quota Act
1937	Aliens Act
1939	Aliens Registration Act
1949	Aliens Registration Amendment Act
1952	Natives Abolition of Passes and Co-ordination of Documents Act
1962	Commonwealth Relations Act
1963	Aliens Control Act
1964	Republic Regulations Act
1967	Border Control Act
1972	Admission of Persons to the Republic Regulation Act
1978	Aliens Amendment Act
1984	Aliens and Immigration Laws Amendment Act
1991	Aliens Control Act

Immigration and the Transition to Democracy

The political negotiations that took place in the closing decade of the 20th century, which led to the dissolution of the apartheid state and eventually to the new Constitution, and historic elections of 1994, were extensive and it is beyond the scope of this paper to fully describe and explain them. In 1993, an Interim Constitution was drafted and agreed to by the National Party and the liberation movements of the ANC and others. In effect, this Constitution was a kind of peace treaty, which laid out the process of transition to fully-fledged democracy that would take place. The new Constitution that followed was characterized by a) an inclusive and non-discriminatory conception of equal citizenship – an explicit and deliberate outcome of the political negotiations, and b) a recognition of equal human rights of citizens and non-citizens alike.

Unlike most Constitutions or Bills of Rights throughout the world, South Africa's foundation documents protect the rights of all people in the country, citizens or not. With the exception of political rights (i.e. the right to join a political party and vote); citizenship; and freedom of trade, occupation and profession, everyone in South Africa obtains the rights laid out within the Bill of Rights. Thus, the Bill of Rights contains both negative and positive rights to which every person within its borders is entitled, regardless of their nationality, gender, race or any other distinction.¹⁴ Due to the emphasis that the

¹³ Smith, T. R. "The Making of the South African (1998) Refugees Act," 2003. Forced Migration Working Paper Series #5. University of Witwatersrand. P. 35

¹⁴ According to the Constitution, Chapter 2, Clause 9 (3): "The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin,

constitutional drafters placed on rights and also as consequence of rights being denied to the majority of citizens for so many years, and because the struggle for democracy/liberation was a struggle for rights as much as for power (Seekings, 2000), “one of the dominant features of post-apartheid social movements is the extensive use of the language of rights to articulate needs, make social demands and secure legally enforceable commitments from the government. Rights have become a way of defining fairness and social justice” (Amisi & Ballard, 2005: 1).

South Africa today remains a fissured society, marked by racial and economic schisms. As this dissertation demonstrates for only one small population, there remains a disturbing undercurrent within South Africa that either lacks respect for human rights or the democratization process has yet to fully penetrate society and confer the deeper meanings of these rights. In particular, the way in which South Africans, young and old, white, coloured and black, rich and poor have come together in hatred and resentment of foreigners – united against the ‘other’ – is but one example of this lack of full understanding of the implications of the post-transition rights-based nation (Crush & Pendelton, 2004). While refugees and asylum seekers in South Africa have legal rights, respect for their ‘universal’ human rights continues to founder – from government and civilians alike (Landau, Ramjathan-Keogh & Singh, 2005). South Africans generally do not recognize non-citizen rights (Landau, Ramjathan-Keogh & Singh, 2005; Crush, MPS#22). Although some may see the xenophobia as a new phenomenon (Harris, 2001) and other as a continuation of apartheid racially based discrimination (IOM, 2009) or as a function of identity construction (Neocosmos, 2009), it is fairly clear that xenophobia intensified after the elections of 1994 and it “runs parallel to the country’s process of transition from apartheid to democracy” (Nyamnjoh, 2006: 55). Rights of citizens in any nation also function in some ways to purposefully exclude non-citizens, however in South Africa it was the transition and its rhetorical emphasis on nationalism and indigeneity where the seeds of xenophobia in its current violent form were sown (Neocosmos, 2009; xi).

In the past twelve years since the Constitution came into effect, the Constitutional Court has upheld these rights and their application to non-citizens in multiple cases. This often does not flow down to the lowest levels of society, however, as legal or human rights on paper do not necessarily equate with the daily exercise of those rights. Particularly in terms of immigration legislation – more specifically those acts that protect refugees and asylum seekers – the new human rights approach had little to no historical precedent and were more or less parachuted in; this may account for the subsequent limited impact that these rights have on daily practice.

colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.” Notice that nationality is not included here.

During the process of negotiating a new system of non-racial and democratic government in South Africa, the legacy and framework of exclusionary immigration regime remained in place. As the country was in the process of developing a new, inclusive, human rights respecting Constitution, it became party to many international conventions for human rights and refugees.^{15 16} For many years, the principles of international law were not absorbed into the policies and practice of the immigration regime of the new South Africa.

Post-Apartheid Immigration Legislation

As the previously described developments took place, and particularly after the new Constitution was implemented in February 1997 the Aliens Control Act – even as amended in 1995 – was no longer constitutional or a sufficient mechanism for controlling the new migration patterns (Crush, 1996; Crush, 1999). A new piece of refugee-specific legislation had to be adopted in order to provide refugees and asylum seekers with the three main rights they should be guaranteed:

- right to asylum (right to *seek* asylum),
- *non-refoulement* (freedom from this fear; this bars physical eviction, rejection without grounds and non-admission),
- freedom of movement, right to work and repatriation (de la Hunt, 1998).

Table 1.3 provides a timeline of relevant legislation and policy developments from the adoption of the South African Interim Constitution in 1993 to the Refugee Amendment Act of 2008.

Table 1.3 Relevant Legislation and policy developments post-1992¹⁷

Year	Legislation
1993	Interim Constitution, Tripartite Agreement, Inter-Departmental Committee on Illegal Aliens established
1994	South Africa signs OAU Convention, first (unofficial) Refugees Act drafted
1995	Aliens Control Amendment Act

¹⁵ Specifically: the 1969 Organization for African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Convention), the 1951 United Nations Convention Relating to the Status of Refugees and the 1967 United Nations Protocol Relating to the Status of Refugees.

¹⁶ As stated previously, South Africa is not party to the UN’s Universal Declaration of Human Rights as it was one of the eight abstaining member states when it was adopted in 1948. The Declaration is believed to be the foundation of many customary international laws (although it is not law itself) and South Africa’s Constitution does provide for the adherence to many of the articles, particularly those considered customary laws and those which conform with its own Bill of Rights, as per Chapter 2, Article 38 of the Constitution: “The Bill of Rights does not deny the existence of any other rights or freedoms that are recognised or conferred by common law, customary law or legislation, to the extent that they are consistent with the Bill.” In addition, Chapter 14, Article 232 addresses the issue of customary law’s applicability to the Constitution and Republic of South Africa as a whole is dealt with directly: “Customary international law is law in the Republic unless it is inconsistent with the Constitution or an Act of Parliament.”

¹⁷ Smith, T. R. “The Making of the South African (1998) Refugees Act,” 2003. Forced Migration Working Paper Series #5. University of Witwatersrand. P. 35 & Crush, J.S. and McDonald D.A. (2001). “Introduction to Special Issue: Evaluating South African Immigration Policy after Apartheid.” *Africa Today*, vol. 48 no. 3.

1996	South Africa adopts new Constitution (not implemented until Feb 1997), South Africa signs 1951 UN Convention & 1967 UN Protocol on Refugees, DHA publishes 2 nd draft Refugees Act, Green Paper Team established
1997	Green Paper published
1998	White Paper Task Team established, White Paper published, Refugees Act debated & signed into law by President Mandela
2002	Immigration Act
2008	Refugees Amendment Act

The 2002 Immigration Act devolves responsibility for policing immigration to the local and community level (Nyamnjoh, 2006) where South Africans are supposed to enforce the law, “even considering it their patriotic duty to take action against ‘illegal aliens’” (Harris, 2001). This could be seen as government-sponsored xenophobia, or at the very least it amounts to a “tacit endorsement of mob justice” (CoRMSA, 2008; 29) by encouraging the community to root out and expel anyone they deem to be an illegal alien/criminal. Between the passage of the Refugees Act in 1998 and its Amendment in 2008, South Africa also passed a slightly more progressive Immigration Act in 2002 (which was amended in 2004); refugees were finally provided for specifically. These Acts represent an overall shift from obstructing immigration to the regulation thereof.

URBAN REFUGEES & INTEGRATION¹⁸

South Africa chose to sidestep “some of the hallmarks of African asylum policies (e.g. camps, group determination, delegation of responsibility to UNHCR) relatively early on, opting to administer its own self-settlement model of protection accompanied by individual status determination procedures” (Vigneswaran, 2008: 42). In doing so, South Africa accepts the burdens involved with integrating refugees and asylum seekers into its cities. Most western democracies – and in this case, South Africa finds itself in this category – allow refugees or asylum seekers freedom of movement within their countries and legally allow migrants to live in urban centres (Gibney, 1999; OECD, 2006; Vigneswaran, 2007b). Refugees and asylum seekers tend to flock to urban areas to gain access to various services and most of the attributes of urban concentration (health, education, humanitarian assistance, skills training, jobs, anonymity etc.) (Buscher, 2003; Grabska, 2006; Ray, 2003). As South Africa’s Refugee Reception Offices (RRO) are exclusively found in cities, asylum seekers and refugees have little other choice but to remain in urban areas as their flimsy and short-term permits require continual visits to the RROs.

¹⁸ Migration, particularly amongst irregular movers, refugees, asylum seekers, and those entering illegally or for economic reasons are notoriously difficult to measure (Allen, 2008; Bruff, 2007; Price & Benton-Short, 2007; Vingwarasan, 2007; Landau, year unknown; Buscher, 2003; Crisp, 1999; Crush & Williams, 2001; among others). As Khaito (2007) and Landau (2010a) point out, some forced migrants do not want to be ‘seen’ or counted.

While it is impossible to provide a complete profile of urban refugees and asylum seekers throughout the world, the following quote from Dryden-Peterson provides a good overview of their plight:

“Refugees who live in urban environments are... some of the world’s most vulnerable citizens. Urban refugees are predominantly self-settled, living outside formal assistance structures, and often unable to access their rights of protection through either the United Nations High Commission for Refugees (UNHCR) or through host governments. Their living conditions are overcrowded and squalid; and while they are not poorer or better off than the citizens in whose midst they live, they persist without legal status, without support networks and often as victims of xenophobia”(2006).

Urban refugees are not a homogeneous population and the profile of a ‘typical’ urban refugee varies from country to country or even city to city (Ibid).

RIGHTS & ENTITLEMENTS

As McKnight states, there is an “extensive gap between refugee law in theory and the law as implemented in practice in South Africa [which] unfortunately results in many refugees not experiencing the rights and protections guaranteed to them” (McKnight, 2008). The problems of refugees and asylum seekers in South Africa are not exclusively about the legal rights guaranteed by these pieces of legislation or the human rights ascribed to them by the Bill of Rights. Human rights advocates, lawyers and policy makers could debate endlessly to create perfect legal protections, but unless the agents of government and civil society enforce and practice these regulations and the citizens are willing to respect them, the aspirations articulated in the Constitution will not be realized. The legislation is clearly flawed, government practice is inconsistent, but the rights and entitlements are there. This section explores the gap between policy/law and implementation/practice. No matter how clearly articulated their rights may be in law, migrants continually have difficulty or encounter the impossibility of translating these to everyday experiences.

Fundamentally, through its signatory and ratification of various international agreements, through the Constitution and the Bill of Rights, South Africa is committed to upholding and protecting *both* legal and basic human rights of all who may find themselves in the country. This runs in direct opposition to the “primacy of civil and political rights” (Kirkup & Donnely, 2009; 225) which exist in most of the rest of the world, Western democracies especially. Whereas there are little to no consequences in terms of international approval or law for South Africa if it continues to fail refugees and asylum seekers (Jacobsen, 2002; 592), the country’s Constitution actually enshrines positive human, economic and social rights, meaning that they join the ranks of political and civil rights as inalienable instead of simply entitlements or aspirations (Kirkup & Donnely, 2009; 225). There is a tremendous gap between the legal obligations and protections afforded by the State and the actual experiences of refugees and asylum seekers (McKnight, 2008). Throughout the history of South Africa, exclusion has been a primary theme of state policy, practice and everyday life. While laudable and commendable, the lofty language

of rights employed by foundational documents has yet to be fully translated into legal entitlements and effective protection, resulting in a failure to “meet its domestic and international obligations” (Landau, 2006). This begs the question, what good are these rights if it is impossible to claim them?

In one piece of legislation after another, through the unchecked behaviour of civil society and barbarous behaviour by citizens, South Africa continues to trample the human rights of refugees and asylum seekers (CoRMSA, 2008; Handmaker, de la Hunt & Klaaren, 2001; Khaito, 2007; Landau, 2006b; SAHRC, 2000). It has not always been the case that South Africa was committed to the respect of rights of migrants, but now it bears these commitments. The State is obliged to follow through with a regularized and effective protection regime – even when it means enforcing these by arresting its own citizens and holding them to account for infringing the human dignity of foreigners.

URBAN CITIZENSHIP & LIVEABILITY

Evans, in his seminal work on the liveability of urban centres in the global South, argues, “Communities consistently appear as the motivating force in struggles for liveability. They take on problems and powerful adversaries with remarkable tenacity” (Evans, 2002). He later tries to uncover what gives a community this kind of power to be agents of change within their urban areas. One of his many answers is that “shared longevity of residence and common cultural ties are associated with the ability to work collectively” (Ibid). Although these attributes may prove to be powerful forces for change in many cities – including South Africa’s cities – it is the curse of South Africa’s migrants that they lack the common ties and political capital to stand up for change and advocate for the realization of their rights. As Khaito points out in her study of migrants in Johannesburg, “psychologically they have no investment in the city and do not see themselves as part and parcel of it... immigrants are likely to live in enclaves which are outside the reach of the state with little sense of responsibility towards their host society”(Khaito, 2007). While the state, citizenry and civil society continue to push migrants to the outer physical and social edges of society, migrants retreat further and contribute less for the overall benefit of the city – investing little, paying no taxes and being forced to live outside the law – making the city less liveable for all of its inhabitants. As will become apparent with those interviewed for this study, without social membership within the fabric of the city of Cape Town or their local communities, migrants are rarely able to translate their constitutional rights into practical claims or entitlements; they live half-lives at best, always waiting for some kind of disaster and their existence is in a constant state of insecurity (Nyamnjoh, 2006, 13).

Whether the policies and practices of city governments simply cannot or choose not to see the foreigners who live in their midst, the result is the same for the refugees, asylum seekers and other migrants: they exist as phantoms (HRW, 2002; Khaito, 2007; Vigneswaran, 2007a ;). This quality of barely surviving in a city while living outside its social, political, economic and service structures gives

refugees and asylum seekers a ghost-like quality in the cities of South Africa. They are there and yet are somehow invisible. They have rights but very little recourse to demand them. The civil institutions that are set up to protect them seem hell-bent on stripping them of what remains of their dignity (Landau, Ramjathan-Keogh & Singh, 2004; HRC, 2000; Landau, 2004, Landau, 2006b; Khaito, 2007; Harris, 2001). The city becomes barely liveable by any definition or scale of measurement. Cities develop their plans and write long-term visions but ignore the migrants who exist within those cities. With the will to work and drive to make their lives better, they are forced to the very edges of the informal economy no matter their skills or capacity (Bailey, 2004). They “draw on a variegated language of belonging that makes claims to the city while positioning them in and ephemeral, superior, and unrooted condition” (Landau & Haupt, 2007). This will become highly apparent as the Somali experiences with Cape Town are explored in Chapter 3.

Even more perplexing, however, is their invisibility in the city despite their tendency for ‘clustering’ which many migrants favour. Asylum seekers and refugees, in particular, are forced into South Africa’s cities due to the perpetual quest for documentation that sends them back to the RROs on a regular basis. Clustering usually happens to ease the transition from their former country, “due to safety concerns, shared language, culture and economic status” (Harris, 2001). If it is easy for anyone to walk around these neighbourhoods and see the diversity, how can they remain invisible to city-level policy makers?

Western Cape hosts a relatively low percentage of foreign-born residents in comparison to the rest of the country (Marindo, 2007)¹⁹. Somalis see Cape Town as the best city in South Africa because life here is relatively cheap due to their network ties, there are business opportunities, the potential to get documentation is perceived to be higher than in Port Elizabeth and the existence of many of their compatriots is an additional pull factor.²⁰ Since South Africa’s refugee policy pushes migrants into cities and yet provides no formal assistance for them, they must seek their own means for supporting their livelihood, making employment itself “a crucial element of basic dignity and welfare” (CoRMSA, 2008; 52). Without legal documentation they are unable to legally access the formal labour market, leaving

¹⁹ ‘Residents’ in the largest sense of the term, in only that they reside, dwell or live here, not that they possess legal residency. As of the 2001 census, there are approximately 108,906 foreign-born persons in the Western Cape with 1,025,077 foreign-born people in South Africa overall but this does not necessarily include all “illegal” immigrants or other groups which are notoriously difficult to count (Marindo et al, 2007). According to the authors of *The State of the Population in the Western Cape Province*, “the composition, structure and characteristics of legal and illegal immigrants (excluding involuntary migration due to war or natural disasters) usually mirror those of foreign-born and non-citizen populations” (ibid: 152). Thus, we go back to the near impossibility of providing accurate statistics on all foreign-born persons in the country taking into account asylum seekers and other migrants.

²⁰ Based on interviews with Somali participants in this study as well as the 2004 UNHCR study in which I served as lead researcher: SFM, 2006.

them to the informal sector, usually as hawkers, grocery merchants or other informal traders (Landau, 2004; Landau 2005a; CoRMSA, 2008; Harris, 2001; SFM, 2006; Bailey, 2004).

TRANSNATIONALISM AND NETWORKS

Traditionally, migration research focused on the *push* and *pull* factors of an individual's decisions and motivations to move from their home to a new place, whether as rural-to-urban migrants within their own country or those moving from one nation state to another. The field was dominated by assumptions of rational choice theory – individuals make choices after assessing the information and seeking to maximize their gain or minimize loss (Esser, 1985; Richey, 1976; Massey, 2001; Mazzucato, 2006; Bruff, 2007; Pries, 1999). Other classical migration theories focused on one of the following four approaches:

- Behavioural or interpretive approach/bounded rationality;
- Theory of structural and anomic tensions;
- Social scientific labour market research;
- Politico-economically oriented world system theory (Pries, 1999; Kunz, 1981).

All of these saw individuals taking in information and making a rational, one-way decision and the realist focus on states and power played a central role. However, as van Liempt and many others explain, migrants rarely make decisions in isolation from their family, community or other identity group and the livelihood of all concerned is part of the decision making process (2010; Pries, 1999; Horst, 2006; Portes, 1999; Akcapar, 2009; Al-Ali, 2001; Bauer et al, 2002; Boyd, 1989). Those with input into these decisions are not necessarily all residing in the country of origin either. Decisions incorporate the "role of complex networks of family members and friends in the home country as well as abroad in affecting potential migrants' decisions to migrate; the role of both formal and informal networks in providing assistance with finding housing and employment; facilitating adjustment to new surroundings (Koser and Pinkerton, 2002); and spearheading ethnic community development in the destination country (Castles and Miller, 2003)" (Akcapar, 2009; 162). Now, those concerned with migration in academia speak often about these decisions in terms of 'social networks' and 'social capital' (Portes, 1995). Social capital is defined as the "the sum of resources, actual or virtual, that accrue to an individual or a group by virtue of possessing a durable network of more or less institutionalized relationships of mutual acquaintance and recognition" (Bourdieu & Wacquant, 1992; 119).

Network theory and social network theory in the area of migration studies emphasises the importance of the above mentioned familial, kin, and friendship ties (Ritchey, 1976; MacDonald & MacDonald, 1964; Tilly and Brown, 1967; Parks, 2006; Crisp, 2004; Parker et al, 2003; Gelderblom & Adams, 2006) in facilitating cross-border migration. Currently, these theories focus almost entirely on the role that social capital plays not only in facilitating movement, but also in forming ties in the destination country

(e.g. Koser, 1997; Boyd, 1989; Pries, 1999; Kritz and Zlotnik, 1992; Bauer et al, 2002; Gurak and Cases, 1992; Castels & Miller, 2003; Klvanova, 2009; Tilly, 1990; Hamer & Mazzucato, 2009; Koser & Pinkerton, 2002; Crisp, 1999; Guarniso, Portes & Haller, 2003). Gelderblom and Adams tell us that migrant networks are formed for three reasons – to facilitate, discourage or channel migration (in Kok et al, 2006) but this only accounts for networks at the initial decision phase of migration and does not take into account networks established in the host country for other purposes.

Building upon the concept of social networks is the idea of transnationalism and transnational networks, which grew in popularity around the same time as the study of globalization (Horst, 2006; Hedetoft, 2002). These are not new concepts, but they are the *au currant* topics in migration studies. Various scholars are attempting to stake their claim in order to identify the most relevant aspects of this concept. Many scholars are busy splitting hairs to prove that transnational network theory is underdeveloped in transit countries²¹ (Akcapar, 2009); that transnationalism only holds true in the initial integration stage just following arrival in the destination country (Hamer & Mazzucato, 2009; Faist, 2004); that some nationalities exhibit stronger transnational networks than others (Boyle & Ali, 2009); that time is an important determining factor in the strength of transnational ties (Glenn, 1998); or that cultural transformation is the most striking effect of these networks (Hirsch, 1999). This study will go into detail regarding a particular network of Somali in Cape Town and examine how these various views of transnational networks fit with the Somali Retailers' Association. In a wider study conducted on secondary movement amongst Somalis in South Africa in 2004, it is clear that Somalis are highly networked migrants with global reach (SFM, 2006).

Underlying all of these theories is a basic understanding that when migrants arrive in a new place, they bring with them ties to their country of origin, with those they met along their journey, friends and family in other countries (Hamer & Mazzucato, 2009); they “rely on mutual-aid links and sustain strong ethnic [or national] networks across borders while establishing social and economic ties with the local community” (Balbo & Marconi, 2005: 5) in the country they find themselves in. This dual existence –

²¹ However, one note about transit countries is important here. By definition, it would seem that most Somalis are in transit in South Africa because they desire to move elsewhere and do not see South Africa as their final destination. Somewhat paradoxically, they seek to obtain documents that allow them to live here, travel freely and be legally eligible for employment. They have an interest in being legally declared ‘refugees’ to obtain the rights and entitlements that this label comes with, even if Zetter’s contention that this kind of label actually turns human beings into ‘policy objects’ “defining a client group in stereotypical, clear-cut ways and then prescribing its assumed set of needs” (in Horst, 2006). However, by the generally accepted definition of migrants in transit (“transit migrants are defined as aliens who stay in the country for some period while seeking to migrate permanently to another country” (International Organization for Migration (IOM), 2003: 7)) we can assume most Somalis in South Africa are indeed in transit. Although Akcapar’s case of Iranian migrants in Turkey may lead us to believe that migrant social network and social capital ties are weak in transit countries, this is not the case with the Somali community here in Cape Town.

simultaneously to another place with ties around the world while establishing connections in their present home – is what we refer to as being a ‘transnational migrant’ (Ibid; also see Hedoft, 2002).

Transnationalism as a theory violates former definitions of what it means to be part of a community. Olsen (1968) contended that a community is not self-sufficient, although it can be self-contained, that it always occupies a definite geographic area with strict spatial patterns (Olsen, 1968: 91). Somali migrants’ community and network ties span the globe. They are connected through a vast web of remittances, telephone and electronic correspondence, mutual aid and a mind bogglingly swift information network upon which they depend for news of refugee reception policy, news from Somalia and rumours regarding their safety. While the structure of a community may be primarily based on the networks which make it up, but due to their ever-changing nature, networks are not necessarily sufficient to establish a true community (Dorals, 1991).

A more critical and nuanced appreciation of social networks and to the theory of social capital is necessary if we are to uncover their potential to provide assistance and critical services to their members – “mobilization of social capital” – to determine their usefulness as conflict management entities and uncover any negative effects they have in terms of integration or community relations (Ackapar, 2009: 171).

As Horst (2006) and van Liempt (2010) assert, Somalis are the quintessential transnational migrants and perhaps due to their nomadic existence back in Somalia, they quite possibly always have been:

“Somalis have lost their homeland and the security of living in a place they can call their own. As a ‘nomadic people’, mobility, including mobility that crosses borders, is and has always been an essential part of their livelihoods and identities. The Somali are a particularly interesting transnational community because of the challenges they pose to existing concepts of the nation-state and categories of migration... Somalis can be found in every country in the world, but they largely operate past or above nations” (Horst, 2006).

Thus, by taking a look at the networks of Somali in South Africa, specifically Cape Town which is the second-most popular destination for Somali (behind Port Elizabeth), we are not necessarily looking at transnationalism as it facilitates migration, but rather at how these networks can be a form of mutual support in the destination city or country. The Somali community in South Africa is considered by those outside the community (scholars, civil society organizations, NGOs) to be a highly organized, cohesive and isolated refugee community (SFM, 2006; Horst, 2006; Jones, Ram & Theodorakopoulos, 2009); it is also seen by scholars as highly networked as individuals may have connections with Somalis in their area, but also in other South African cities and abroad (Horst, 2006; Harris, 2004; SFM, 2006; Boyle & Alk, 2009). They are isolated in the sense that they live with and communicate almost exclusively with other Somali – whether this is due to cultural, language, or other barriers is something this study will examine – and they do not tend to seek out ways of assimilating to South African culture,

choosing to remain separate.²² This tendency to congregate in certain areas – in Cape Town it is easiest to observe the interactions of large groups of Somali in Bellville and Mitchell’s Plain Town Centre – can bring with it safety in numbers, but also fuels the perception that they are ‘flooding’ the country thereby leaving themselves vulnerable to acts of xenophobic violence. Observing the activity of groups of Somali congregating in different areas of the city to observe the network was part of this research, but the transnational nature of their connections was only explored in conversation with willing participants.

RESEARCH DESIGN AND METHODOLOGY

This is a qualitative research project and interviews were conducted with eight members of the Somali Retailers’ Association in their places of residence or businesses. To increase the value of the responses and obtain information for comparison with Somalis outside of this Association, nine interviews were conducted with non-SRA members operating businesses in other locations around Cape Town. In-depth interviews with members of the SRA and other Somalis living in Cape Town’s informal settlements and townships were conducted only after the relevant secondary research was completed in July 2010; interviews took place from August – October 2010. The interview schedule consists of mainly open-ended questions broken down into eight sections: personal details, family, history, the Association and experiences with xenophobia, general safety, housing, health and other liveability issues. Participants were encouraged to tell stories in detail, thus the semi-structured interviews resembled each other, but no two were the same. Interviews were conducted in the homes, businesses, temporary residences of the participants as well as in the parking lot of Mitchell’s Plain Town Centre. This study does not represent the experiences of all Somalis in Cape Town, let alone in South Africa. Nor was this study designed to be generalizable to whole populations of forced migrants in South Africa, but as an in-depth investigation of the experiences of one semi-formal network. Given the lack of information about this particular network in Cape Town, this study is primarily descriptive -- positive and negative attributes are on display. Full details of the Research Design and Methodology, including limitations and problems encountered, can be found in Appendix 2.

²² However, as Sichone points out, identifying a person from Somalia as simply ‘Somali’ is an oversimplification and many divisions – political, ethnic and cultural – exist. As he states, “Somali, and other African migrants in Cape Town, do not exist as individuals but always as holders of various group identities. Any one person has obligations to several other people and loyalties divided between Greater Somalia, different states within the dismembered Greater Somalia, states outside Greater Somalia that they find themselves living in, as well as clans and sub-clans. Full citizenship is thus an ideal never achieved whether they are in their homeland or in a foreign country. This is not peculiar to the Somali as most Africans have strong loyalties to moral and political communities other than the nation-state. Although Somali are entitled to and obtain the support of the corporate clan network this is not always available and they thus have to develop relationships outside of their clans, learn new languages and adopt a cosmopolitan identity to supplement their Somali nationality” (Sichone, 2008).

'CAUSES' OF XENOPHOBIA IN POST-APARTHEID SOUTH AFRICA

Xenophobia is "a deep antipathy to foreigners" (Oxford, 2009) or "hatred or fear of foreigners or strangers" (Collins, 2003). Xenophobia can be latent or overt; it can be expressed with words or deeds. Some contend that it is all of the above – "a discourse concerned with a process of social and political exclusion of some groups of the population.... Xenophobia is about the denial of social rights and entitlements to strangers, people considered to be strangers to the community (village, ethnic group, as well as nation) not just to 'foreigners' as conceived by the law" (Neocosmos, 2010; 13-14). In keeping with Neocosmos, Landau and other prominent scholars in this area this study takes a global view of the phenomenon and considers all discriminatory attitudes, physical actions or verbal abuse directed at foreign nationals (Landau et al, 2005).

Seen through the lens of social identity theory, one could argue that xenophobia is only natural. These theories argue that "ethnocentrism, or in-group bias, is a natural outgrowth of a person's identity formation and under certain conditions, feelings of hostility toward out-groups and a consequent discriminatory behaviour favouring the in-group at the expense of the out-group" (Isajiw, 2000, 109 citing Tajfel, 1970; Tajfel & Turner, 1979; Taylor & Moriarty, 1987). Defining oneself as different or separate from the 'other' is a natural developmental or social phenomenon, but the violent expression of that fear is neither natural nor acceptable.

The fact that xenophobia exists in South Africa is undeniable. In general, South Africans dislike, fear or reject foreigners. In the widely circulated and oft-quoted South African Migration Project (SAMP) survey, South Africans have little understanding of the rights that refugees, asylum seekers and other migrants are entitled to, even going so far as to hold the opinion that refugees should actually be denied basic 'universal' human rights. Nearly 70% of South African respondents "feel that refugees in the country should *never* have the rights of freedom of speech and movement, with only 3% feeling that these are automatic entitlements" (Crush et al, 2001²³). These feelings directly contradict the fact that these rights are constitutionally guaranteed to everyone in South Africa. According to these surveys, not only do South Africans generally dislike foreigners, but also they actively want to deny their rights as human beings. Perhaps it is not quite that cut-and-dry though. As the Jooste, Muyeba, Coqui & Russell study revealed more nuanced opinions of foreigners living in their midst; of the 41 respondents in Delft South, Deft North, Delft Leiden and Thambo Square about one quarter had a generally positive

²³ This negative attitude toward non-South Africans is pervasive and not limited to refugees. For instance, Crush states that, "The South African Constitution guarantees basic rights and freedoms to everyone living within the boundaries of the nation-state. Many South Africans are clearly in disagreement. Around 40% are opposed to Africans from elsewhere enjoying the same access to health and educational services as South Africans. Rather more (54%) oppose giving the same right of access to housing. On the positive side, the survey found that 47% of respondents feel that Africans from other countries should still be allowed to vote in elections. Whites are significantly more negative than black South Africans on all of these issues." (Crush, year unknown).

view of foreigners, and another quarter had a negative view, slightly more had a neutral view or said they had no problem with them (3 respondents were not asked about them at all) (2010). Of the 23 respondents who were asked directly whether foreign nationals have a right to live in these neighbourhoods, 11 said they definitely had the right to stay, 10 responded that they did not and two expressed no opinion either way (Jooste, Muyeba, Coqui & Russell, 2010).

The language of xenophobia denies foreigners their unique identities, lumping African foreigners²⁴ into the same category: they are all called '*Makwerekwere*' or '*quirigamba*'. These terms indicate the indecipherability of the languages spoken by foreign nationals; they are not innocent or benign monikers. Bullion points out that these terms are frighteningly similar to those of the Boers who, in former times, called South Africans '*hottentots*', which roughly translates to 'stutterers'. By calling foreigners '*Makwerekwere*' or '*quirigamba*', they "deny African migrants an intelligible language. All they claim to hear is 'gibberish' – a 'barbaric' form of 'stuttering' – hence the tendency to classify them as *Makwerekwere*, among other onomatopoeic references to the strange way they speak" (Boullion, 2001b; 113-122, as referenced in Nyamnjoh, 2006; 39). As Mngxitama and others have pointed out, there are no white *Makwerekwere*²⁵ (Hassim, Kupe & Worby; 2008); Asians or Latin American are less likely to be labelled as such either although they are also subjects of xenophobia (Landau, 2009; Landau, 2010c). When looked at from a different perspective, we see that apartheid social stratification is still in effect with rich whites and wealthy blacks on top, black foreigners in the absolute lowest depths denied even of their humanity, reduced to caricature (Nyamnjoh, 2006).

The existence of xenophobia in South Africa, although problematic, is certainly not unique. South Africa's current obsession with the 'other' and expelling or denying rights to those it sees as illegitimate is not even an anomaly in the world at present as many nations are grappling with anti-foreign sentiments. That xenophobia and hatred exist in South Africa (indeed in all societies) is not a crime as all people in the free world are guaranteed the right to hold their own beliefs. That xenophobia turned violent and has a human cost, which continues to threaten the lives, livelihoods and rights of people living in South Africa (including South African citizens) is the frightening, unacceptable and criminal part. Appendix 3 explores both the enabling conditions/roots of xenophobia and its impact on the lives of those interviewed for this study.²⁶

²⁴ As some South Africans have been caught up in the violence, it is important to note that this is a subjective definition based often on language and colour (Harris, 2001; Neocosmos, 2008; Nyamnjoh, 2006; Peberdy, 2010). See Appendix 2 for more details on the topic of race, language and other attributes of the bio-cultural explanation of xenophobia.

²⁵ This is not to say that negative attitudes toward white foreigners do not exist, but that they are not called *Makwerekwere* and are not the target of xenophobic attacks.

²⁶ For a detailed account of the triggers to violence on a country-wide scale, refer to the IOM study, the primary findings of which take xenophobia, violence and economic problems as a given but point to "the micro-politics of township life that turn these divides into resources and translates them into violence" (IOM, 2009).

Different theories exist as to why South Africa is so xenophobic; volumes have been written on the subject and this study does not offer any new theories. In her extensive literature review and in-depth research on the experience of foreigners with violence in South Africa, Harris points to the three predominate explanations for xenophobia here: “the scapegoating hypothesis’, ‘the isolation hypothesis’ and ‘the bio-cultural hypothesis” (Harris, 2001) which roughly translate into socio-economic issues, the historical development of identity and racism. Several other scholars put forth additional hypotheses, which include the culture of violence (Simpson, Mokwena & Segal, 1992; Hamber, 1998; Hamber & Lewis, 1997 all quoted in Harris, 2001), and the role of the government or media (Danso & McDonald, 2001; Vingneswaran, 2007b).

Black foreigners are seen as scapegoats for many of the country’s social problems and crime, thus they are blamed and targeted intensely by South African citizens and the State in an attempt to rid the country of these ills. Reviewing several other scholars’ work in this area, Harris explains that the isolation hypothesis points directly to the country’s separation from the international community, particularly during the waning days of apartheid, as engendering a suspicion, fear and ultimately hostility toward the unknown. Also, the isolation theorists bring in the apartheid government’s focus on boundaries as an underlying cause of xenophobia; “because of the creation of strict boundaries between South African citizens, as well as between the country and other nations, South Africans in this argument are unable to accommodate, and indeed, tolerate difference” (Harris, 2001). The third general hypothesis puts xenophobia down to racism; it points to the unequal treatment of white versus black foreigners and the ease of picking out African foreigners because of their distinct visible and audio characteristics (Ibid). And finally, to these three theories we add the influence of the government and media in shaping public opinion on this matter, as Landau reminds us that “exclusive nativist sentiments are not only an organic or spontaneous response to street-level tensions, but have been shaped by politicians and bureaucrats” (Landau, 2006c; no page numbers). The latter theory is one of the weakest on its own but makes more sense as a mechanism working throughout the other three.

There are many competing theories, most of which have merit in explaining the various causes of xenophobia. It is unlikely that there is only one true cause of xenophobia. Those who possess these sentiments may be able to explain why they dislike or even hate foreigners so much that they will resort to violence. Objects of the hatred can also shed light on the reason for xenophobia. It is beyond the scope of this thesis to proffer up a final answer, although based on my research; the cause of this phenomenon is complex and very likely contains elements of each theory when examining South Africa as a whole. Individual’s reasons to have a fear or hatred of foreigners are as complex as human

emotions, personal histories and psychosocial makeup. As this limited study shows, a country as diverse and large as South Africa accommodates evidence of at least four of the theories.²⁷

Whatever the underlying cause of the xenophobia is in South Africa, it presents a clear threat to the perceived and actual physical safety of the country's marginalized and vulnerable forced migrant population. Indeed, as Crush and Pendleton point out, "xenophobia undermines social cohesion, peaceful coexistence, good governance and human rights observance" (2004; 1) – what is bad for the country's most vulnerable is bad for the whole country. Instead of continuing the debate on causes, scholars could accept the multivariate causes of xenophobia and devote future research to how it can be neutralized or diminished. This study was not conclusive as to whether the creation of semi-formal networks amongst migrants helps to foster integration, thereby diminishing xenophobia or whether these formations actually add fuel to the fire of xenophobia, but this is certainly an area for further investigation.

SUMMARY

This chapter introduced important terms that will be utilized throughout this dissertation and was meant to provide some theoretical and historical context for the explorative case study which follows. In doing so, it gives a broad overview of the historical developments of the burgeoning human rights culture with particular emphasis on the rights of immigrants and foreigners. This discussion includes the development of an immigration regime that, for most of the country's 20th century history was designed almost exclusively to keep out minorities or other undesirable populations. Within a few years in the 1990s the shift was a dramatic one to a regime that (at least on paper) is highly inclusive that respects the rights and freedoms of non-citizens in South Africa with specific claims on rights being awarded to refugees and asylum seekers. This chapter also introduced the important historical context of apartheid and how this regime effectively created foreigners of native South Africans, particularly blacks; this discussion was necessarily brief, but will be revisited later in the body of the dissertation. Some scholars point to this as one of several causes of xenophobia and the denial of rights of foreign-born Africans today.

Other concepts explored in the first chapter include integration and liveability – two of the dominant topics in scholarly and development literature for poor, urban environments today. These allow us to turn our focus toward quality of life for urban inhabitants instead of simply looking at income levels as an indicator of opportunity. Two other important concepts introduced here – transnationalism and networks – are also very current topics and forces for change. These are also two mechanisms or avenues to agency that migrants use to take control of their situations or bring about favourable

²⁷ See Appendix 3 for more details and a more complete discussion of how these theories are borne out in the lives of the Somali respondents.

conditions in their new homes. As this dissertation will illustrate through extensive in-depth interviews with members of the SRA, the Association serves many functions to its members, many of which are actual substitutes for effective national and city-level governance and are indicative of the insecurity that pervades the migrant experience here in Cape Town. The next few chapters will explore the ties that bind these men together and motivate this particular network of Somalis; along the way we gain a better understanding of how these ties help them manage conflict and impact their lives in Cape Town's townships.

University of Cape Town

CHAPTER TWO: NETWORK & COMMUNITY STRUCTURE OF THE SOMALI RETAILERS' ASSOCIATION

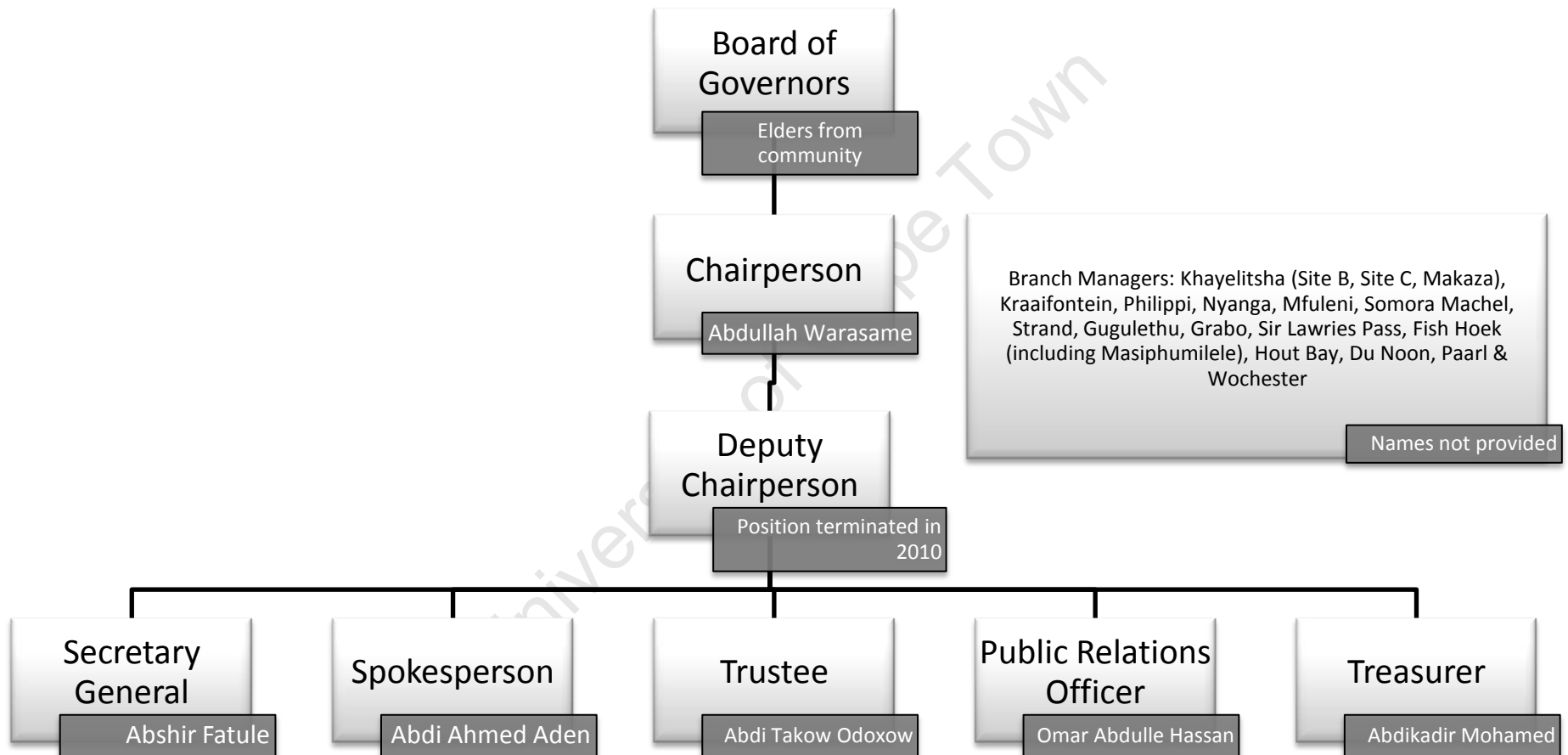
HISTORY & STRUCTURE

The Somali Retailers Association (SRA) was established in the Sweetwater Safety Camp in 2008 in response to the xenophobic attacks. The SRA's founders saw that "we Somalis were scattered and whenever there were problems like xenophobic attacks we went to talk to government or other organizations without a title and that made the message difficult to convey to government or the media especially. The message simply was not heard. We were talking with too many voices" (interview with Aden, 120910). Presenting a unified message on behalf of the Somali community meant that they could negotiate with South African community leadership, access assistance and have their needs met by various agencies. The atavistic rejection of migrants by South Africans during the xenophobic violence and the reluctance of the government to attend to their needs provoked this group of traders to formalize their ties by creating a network for collective representation that swiftly became a mutual-support network. This chapter explores what the Somali Retailers' Association is, the ways they, as agents, create their own separate networks and this semi-formal association. Included in the chapter is a discussion of mechanisms that enable the functioning of this network in terms agency, social capital and transnationalism. The chapter concludes with two brief illustrative sections on the SRA's interactions with institutions that facilitate (or hinder) refugees' access to their constitutionally guaranteed rights. I rely upon interviews with the 18 Somali respondents (no South Africans were interviewed as part of this project) and secondary sources for discussion of how South Africans 'other' the Somalis.

The Association has written bylaws and the governance structure is organized in two different 'streams,' according to Aden (see Figure 5.1: Organizational Chart). The top stream is the Board of Governors (BOG), which is made up of about 10 elders in the Somali community living in the Cape Town area. The BOG contains respected older men from all of the six major Somali clans; the clans with larger populations in Cape Town have two representatives.²⁸ The BOG is consulted "in time of difficulty to get solid advice" (Aden, 120910). They provide advice in emergencies that affect the community as a whole and mediate in the case of intra-Somali community disputes (Aden, 180111). The second 'stream' is the Executive, made up of a Chairperson, Secretary General, Spokesperson, Trustee, Public Relations Officer and Treasurer.

²⁸ Neither access to these revered gentlemen nor a list of their names was provided.

Figure 5.1: Somali Retailers' Association Organizational Structure

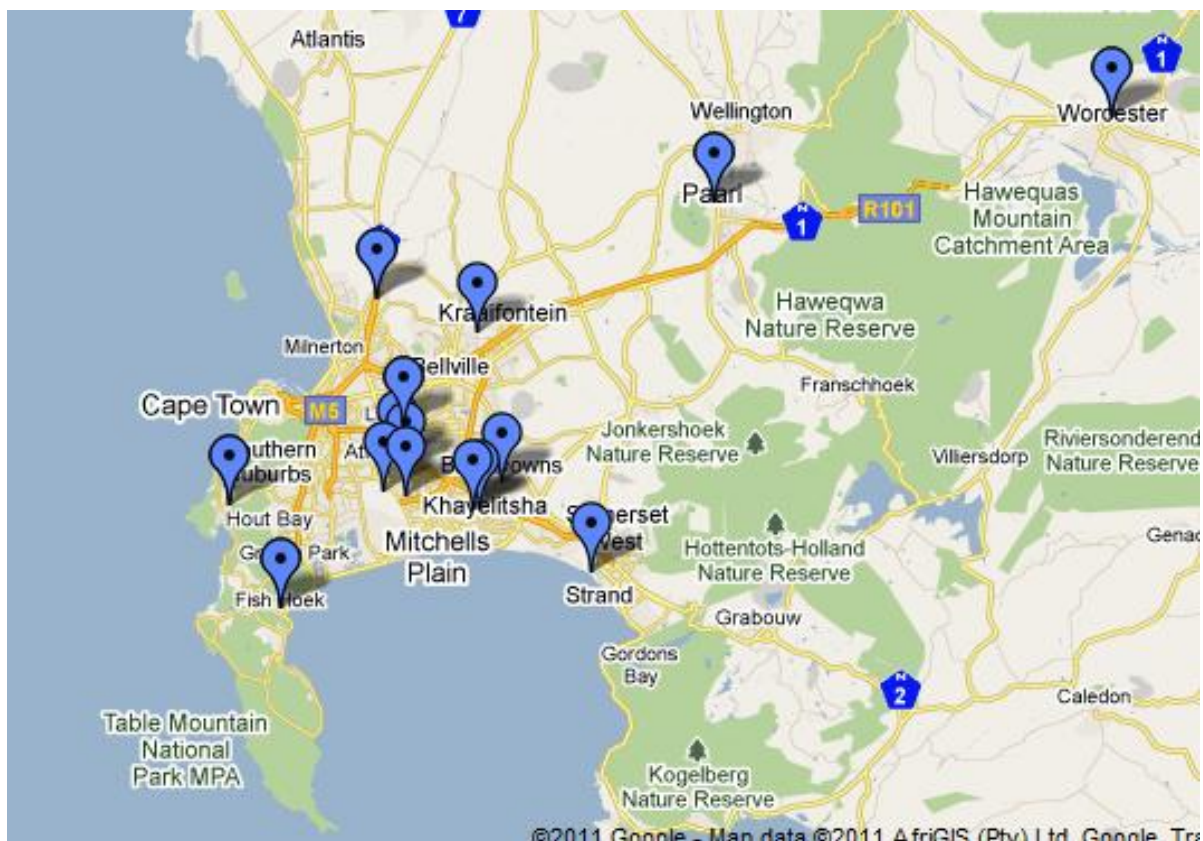


Mr. Aden was previously the Secretary General, but there was a reshuffle of the Executive around the time of the xenophobic upsurge that followed the football World Cup 2010. The resurgence of violence meant that they needed a Spokesperson with an excellent command of English and political/media savvy to ensure their message was clear and well presented. All members of the Somali community supposedly nominate the Executive; the decision-making responsibility rests with the Chairperson who selects among the nominees, then approves and confirms the group (i.e. it is not a highly democratic process). The Executive meets at least once a month, with 'emergency meetings' on an ad hoc basis. There are no paid or permanent staff members for the Association.

In addition to the Executive, there are Branch Managers for the various areas, informal settlements and townships across the Western Cape; these serve to connect the Executive to both local South African leadership and as a conduit for information with members of the Association. There are at least 10 branches across Western Cape with an estimated membership of 3,000 Somalis (see Figure 5.2 for locations). There are no fees to join the Association. While reviewing the SRA interviews conducted with Mr. Aden as a translator²⁹, all male Somali workers in the region are assumed to be members unless they explicitly tell the leadership that they do not elect to take part (Male, Philippi, 170910, A#3). As formal and informal groups are defined by Hamer and Massucato, the SRA fits in between as they have a mandate but it is not fully institutionalised (2009; 42). The SRA is thus a *semi*-formal migrant association, despite the above-mentioned formalities of a hierarchical structure and written bylaws.

²⁹ See "Problems Encountered during Fieldwork" for more details on this issue.

Figure 5.2: Location of all Somali Retailers Association Branches



Branch managers should maintain lists of members, but not all managers have done so. Female members are “not many because many more men migrate in general” (Aden, 120910). The subtext of this discussion was that Somali women do not usually operate small businesses in the public sphere. Although no women were interviewed during this study, I observed a few shops that were at least operated by Somali women, one textile shop in Mitchell’s Plain owned by a Somali woman and at least one respondent spoke of Somali women who operate micro-tailoring enterprises (Male, Mitchell’s Plain, 061010, B#2). Very few Ethiopians are members of the Association. Membership in the SRA is assumed of all male Somalis of working age and is not particularly diverse in gender or nationality. After discussions with those who did not identify themselves as SRA members, it became apparent that there might be some clan-based exclusivity as well.

The literature speculates that refugees³⁰ who share a common identity tend to be the most tightly woven communities who rely upon the community for survival of individual members (Sinclair, 1998; 347). Thus, when examining the SRA, we are actually investigating a new

³⁰ Some Somalis may not fit the UN or South African definition of a ‘refugee,’ as a few may only have economic aspirations or may have been involved in fighting. As discussed above, we assume that the vast majority of Somalis in South Africa are refugees fleeing one of the most unstable and unliveable places on the planet.

organization in an already highly networked community (SFM, 2006³¹) made up of individuals with similar needs, cultural, religious and societal values (Sinclair, 1998; Harris, 2004). Specifically, the SRA was formed in response to a large-scale and highly traumatic event and it brings together the informal traders. This semi-formal migrant association corresponds “analytically to a specific system of social relationships definable in relation to the particular issue or problem under investigation” (Burton & Dukes, 1990; p 172). In this case, the perceived problem, according to the situation the founding SRA members were reacting to, was a small population of actively violent and xenophobic South Africans within Cape Town’s townships. The newly structured SRA stems from the need for Somalis to form mutually protective alliances against that perceived (real or felt) threat. In the words of one of the SRA’s Branch Managers, the community came together after the 2008 out of fear: “When 2008 May the problem after xenophobic attack we think and we afraid to happen again like that. So we came together and think ‘what must we do to help ourselves?’ basically.’ So we united to make like organization. In addition, we go to the police station to register and we have got a meeting with the other Associations like Zenokayo [unknown organization, possibly related to the Social Justice Council] and SANCO [South African National Civics Organization] members... We stand up to help ourselves, to help our people” (Male, Khayelitsha, 260910, A #9).

The Association seeks to serve its members in various ways:

- integrating Somalis into the informal economy, and providing solidarity amongst Somali traders and helping to advise traders on business practices such as how to treat customers;
- presenting a unified voice for Somali traders to the media, government, NGOs and other groups;
- connections with the local level South African government and political bodies (police precincts; local community leaders and councillors; community policing forums; SANCO representatives and unions);
- following up with police in the event of attacks, looting or hijackings;
- providing members with official letters of recommendation to present to NGOs or DHA that back-up statements or claims for assistance;
- disseminating information amongst Somali and contribute to the well-being of the community;
- assist in burial of victims of xenophobia and respond immediately in case of attacks, documenting cases;
- assistance with registering shops;
- among other functions (interviews with Aden, 120910 & Warasame 260910).

³¹ The Somali diaspora are considered highly networked not only in South Africa, as the Swiss Forum for Migration Studies demonstrates, but also in most places they settle. See Boyle & Ali, 2009; Harris, 2004; Ram, Theodorakopoulos & Jones, 2008; Ram, Theodorakopoulos & Jones, 2009; and van Liempt, 2010 for more examples.

The intent of the Association as it stands now is to function as an empowerment mechanism for the Somali traders and to act as a form of conflict mitigation while also fostering a sense of solidarity for their members in a society that is antagonistic towards them. According to Aden, this is all part of the social and cultural obligations that Somalis have to each other and there is no expectation of repayment (Aden 120910). His statement corroborates both my observations of the types and degree of mutual assistance I witnessed during my two periods of fieldwork within the Somali community in 2004 and 2010, as well as the observations of many others working in Somali communities in different parts of the world (Horst, 2006; Jones, Ram & Theodorakopoulos, 2009; Farah, 2000). This research was conducted exclusively with Somalis and focuses on how they, as agents, created their own network – or social enclave. Both positive and negative aspects of this are explored in terms of mutual support to those inside the network and that by banding together they could be contributing to ‘othering’ by locals.

TRANSNATIONALISM AS SOCIAL CAPITAL IN THE SRA

This section looks at network ties within the SRA and the Somalis in Cape Town more generally by making observations and presenting the views of the participants. As Harris and others have pointed out, the word ‘community’ is highly problematized particularly when speaking of Somalis as it may imply more cohesion, uniformity and collective consciousness from shared experiences, language and religion than is actually present (Harris, 2004). A ‘community’ of sorts existed for the Somali in Cape Town long before the SRA was created. Social capital is an insufficient explanation for the Somali entrepreneurial network or the ‘entrepreneurial diaspora’ (2008). When investigating the strength and extent of network ties, it is necessary to evaluate the forms of capital of the group and in the particular case of Somalis most of the literature emphasizes their transnationalism. These two issues – forms of capital and transnationalism – also lead to the debates around agency in migration studies which will have to be explored before moving on to conclusions about the SRA’s network.

The SRA is considering expanding its branches to cover more of the Western Cape, but at present, they represent primarily those Somalis trading in the townships – not in the city centre of Cape Town, in the affluent suburbs or more rural areas of the Western Cape (interview with AAA, 120910). The participants in this study either were all involved in small business at the time of our interview or were in the past, but xenophobic violence currently prevented them from engaging in their trade. Thus, they are all part of ethnic minority businesses (EMB), specifically, those involved in the SRA would be classified as ‘middlemen minorities’ because their type of EMB is to be found “in poor minority neighbourhoods or immigrant ghettos in urban areas deserted by mainstream retail and service industries or by business owners of a society’s dominant group... Middle man-minority entrepreneurs have few intrinsic ties to the

social structures and social relations of the local community in which they conduct economic activities” (Zhou, 2004; 1040). This lack of ties with locals makes networks amongst Somalis essential to their survival.

OBSERVED FORMS OF CAPITAL

Bourdieu introduced the three forms of capital: cultural, social, symbolic and financial/economic (1986). Financial capital is equated with wealth; cultural capital is made up of the knowledge and skills an individual possesses that they can use for labour in the marketplace. There are examples in Cape Town of Somalis who possess these in abundance, but they are rare. Only one of the participants in the study, Mr. Aden, owned multiple businesses and is currently in the process of obtaining a Master’s Degree; many who know him, call him ‘The Professor.’ We see from other EMB literature that “immigrants who turn to self-employment tend to be those who are not so much rich in social capital as poor in human and financial capital” (Ram, Theodorakopoulos & Jones, 2004; 430). Thus, as with the majority of literature on immigrant networks, this section focuses on the SRA’s social capital, defined as “the sum of the resources, actual or virtual, that accrue to an individual or group by virtue of possessing a durable network of more or less institutionalized relationships of mutual acquaintance and recognition” (Bourdieu & Wacquant, 1992; 119). The form that social capital typically takes is trust and reciprocity. Immigrants such as the Somalis form tight knit relationships in part because they have (potential) social capital but they are low in human and economic capital (although traders have economic capital in their stock). Put another way, they convert social capital into other forms of capital by working together.

The Somali Retailers’ Association is technically a weak tie network, meaning that the connections within the network are primarily connections with ‘strangers’, but the complexities of kinship, clans and tribes within Somali society complicate this slightly. As Mr. Aden related:

“each clan member knows all the other members of his clan, even if you don’t know them by name or physically. When you go to South Africa and you will see someone you know or someone from your clan, (you can identify your clan members) and they will connect you with immediate family or extended family. Then you get into the community. Then they help get you work or you find something for yourself, that’s how we integrate ourselves [upon arrival] in the country” (interview with Aden 120910).

One of the many functions identified by the SRA as within its domain, but which is widely regarded as a general function of community and networks, is that of helping to accept or introduce newly arrived asylum seekers. However, as the interviews of ‘non-SRA’ members went forward, a notable clan bias was uncovered (as is often the case with Somalis). The clan is

both the backbone and the bane of Somali society. It is a source of major discord as clans fight a civil war for control over what is left of the country (Elmi, 2010)³². Some experts think clan ties may be weakening in the diaspora (Boyle & Ali, 2009) but this could not be substantiated in this study. Participants were not asked directly about their clan affiliation, but the issue of clans and discrimination against specific groups came up many times during the course of fieldwork. Somali clans and tribes are explained extensively in other literature and their details are not essential to understand here, only inasmuch as the intra-clan strength of these kinship ties and the weakening effect that inter-clan connections can have is understood.

Observing 'trust' proved difficult during fieldwork but it was detected in some of the retailers' business practices. For instance, upon first arrival in the country, Mr. Warasame worked in the restaurant of a fellow clansman in Mitchell's Plain for two years. During this time, he saved the funds to open his own shop (interview with Warasame, 260910). Without the assistance of a fellow Somali, he would not have been able to raise the necessary financial capital to purchase the stock and rent a space of his own, although he had a background in business in Somalia. Only other Somalis work at his shop in Philippi, all of whom are younger Somali males who also sleep in the rooms attached.

When conducting interviews in shops, there were never less than two Somalis working in even the smallest shops and they never closed the shop or ceased trading to speak to me. In a few cases, they simply called a fellow Somali they knew in the area to take over for them temporarily. Even the few who cited decent relationships with their neighbours or other South Africans never mentioned or seemed to consider inviting them to take over the shop for a few minutes. Only two of the 18 respondents reported working with or employing South Africans in their shops. It seems that interpersonal trust, at least in business, is the exclusive domain of Somalis relating to Somalis. This high degree of trust amongst Somalis as a form of social capital that is convertible in business is in stark contrast to the observed low levels of trust amongst South Africans in townships (Ashforth, 2008; Ross, 2010; Joost et al, 2010).

Both of the injured participants who were interviewed in a hostel in Bellville rely upon their networks to pay for that accommodation and assist them with transportation to and from the hospital while they continue to get treatment for their wounds (Male, Bellville, 170910, untapped; Male, Bellville, 170910, A#5). One of these men was the victim of a petrol bomb and would not be able to return to work, perhaps ever. The Somali Retailers' Association, according to a discussion with Mr. Aden following that interview, is providing some assistance but cannot

³² A great deal of the current conflict in Somalia is with the fundamentalist Islamic group, al Shaabab (Elmi, 2010).

do so for the long term as the organization does not have sustainable financing. It relies upon gifts from individual members of the Somali community in order to help this respondent and others in similar situations. There is a sense of social obligation to give back to the community which seems to motivate more prosperous individuals to contribute what they can to assist those in need. These examples, among others, demonstrate the connectedness and social ties of mutual responsibility amongst Somalis; they are indicative of the ties that bind the network more generally and the SRA harnesses some of the social capital to give back to the community.

The transnational nature of the SRA and its members was inconclusive. While individual members exhibit varying degrees of transnationalism, as does the Somali population in Cape Town in a general sense, the SRA itself does not straddle any borders – real or imagined. Only two notable aspects of transnationalism were prevalent in the sample group: the condition of inhabiting a physical space but 'belonging' in another and communication across borders – neither of which make these participants especially transnational and are arguably common traits of many first-generation migrants. The constant exchange of money, goods, people and information across borders that Somalis in Leicester, UK exhibit (Jones, Theodorakopoulos & Ram, 2009; Mazzucato et al, 2004) is not as far-reaching with the SRA or other participants, although it is present. The SRA itself is not necessarily a transnational network; although its individual members and leaders may have links globally with other Somalis, this is not part of its function; it is geographically confined to the Western Cape at present.

This sense of belonging to Somalia also comes from the fact that many of the men interviewed still have family back home, including wives and children. A handful of participants admitted to sending remittances back home whenever they can and others still receive remittances from either back home or other relatives in Western countries. In the words of one man:

“even we didn't call [South Africa] home, my home is still in Somalia, southern Somalia... I am staying Kismayo, my father, even I have wife, children; I don't know if they still alive... Before, me, I am call [Somalia] when I have money... When I am call [my brothers and uncles abroad], they say 'it is better here' in Norway and London. They are safe, everything... but we don't have to go now to call, we didn't call, we don't have the money now” (Male, Mitchell's Plain, 121010, B#3).

Their bonds with home may be strong, but poverty here in South Africa means that they are not always able to maintain those bonds with consistent contact or by sending remittances. This underscores Horst's point that income has a significant impact upon the degree to which a migrant can actually engage in transnationalism (2006; 211).

COMPARATIVE ADVANTAGE OVER SOUTH AFRICAN TRADERS?

Despite popular perceptions, the SRA does not assist Somalis with bulk purchasing arrangements or other cost-saving mechanisms, which could provide them with a competitive advantage over their South African counterparts in the informal trade. In a well-respected journal, one author normatively legitimatised the attacks against foreign traders because of their competitive advantages and networks. He asserts that foreigners have:

“access to a vast network, which seems better able to serve their interests than local government. They have special places where they buy their stock. They support shops owned or run by fellow country traders. In some cases, this may entail access to organized crime. A foreign trader may leave his or her site for two months with an assistant of ‘brother’ (business partner or a front from the same country who gets paid) and set off as far away as Bangkok to attend to another business. On their return, these traders have more resources to boost trade or even rent a shop...” (Thulare, 2004; 6).

Aside from simply representing business savvy in the instance of knowing where to buy stock cheaply, this type of unsubstantiated claim is not backed up by the facts and potentially harmful. For instance, how is a population of approximately 3,000 (the estimated size of the Somali Retailers’ Association) able to have a competitive advantage – even if they only shop at their own shops – in comparison to the more than 3 million South Africans living in the Cape Town Municipality (Marindo, 2007)? Accusing foreign networks of being part of organized crime also has little traction as the between 130- 150 gangs in Cape Town are well-known and predominantly South African lead (Standing, 2005; McDougall, 2010). By the estimate of Metro Police Chief Rob Young, these gangs are responsible for 80% of the city’s crime (McDougall, 2010). There are plenty of statistics to prove that overall, foreigners are less likely to be involved in perpetrating crimes (Landau, 2004; 14). Finally, concerning the unsubstantiated story about flying to Bangkok, the average monthly income of an informal trader could not accommodate that type of luxury. Being involved in informal trade is not a lucrative business and certainly does not lend itself to business trips to far-away destinations.³³

One of Thulare’s points – that local government does not serve their interests – aligns with Mr. Aden and Mr. Warasame’s view that most of the SRA’s functions are those that would be provided by the government if the South African government operated effectively or in the

³³ It must be state here that cross-border trade is an important part of the South African economy, particularly in cities near the borders. People from neighbouring countries come here to ply their wares, purchase goods to bring back to their own countries to sell, etc. This is certainly not the same as engaging in large-scale export/importing for the informal trade and does not have much bearing on the present study as Cape Town is a large port city but Somalis do not routinely report returning to Somalia from South Africa to engage in trade nor do they seem to import goods through shipping channels. The illegal importing of khat or qaad (a stimulant plant classified as a prohibited substance in South Africa) may be the notable exception however it mainly comes out of Ethiopia, not Somalia, and is also grown in South Africa (Tolsi, 2007).

manner of other refugee-receiving countries. In terms of their network being better able to serve their interests than local government, this is more a statement of the inefficacy of local government at upholding rights than an assertion of the strength of co-national networks. In keeping with general community structure theory for migration, by forming this semi-formal association, the Somalis are attempting to respond to their own needs in the absence of another system that can do so effectively as is often observed with refugee populations with freedom of movement elsewhere in the world (Dorals, 1991; 567; Castelli, 2009; Al-Ali, 2001; Balbo & Marconi, 2005; Hamer & Mazzucato, 2009; Boyle & Ali, 2009; Grabska, 2006).

If we look at Thulare's historical perspective (which provides much more insight than his "analysis" cited previously which amounts to baseless assertions which lack evidence), informal street-level trading was illegal during apartheid, as urban centres were reserved almost exclusively as the domain of whites and a few people from other races who were deemed useful to keep around for labour. Until 1991, anyone wishing to engage in informal trading in the city had to have a license or permit to do so (Thulare, 2004; 3). In the waning days of apartheid, both black South Africans and an increasing number of foreigners began to flock to the cities. Since most of the migrants do not have proper documentation, work permits or legal status preventing them from joining the formal sector (Bailey, 2004), they also joined the informal street trade with locals who were only just beginning to assert their right to the cities of their native land.

Mr. Aden understands that this puts them in direct conflict with South African traders seeking to scratch out an existence in the townships. Policy, the law and the realities of daily life in the townships do not always mesh. Competing for scarce resources and perhaps contributing to 'entrepreneurial overpopulation' (Jones et al, 2000) which ensures low profit margins, Somali shop owners are in direct, daily competition and conflict with locals. Whereas some academics posit that transnational migrants have greater and stronger networks than locals that automatically translates into a competitive advantage (Jones, Ram & Theodorakopoulos, 2010), this is not the asset that it is usually assumed to be. From observing the activities of the SRA, the strong network does not even balance (in financial or social terms for integration) the negative attitudes, discrimination in terms of obtaining legal documentation, harassment by police and exclusion from the community that the Somali traders face. Without these restrictions, the common thinking amongst forced migration research goes, refugees and other migrants may be able to provide for themselves and ultimately benefit the communities and cities in which they live (Jacobsen, 2006).

Just as Somalis in the UK are characterized as "highly dependent on the social capital embedded in tight-knit ethnic and especially kinship networks", the Somali community in Cape Town has long been highly networked and interconnected. As one respondent explained, Somalis "are one nation one language and one religion. And they make among themselves knowing (sic) each other, making themselves brothers" (Male, Mitchell's Plain, 121010, B#7). The SRA merely formalised and organised these ties. Those who already live and work here in Cape Town are culturally responsible for and relied upon for providing support to new arrivals. Through the complex ties of tribe, clan, sub-clan and direct familial ties, the community helps with sheltering newcomers as well as helping them to access employment opportunities. Contrary to some popular perceptions of Somalis as rich or a community that provides "lavish financial backing" (Jones, Ram & Theodorakopoulos, 2010; 8), they mostly provide moral support, exchange information and occasionally modest financial assistance in emergencies, such as raising the burial costs for victims of xenophobic violence (interview with Aden, 120910).

Thus, the Somali network, and the semi-formal nature of the Association are forms of social capital. It is assumed to be an always positive thing, but co-national networks serve both to facilitate and constrain mobility of migrants, while "excluding them from access to resources of the dominant society and preventing their social mobility in later phases of their settlement" (2010; 103). In the case of the Somalis who have been here for more than five years, as five of the participants were in this study, there is little to no feeling of integration with South Africans let alone a feeling that they are able to be upwardly socially mobile.

AGENCY VS. STRUCTURE

A good deal of older forced migration literature focuses upon the forced migrant as a hapless, powerless victim caught up in unforeseen and terrible circumstances thrown into the world, only to become a problem to solve for other governments or international agencies (see de Voe, 1981; Winkler, 1981; Rose, 1981, Malkki, 1996; Horst, 2006 for some examples). By looking at refugees as feeble defenceless 'things' instead of as human beings with choice, or agency, forced migration literature misses a great deal of their capacity and impact (Ram, Theodorakopoulos, Jones, 2004; Bruff, 2007; Crisp, 1999; Crush et al, 2001; Dryden-Peterson, 2006; Horst, 2006 to name a few). This is one of the major flaws in forced migration research, since refugees, asylum seekers and other migrants are actually "active agents who, despite unfavourable conditions, will try to utilise the options open to them in order to be able to cope with life" (Horst, 2006;18). Thus, they can contribute to their own destinies as active agents, but also can provoke animosity in those who are either unable or unwilling to work that hard. In that way, the SRA, with its intended purpose of mutual aid and representation for the Somali traders in Cape Town, is just one form of agency and adaptation available to a vulnerable, but certainly not completely

helpless group of people. By banding together in mutual support, they also can provoke resentment amongst host nationals – mutual support networks can have negative consequences (Caselli, 2009).

In the course of my research, it was discovered that membership in the SRA is assumed rather than a choice that Somali individuals make, thereby reducing individual agency within the group. The group of individuals who got together in 2008 to create the SRA did so to take charge of their lives and find ways to address the biggest issues facing Somalis in Cape Town, particularly xenophobic violence. Those who were in the camps at that time (who fled from the townships after the outbreak of xenophobic violence in May 2008), saw that they could not communicate with the UN, the City of Cape Town or other bodies if they were hundreds of individual voices talking at once. To get the attention they needed to access assistance or resources and facilitate returning to their locations, they banded together as the Somali Retailers' Association. They attempted to take some control back over their lives. This honeymoon phase did not last long though. As one respondent put it, at this time "the Somalis came together [through the SRA] at first, but then they started fighting against themselves [after leaving the camps]" (Male, Mitchell's Plain, 270810, untapped).

While their degree of representativeness may be disputable by some who feel their interests are not being served by the leadership of the SRA, the Association continues to attend community meetings, dialogue with various governmental and non-governmental bodies and lobby on behalf of Somali traders across Cape Town. As discussed further in Chapter 3, the SRA helps with collective bargaining on behalf of the traders, engages in dialogue and sometimes makes peace deals with South African trade associations, and generally works to lessen the incredibly high safety and security costs/risks associated with informal trade in the townships. In the context of a low opportunity structure in Cape Town, the SRA (or Somali retailers more generally) rely "on the support provided by their co-nationals already living in the city. The support is often called social capital, including material and emotional support, advice and connections with employment and financial networks" (Jacobsen, 2006; 282), doing their best to make the most out of difficult circumstances.

SOMALI BUSINESSES IN CAPE TOWN

As this sample was very small and not representative of the entire Somali community in Cape Town, a full profile of Somali business is impossible. However, based upon the data provided by participants, some additional resources, observation by the researcher and information provided by the SRA leadership, there is enough information to construct a broad overview. The SRA's 'members' work in a variety of fields, although the vast majority of those working are

engaged in retail, primarily in the form of groceries and small shops referred to as 'tuk shops' or 'spazas;' some retailers deal with textiles. Other SRA members are engaged in service industries such as operating 'backpackers' or hostels for exclusively Somali clientele, restaurants and coffee shops, internet cafes, barbershops and also transport by sedan taxis or small trucks (bakkies) for the transport of goods. All of the eight Somali men interviewed as members of the SRA, were involved in at present or in the past, the operation of tuk shops. Four were owners of shops, with two respondents admitting to owning multiple shops; the other four were shopkeepers. In the other sample (eight of whom Mr. Aden would classify as 'members') the split is three current or former shop owners, five shop keepers and the final respondent was a bakkie driver for Somalis to transport stock from large retailers to their shops.

In terms of businesses operated, there is a lack of diversity in the types of enterprises started by Somalis in the townships of Cape Town. Seven of the eighteen interviews were conducted inside Somali-owned spazas and I had the opportunity to visit at least half a dozen others in the course of my fieldwork. There is some diversity in the small businesses, but not very much. The diversity of products on offer in these shops was not vast, but without a full assessment of the needs of the community, there is only a general observation of minimal diversity in the products on offer. For the most part, shops contained staple goods (maize, rice, flour, bread), limited perishable items (frozen meats, milk), toiletries (toilet paper, shampoo, soap) and a far greater variety of non-essential consumables (candy, potato chips, other 'junk food' snacks, soft drinks, cigarettes).

Often, South African retailers accuse Somalis of selling their goods at prices well below normal retail price; at least four of the Department of Local Government and Housing report respondents stated this openly (10DNM, 11DCNF, 14DNM & 16DNCF). Multiple Somali respondents in this study corroborated. However, the contrary opinion is also there – that Somali shops are too expensive (9DNCF). Informal small and micro enterprise in South Africa is characterized as highly competitive and not at all lucrative; most businesses in the informal sector are classified as 'survivalist' by the Department of Trade and Industry:

"Income generated from these activities usually falls far short of an even minimum income standard, with little capital invested, virtually no skills training in the particular field and only limited opportunities for growth into a viable business. Poverty and the attempt to survive are the main characteristics of this category of enterprise" (Department of Trade & Industry White Paper on Small Business, as quoted in UNDP, 2007).

Whether or not the accusations that Somalis trade at lower (or even higher) rates is true, they are not making very much money and rely upon moving volume rather than having higher profits on individual goods.³⁴

Another assumption about Somali business is that they purchase their goods collectively to obtain bulk purchase discounts. As discussed in the previous section, groups of Somali business owners may do this on a case-by-case basis but the SRA does not facilitate this in any way, nor does the Association own wholesalers.³⁵ Despite considerable probing on the issue of sourcing goods, not a single respondent spoke of or even alluded to the utilization of 'transnational' ties to source goods from abroad. That does not mean it does not happen in the Somali business community in Cape Town, only that it was not observed in this study.

BEYOND TRADE – SRA'S LINKS OUTSIDE THE SOMALI COMMUNITY

The original mission of 'speaking with one voice' for the Somali community continues today through constant – formal and informal – contact with officials in government departments, liaising with the police force, connections with the UNHCR, various NGOs and donor governments here in Cape Town. However, as this section makes clear, a unified voice presented by one organization that purports to represent a diverse and divided group of people means that some voices are still not heard.

LINKS TO UNHCR, NGOS AND SPEAKING FOR THE WHOLE

South Africa's chosen strategy for accommodating refugees and asylum seekers – emphasizing self-reliance – essentially leaves them to their own devices, primarily in urban areas. Most forced migration or refugee literature points out that the vast majority of these people are

³⁴ The interview schedule includes a question about monthly income. Mr. Aden requested in our initial meeting that this question be removed as it may offend the respondents or they would be reluctant to report on this, particularly as the interviews took place in his presence. Although some scholars place a lot of emphasis on trust as a very strong form of social capital amongst Somalis (Horst, 2006; Jones, Ram & Theodorakopoulos, 2009; Harris, 2004; Ram, Theodorakopoulos & Jones, 2008), trust of fellow Somalis only goes so far – they are still business competitors at the end of the day.

³⁵ Several respondents referred to a particular traffic light where Somalis are routinely targeted for robberies and hijacking. The significance of this particular traffic light in Philippi is that it is right next to the Philippi Cash and Carry, a warehouse discount store for buying in bulk. Anyone travelling from across the Cape Flats must pass that traffic light to enter the Philippi Cash and Carry parking lot. Somalis are robbed there on a daily basis (discussions with translator; Male, Khayelitsha, 170910, A #1 & 2; Male, Philippi, 170910, A #3; Male, Bellville, 170910, A #5; Interview with Warasame, 260910) as purchases can only be made in cash there (as the name suggests), thus they are carrying a lot of money with them as they head toward the store. As one may be able to credit the criminals for seeing a money-making (albeit illegal) opportunity, the specific targeting of only Somalis at that traffic light is not simply a 'regular crime' since presumably everyone entering that parking lot would be carrying significant amounts of cash. It is a crime motivated by hatred of or to specifically discriminate against people based on their foreignness: a xenophobic crime. Pointedly, this traffic light is in plain view of the Philippi East Police Station giving some merit to the accusations that xenophobic violence takes place within a culture of impunity and inferred consent of the government.

fleeing traumatic and harrowing experiences (De Voe, 1981; Horst, 2006; Stein, 1981; Harris, 2001; Harris, 2004; Malkki, 1995). A hands-off attitude by the government leaves people already considered vulnerable even more exposed (SFM, 2006; Khiato, 2007; Harris, 2001). That does not mean all forced migrants should be painted as helpless victims, only that some may need to access further assistance. Many NGOs in Cape Town exist to serve the specific needs of forced migrants and there are still others that serve these groups in addition to other vulnerable groups (a list of these organizations appears in Appendix 4).

Initially, it was unclear to what extent the SRA spoke for the Somali community. It was imperative to understand how much authority the Association has, how empowered it is to make decisions on behalf of retailers and how deeply are they embedded in the community itself. Although the BOG was an advisory body, the power and scope of this unofficial body itself is little understood outside of the Somali community. According to Caselli's reading of Carchedi, there are three possible scenarios about these kinds of immigrant associations:

"a) associations which are recognized as interlocutors by the local institutions but do not enjoy real recognition in their communities; b) associations recognised by the members of the immigrant communities but which are ignored by the local institutions; c) associations which are both recognized as legitimate representatives by the immigrant community and recognized as interlocutors by the institutions" (Castelli, 2009).

Observing at the SRA through this framework, we are left without a classification. The SRA has established ties with many formal institutions and is clearly recognized by these – regularly meeting with the UNHCR office in Cape Town, the US Consulate, officials at the City of Cape Town, local councillors, NGOs and others. However, their recognition by the Somali community itself was less clear.

One positive element of the SRA is that they have a direct line to those NGOs and the UNHCR where several thousand voices would neither resonate nor register, the UNHCR in particular. Many of the NGOs are intimately familiar with the individual problems, needs and issues of forced migrants as they attend to individual people and their complex cases daily. As per its agreement with the government of South Africa, UNHCR takes a more 'hands off' approach than they would if administering a refugee camp; it relies upon 'implementing partners' – the NGOs – to deal with the day-to-day issues of persons of concern who are integrating, attending mostly to the caseloads for two other durable solutions: resettlement and repatriation. With fewer than half a dozen staff in the Cape Town office, UNHCR can hardly be expected to hear the concerns of the thousands of Somali refugees in the city and surrounds, let alone the thousands persons of concern from other nations. Having regular formal and informal discussions with a single organization – indeed two individuals – to represent the Somali population has obvious appeal.

To illustrate the strength and extent of this working relationship, as well as the negative aspects, we turn to an important and pressing issue that surfaced during my fieldwork: an incident now referred to in the community as the “UNHCR lists.”³⁶ In September, Mr. Aden was approached by the UNHCR to produce a list of the most vulnerable Somali refugees and asylum seekers in the Cape Town area, relying upon the SRA’s network and community ties to filter through the entire population of Somalis in the area. Mr. Aden detailed the initial request and the process to me while we travelled to various interviews. Mr. Warasame discussed the process, as did no less than three other participants. The SRA was asked to identify approximately 40 Somali each in several categories such as the disabled, single mothers, the elderly, victims of xenophobic violence and orphans. This process, as those outside the SRA perceived it, was described by one respondent:

“You see, Somalia when they are fighting, they are fighting just only the family, you understand? KLH: Yea, the family, the tribe, the clan. Respondent: Yes, you understand. Even those people, the Somali Retailers, there is no (sic) even one person in my family. Other people, the family. Even they are write... Even Mitchell’s Plain they are writing 40, 35 person, they write in UNHCR those people. They are working [for] UNHCR. When we are [unintelligible], they are call, they need 40, and they are only writing their own family. They didn’t help you. KLH: So they only favour their tribes and families? Respondent: Yea. Only family, yea.” (Male, Mitchell’s Plain, 121010, B#3).

Mr. Aden fully admitted that the process was a difficult one and that when word got out in this tightly-knit and highly networked community, his phone was ringing constantly night and day for over a week with people trying to get on the list in the hopes that they would be resettled. No one I spoke with ever confirmed that resettlement was even the purpose of the list in the first place, but that was what this community – desperate for resettlement whether they fit into the categories or not – believed. The SRA thus became the ‘gatekeeper’ to the ‘gatekeeper,’ placing another level of bureaucracy in an already bureaucratic and complex process (Male, Mitchell’s Plain, 270810 – subsequent conversation on 061010). The positive aspect of this exercise was that the UNHCR recognized that its ability to identify the most vulnerable individuals, who are often the least connected or visible, within the Somali community was very

³⁶ Some background information is necessary first. Due to the struggles, that many refugees and asylum seekers face in South Africa many believe that anywhere in the world would be better than living here (a push factor). The appeal of living in the West, having family overseas or other reasons (pull factors), along with the impossibility of repatriation as a solution for Somalis, many of them would like to apply for (or already have applied for) resettlement in a third country. This process is almost the exclusive domain of UNHCR in South Africa. Although it is possible to apply directly to another refugee receiving country, most of them rely upon recommendations from the UNHCR; it thus acts as a ‘gatekeeper’ for resettlement in the West. Without direct contact with all persons of concern in the country, UNHCR relies on implementing partner organizations, contacts with migrant organizations, and by processing direct applications on behalf of individuals. Again, the caseload is presumably daunting.

low.³⁷ The negative aspect, as we will see illustrated below, is that the Somali community may seem tightly knit to outsiders but is fraught with complex kinship and religious divides, which were exacerbated by this exercise.

Mr. Aden's sentiments regarding the composition of Somali society and networks, their divisions according to tribe, clan, sub-clan and ultimately familial ties aligns exactly with the description of these ties given in Boyle and Ali, among others (Boyle and Ali, 2009; Luling, 2006; Horst, 2006). However, using family ties to validate a person's history or standing in society is a double-edged sword where it binds them together as a collective with Somali identity, but also severely divides this group. As Mr. Aden explained:

"We are a very connected community – sort of like a family – and we all know people in America and Europe too. Somalis are organized by tribe and then clan and then sub-clan. A tribe all shares the same religion and language. Then below that, there are clans and each clan member knows all of the others; even if you do not know them by name or physically, you still know one another because you are in the same clan. When you go to South Africa [are newly arrived] and you will go to this place or that place where there are Somalis then you see someone you know or someone in your clan (you can identify your own clan members) and they can connect you with immediate family if they are here; if not, then they will help find extended family, you know fourth grandfather or uncle or cousin... Then you go to their community. They will help you get work, or a job, or keep you in their place until you can find something for yourself, maybe two weeks or so. That is how we integrate ourselves." (interview with Aden 120910)

These ties do not always work to form positive bonds amongst Somalis. As we know from the history of Somalia (Elmi, 2010), clan-based and religious-ties are also the source of divisions amongst the Somali diaspora (Harris, 2004; SFM, 2006. Seen from the opposite perspective, the issue of creating a 'simple' list of Somalis is a virtual minefield:

"They [the SRA leaders] go to the offices of the United Nations saying that they are responsible for all of the Somali communities. Then maybe the United Nations will give them a program, like a seminar or a research or to write people [make a list of people]. However, they only write their own people and the people they know. They left the people who is sitting in the chair, like a child [people who are physically handicapped and in wheelchairs]; people who are wearing nappies like a child. They are really suffering... They leave the mothers with seven children who is just a tailor (sic); she is feeding her children through tailoring because her husband died...Then the youth vote and they started to be against the Retailers' Association who are calling themselves the leaders of the Somalians (sic).. I see, there is an issue of biasism (sic) and corruptions towards the Somalians (sic). Somalia is a nation, but there is different types of people living there. There is majority, minority, there is minority, majority. Still that issue of minority, majority is here in South Africa...But Somalia is a nation, but a few elements cannot be responsible of them." (Male, Mitchell's Plain, 061010, B#2).

³⁷ I never determined if the same exercise was conducted on other refugee and asylum seeker populations such as the Congolese or Zimbabweans.

This respondent is not the only one who expressed indignation about the perceived bias of the leadership of the SRA nor is it the only example of the SRA working with the UNHCR or other NGOs, including South African retail associations, or the South African Government and coming up with a controversial or unpopular outcomes where accusations of corruption are rife. This may or may not have to do with the actual corruption of SRA leadership and it is beyond the scope of this study to investigate these accusations. In the words of one of several respondents who commented on fractionalization in the Somali community, “the Somalis came together [through the SRA in 2008] at first, but then they started fighting against themselves and there is a lot of fear against us going back to camps or from the UNHCR or NGOs. We can agree as a community on a Saturday that no one will go back to the locations, then slowly some will go back... then all of us went back. We cannot stay organized” (Male, Mitchell’s Plain, 270810, untapped).

LINKS TO THE POLICE AND OTHER SOUTH AFRICAN INSTITUTIONS

Another aspect of the SRA’s portfolio of services that they provide to their members is that of liaison with the police and other South African institutions, including other retail associations. These connections are an essential part of its mission and take up considerable time for the leadership and Branch Managers, as again, their primary reason for existence came in the wake of the xenophobic wave of violence in 2008. Attacks, robberies, hijackings, and other forms of violent crime perpetrated specifically against Somalis are a daily occurrence in Cape Town, particularly in the predominantly black townships. This was particularly the case in July 2010 when rumours of extermination of foreigners swept the townships. Unlike in 2008, the SRA were prepared this time around – ahead of government, NGO and UNHCR responses. Purportedly they were one of several groups of migrants that informed these agencies about the rumours, requested assistance and increased vigilance from these institutions (interview with Warasame, 260910).

In their daily work, leadership and Branch Managers are expected to follow-up with police on crimes that are reported by Somalis, bringing the victims to the police to make statements, identify potential suspects, produce evidence (Ibid) and, according to Mr. Aden: “we connect with the local police and encourage vigilance with them. When there are hijackings, for instance, we help and follow-up on the investigations with the police and try to push a bit and ask police to work harder; this was especially important during the post-World Cup xenophobia. Our continuous meetings with police – day and night—increases the visibility of Somali issues with the police...Also we help when Somalis are arrested to help with dealing with these issues, help with the courts for translation and such” (interview with Aden, 120910). Mr. Warasame also explained that sometimes they – the leaders or Branch Managers – receive calls from

victims immediately after they have been shot or set on fire. In these instances, the SRA goes to the scene immediately and occasionally gets there before the police or ambulance (these services have notoriously slow response times, particularly in informal settlements). They sometimes elect to remove victims and dispatch them to hospitals themselves (interview with Warasame 260910). In this way, the SRA acts as a go-between for individual Somali members and police or community policing forums, and provider of assistance where government fails. These are important and positive functions of the group.

There is a flip side of the relationship that the SRA has cultivated with SAPS and law enforcement. Continued dialogue between the SRA and these institutions breeds suspicion of corruption in some Somali community members. Perhaps, said a few respondents, they are on the take or somehow in collusion with these institutions or paying for protection (Male, Mitchell's Plain, 061010, B#2; Male Mitchell's Plain, 270810, untapped; Male, Mitchell's Plain, 121010, B#3). In response to the question about what the SRA does, one respondent said, "they are writing [the list of vulnerable Somalis], they are working UNHCR and community of South African, Xhosa in Khayelitsha, commander police they are working. All of them. [said in an accusatory manner]" (Male, Mitchell's Plain, 121010, B#3). This study offers no proof or judgment either way regarding corruption; the aim is only to present both sides of the story, as they were related during the interviews. The SRA is open and up front about the fact that they are in regular, direct, formal and informal contact with the police and law enforcement.

The SRA attends community meetings with various stakeholders on a regular basis. The issue most often on the table for discussion when Somalis are involved is the rivalries between South African- and Somali-run businesses in the townships. Competition between these two groups is extreme. As reported by Special Assignment and many other news sources, in 2006 all Somali businesses in Masiphumilele were simultaneously attacked and razed to the ground, suggesting premeditation and collusion (SABC 3, 2006). This was certainly neither the first nor the last time Somali shops have been attacked, looted and destroyed in a coordinated manner in the Cape Town area – and many of these 'cleansings' or 'evictions' took place way outside the periods of mass xenophobic violence; they are a regular occurrence (see IOM, 2009 for a timeline of major incidents).

In July 2008, the recently formed Somali Retailers' Association, still living in the safety camps, "made an agreement that no new shops can be opened in Khayelitsha, Philippi, Gugulethu and others. Therefore, when they went back to their locations from the camps, any new shops that were put up were looted, burned and destroyed by landlords and the SRA. The SRA came with police and others to destroy Somali new shops... So then we have Somalis attacking each other

and there is fractionalization between each other” (Male, Mitchell’s Plain, 270810, untaped). The SRA works to change perceptions of the Somali community to outsiders, but internally the community dynamics contain the same old divisions, as one respondent explained: “Somalia is a nation, but there is (sic) different types of people living there. There is majority, minority, there is minority, majority. Still that issue of minority, majority is here in South Africa” (Male, Mitchell’s Plain, 061010, B#2).

In an effort to reconcile the demands of the South African business owners and police and others agencies responding to xenophobic violence, the SRA repeatedly tried to negotiate and broker a deal³⁸ to prevent further conflicts and attend to what Thulare called the “scramble for the street” – a cauldron of conflict between South African and non-national traders which bubbles over in bloody conflict on a regular basis (2004). In this climate, discovering an alternative means of addressing these underlying issues and identifying bodies within both the Somali and South African communities that could potentially manage the conflict is a critical task. As many of the attacks against Somalis are levied against shopkeepers or informal traders and money/jobs are used as 'excuses' for the violence, the SRA is poised to help negotiate and reduce the number of violent physical attacks.³⁹ By attempting to broker these deals, or peace treaties, the SRA is, on behalf of the entire Somali network, attempting mitigation or management of conflict with South African nationals, particularly in the townships. There is potential for this group to serve in this capacity as a type of conflict resilience strategy. The majority of network literature on migrants looks at social capital, particularly in terms of

³⁸ Mr. Warasame provided minutes of a conflict resolution meeting in September 2010 following the World Cup violence in attempt to curb the violence. The meeting was attended by the SRA, Fire Department, Department of Justice, Department of Social Services, Department of Home Affairs, Law Enforcement, a South African informal traders association, land invasion, the South African Police Service, District Management, representatives from the taxi industries and sub-councils 9 and 10 for the City of Cape Town. The output of the meeting were the following provisions and agreed upon items to which all present signed:

- no new shops can be opened by Somalis;
- Somalis are entitled to live or rent a house, but not to make any business;
- SAPS & Law Enforcement will deal with the process;
- All Somali shop owners will have to pay tax;
- Among other issues.

The SRA Chairman who signed on behalf of the Somali retailers said that there was no way, the agreement would ever work properly due to lack of enforcement by the government and police who came back after the agreement saying that they were not authorized to close the borders or private shops. He insists that this agreement among others made by the SRA underscores that they have rights and actively pursue their realization but there is no way to access them.

securing economic livelihoods and the provision of financial safety nets for network members. This study demonstrates that a semi-formal association fulfils greater roles in this conflict.

During the course of fieldwork, I attended multiple community meetings in Khayelitsha where the topic of shops came up as the most important issue, despite attempts by other Somalis not affiliated with the SRA to raise other non-retail related issues affecting the community.

Conversation always returned to business, particularly the proliferation of 'illegal' Somali shops.⁴⁰ The SRA gave the police a list of five 'illegal' Somali shops that would be given one week eviction notices before they were to be destroyed, proving that not much changed since the 2008 agreement where the SRA collaborates with the authorities in the interest of Somali traders collectively by reducing the number of shops, thereby reducing competition in order to achieve peace with South African business owners. This kind of 'peace' comes at a high price for the individuals whose shops are razed. Clearly, this undermines the Association's ability to act on behalf of all Somali retailers in pursuit of peace with South Africans in the townships.

As recently as October 2010, another group claiming to represent the Somali community, the Somali Youth League, emerged in response to the SRA's focus on only those involved in trade, the perception of corruption and the perception that the Association may only favour specific clans or kinship networks. This group formed only one day prior to the inception of the community meetings attended and could be an interesting new organization to investigate in pursuit of further understanding of the Somali network in Cape Town.

SUMMARY

The Somali Retailers' Association is a semi-formal mutual support network formed in response to an acute perceived external (outside the Somali 'community') threat – xenophobic violence. Although initial impressions from the media and even the organization's name had me believing that this was an organization founded principally to further Somali economic interests, after extensive participant interviews with two of the founding members as well as other current members, it became clear that this is a network whose primary functions revolve around mutual support, protection, and assistance. Although a literature regarding Somalis elsewhere in the world, particularly those studies focusing on EMB, highlight the transnational nature of their networks as being one of their greatest strengths, this did not prove to be the case with the SRA. In fact, at least in the participant group, transnational links were minimal at best, as they

³⁹ It must be acknowledged, as it is in Appendix 3, that this conflict is not simply about looting stores and attacking Somalis, but is a much deeper undercurrent within society that cannot be dealt with simply through community-level conflict resolution.

⁴⁰ As noted above, the majority of survivalist informal businesses are not registered with the government – South African and Somali alike

generally did not have financial resources to conduct business or other transactions across borders (with the exception of remittances). What was perhaps most interesting was that by strengthening the 'community' and becoming a more formal mutual-support network also allowed for better networking and formal relationships with NGOs, local leadership and government representatives. The perceived (at least from an outsiders' perspective) stronger Somali network has also helped to lobby for better access to their rights and recognition by government. However, the formation of such a group – even when it is formed against a perceived outside threat – has not yielded a truly unified Somali 'community' and internal conflicts are still pervasive.

University of Cape Town

CHAPTER THREE: REALISING RIGHTS

The policy and practices of urban governance have a direct impact on the lives of their citizens. Such responsibility does not always come with the necessary power to determine impact. As Bollens points out, "one of the major roles of urban policy is to ameliorate urban conflict through an acceptable allocation of urban resources across ethnic groups and neighbourhoods" and in South Africa there is a responsibility to ensure distribution more evenly across classes, which are highly segregated in terms of space within the city. When this role is neglected, the potential for conflict is high and the liveability of the city declines rapidly for all of its residents. As it will become apparent, the experiences of this group of Somali migrants in Cape Town, neglect is the most benign form of failure to fulfil this responsibility and their rights are being compromised daily.

In their study on the developmental state in an ever-globalizing, urbanizing world, Parnell and Pieterse argue that in order to achieve the realization of rights, we must operate on various scales, the most important of which is the urban/city scale (2010). They point out the inability of cities to provide or enable the realization of third generation rights, those they identify as the 'right to the city' such as "a safe environment, to mobility or to public spaces. While the right to freedom of movement, safety, environmental protection and economic opportunity are recognized in both the South African Constitution (RSA, 1996) and the International Declaration on Human Rights, the urban planning and enforcement mechanisms that protect or enable these rights are poorly understood" (2010; 148). They assert that first generation rights may one day be accessible to all but that cities in the global South wracked by spatially segregated urban poverty, that third generation rights will likely never reach the poorest and most vulnerable. Where is the freedom of movement when walking on the street means you live in fear of your life simply because you are different (Vingneswaran, 2007b)? As one respondent explained: "You can't walk. You scared every time you walk. Every time you doesn't (sic) have the money to go the transport, you know. So if you walk, you scared every time" (Male, Mitchell's Plain, 121010, B#6). When men fear leaving their homes or even staying inside because they do not have documentation that they have the legal right to obtain, mobility is not only hampered, but also earning a living is risky, accessing health care or housing becomes difficult. Consequently, they must live in the shadows, their very existence becoming illegal.

For the rights-based agenda to work for everyone, there must be a twofold effort by the state and the citizenry. The most vulnerable urban residents cannot and do not have the ability to form organizations that can actively hold the State accountable for oversight or guaranteeing their rights (Neocosmos, 2009; Evans, 2002). The SRA is fighting an uphill battle to achieve this

for Somali residents of Cape Town. Liveability and a reasonable quality of life are only achievable in a city when the population mobilizes at the grass roots level to bring about change (Evans, 2002). As an organization, the Somali Retailers Association actively pursues the realization of the rights of their members but as a semiformal network with little traction or political power, they gain little purchase. By banding together – knowing that Somalis are unlikely to assimilate and that South Africans do not encourage integration in their communities either – they utilise the only avenues that are available to them: relying on their fellow Somalis and approaching the government, UNHCR and other bodies to access their rights.

It is not a large leap in logic to see that there are many “negative by-products of preventing significant segments of the population from accessing safe accommodation, jobs, and social services. These include heightened rates of crime, corruption, poverty, social tensions and greater risk of communicable diseases. Problems that affect all residents” (Landau, 2006; 16). Forced migrants present multiple challenges to urban policy implementation and rarely are they on the agenda for planning or urban development. By ignoring them or refusing to acknowledge the impact they have on South Africa’s cities, it is not only their quality of life, but also everyone’s that declines. According to South Africa’s former UNHCR Representative, “UNHCR's expectations for asylum seekers and refugees in structured urban environments have always been for governments to play a significant role in protecting them and searching for durable solutions to solve their problems” (Rulashade, 2006). Neither the national, provincial nor municipal levels of government has adequately adopted strategies for its urban migrant population (Turok, 2001) – rural to urban South African migrants and forced migrants from other nations. With an anticipated population growth of over 15% in the next nine years, which will predominantly occur in the poorer areas, competition for land, resources, jobs and public services will be challenged. The potential for conflict will only increase.

This section examines the degree to which the SRA and this network of Somali have affected the lives of its members in the absence of effective services from the State and how it helps them to achieve their rights. In so doing, we are looking at the urbanism of the city – examining the patterns of daily life of one group of urban citizens, how they adjust and integrate, how they access their rights and respond to conflict and trying to determine the meaning they derive from their place in the city (Gottdiener & Hutchison, 2006; 45). In other words, the ‘geopathology’ – place as a problem and the problem of place – of Cape Town is under scrutiny (Chauduhuri, 1995).

Examining the respondents’ and the SRA’s roles in facilitating integration, we get a better idea of the experiences of these men, their problems, points of conflict and potential for resolution.

Before proceeding with an analysis of their experiences and comparisons with dominant discourses on integration, it is necessary to understand precisely what the participants understand when they hear the word 'integration' (which turns out to be a difficult word to translate into Somali). One respondent said that despite all his efforts, he was unable to "get inside" South Africans the way he can with his Somali compatriots (Male, Makaza 26/09/10, #9). Most respondents, when asked about integration or their involvement within their neighbourhood with South Africans, spoke of their relations with South Africans as extremely limited to business transactions or exchanging a few pleasantries but virtually nothing else on the neutral to positive end of the spectrum. Only one respondent even hinted at a desire to befriend or socially integrate with South Africans (Male, Khayelitsha, 260910, A #9); this is most likely because they see South Africa as a temporary destination and hope to go elsewhere (SFM, 2006; interview with Aden; Male, Khayelitsha, 170910, A # 1& 2; Male, Philipi, 170910, A #3; Male, Mitchell's Plain, 061010, B #3; Male, Mitchell's Plain, 121010, B #5; Male, Mitchell's Plain, 121010, B #7; Male, Mitchell's Plain, 121010, B #9). All other interactions mentioned were limited to violence, verbal abuse or even well meaning questions as to why they do not just go home to Somalia.

However, it was the Chairman of the SRA, Mr. Warasame, who was most expressive about what integration means and why Somalis find it so difficult to undertake:

"it is good when the community living together. They must integrate each other. They must interact. They must mix. It is good to be integrate to (sic) each other. When you tell the Somalians mix to the other people, go to the meetings, they don't respond, they don't care ... When you tell them to speak with the community leaders, they will tell you they don't know the community leader or the area. That is the major issue. Example, it is 20 years since Somalia was destroyed. You see, the fact that many Somalis have been in a crisis in their country for almost 20 years. They have not been exposed to these kinds of processes, these kinds of social interactions, they are used to living in different communities. So it's basically a bit difficult for them when they come to Cape Town to integrate with the local people because they still think that they are in the same kind of life they had in Somalia" (interview with Warasame, 260910, A#7).

Local integration is not defined in refugee law, but it is used in the vernacular (Crisp, 1999). Integration is also distinct from assimilation; the latter implies the loss of a person's distinct identity or features that come from their community of origin (Castelli, 2009; 69; Neocosmos, 2009; Jacobsen, 2006; OECD, 2006; Polzer, 2004; Jacobsen & Landau, 2003, among others). Very few migrants are interested in integration or assimilation (Nyamnjoh, 2006; 75; Landau, 2008). Some scholars and the UN see integration as the absolute ideal (Jacobsen, 2006); Polzer demonstrates that it may be easier in rural areas (2004) and that it can happen organically rather than as a result of policy interventions (Polzer, 2008). Certainly, none of those who participated in this research desired or thought full integration was possible. Several

respondents cited religious differences and language as the main reason why integration or even friendship between Somalis and South Africans was impossible. The three-fold process of integration entails:

- Legal Process – refugees get rights and entitlements; if there is no possibility of repatriation (as is unlikely in the foreseeable future for Somalis) this should eventually lead to permanent residence and ultimately legal citizenship with the requisite identity and travel documents;
- Economic Process – the ability to work and earn a living legally; along the process one would go from a dependent of the state (although in South Africa, refugees do not get state assistance) to a self-reliant, legally employed person with a sustainable livelihood;
- Social Process – living amongst the local population “without fear of systematic discrimination, intimidation or exploitation by the authorities or people of the asylum country”; personal, cultural or historical identity does not need to be forsaken and replaced with local identity (Crisp, 1999; 1-2); “process of negotiating access to local legitimacy and entitlement on the basis of a variety of value systems determined by local power holders in dialogue with refugees” (Polzer, 2008; 3).

With only three durable solutions to choose from, the UNHCR and the South African government are caught in a precarious and tricky position from a policy perspective. All three 'solutions' make for bad policy. For Somali refugees, repatriation is simply not an option; the situation in Somalia is too dangerous to send people back. The solution looked most favourably upon by many refugees -- sending them to a safe third country, known as resettlement -- would prove disastrous for South Africa for several reasons: 1) by rejecting refugee reception, the country's image as a tolerant and human rights respecting country would be thrown out the window; 2) border control would have to be stepped up considerably and camps would have to be set up across the country to house all current/future asylum seekers, refugees and other migrants at considerable cost to the government and UNHCR -- this would only increase public outcry that the government expends more money and cares more about foreigners than its own people; 3) word would get around that if a forced migrant made it to South Africa they would be guaranteed resettlement. If South Africa feels inundated by foreigners now, one can only imagine how the floodgates may open if most of the African continent found out they could get safe passage to the West via South Africa.

Thus, the third solution, integration, is the only real option for South Africa. This too is an untenable and unrealistic expectation. The government does nothing to make sure this can happen – it is not something that can just happen. Without active facilitation, “neither does proximity nor exposure simply reduce conflict. These ends must be actively pursued... tension is reduced between groups only when there are mutually beneficial reasons to cooperate in pursuit of a common goal” (Parks, 2006; 234).

Communities within the townships violently oppose integration, more or less with tacit consent from government (see Appendix 2 for a full account of the participant's experiences with this). In such circumstances, integration or reintegration is nearly impossible. As mentioned in countless other studies, police practices make it illegal for migrants to even live in the locations, encouraging citizens to root them out (Baliely, 2004; Khaito, 2007; Landau, 2009; Landau, 2010b; IOM, 2009; Harris, 2001). Migrants themselves reject integration, choosing to "continue to sit just outside (or above) South African society, emotionally orienting themselves elsewhere. Instead of seeking integration and recognition within South Africa's society and politics, many[migrants] will strive for a kind of usufruct rights: a form of self-exclusion that is at least partially compatible with the kind of social and political marginalization they have experienced" (Landau, 2008; 117). The Somali involved in this study cling reflexively to their own compatriots because of religious or linguistic differences and in reaction to the repulsion from the South African communities and government institutions with which they have contact (Male, Mitchell's Plain, 121010, B #5; Male, Mitchell's Plain, 121010, B #6; Male, Mitchell's Plain, 121010, B #8; Male, Mitchell's Plain, 121010, B #9; Male, Khayelitsha, 260910, A #9; interview with Warasame). It is a catch-22: They – Somali and South Africans alike -- do not favour integration because they do not relate to one another, but they cannot relate to one another as long they do not attempt to break down the barriers to integration.

The interview schedule contained several questions about the details of their lives in four key areas that correspond with their guaranteed rights: safety, livelihood and work, housing and health. They were asked at various points to comment about the safety of their living situation (in terms of both their relationship with the local community and their relationships with those officially tasked to protect them), working and livelihood, housing, and health. Essentially, these four components translate into the some of the most fundamental needs and human rights of all people: security of person, the ability to earn an income, shelter, and access to clean water and essential health services. Without these, life is basically unliveable.

SAFETY

Some of the communities within the townships and locations across Cape Town violently oppose integration of non-nationals, more or less with tacit consent from government. Only one of the 18 respondents had no direct experience with violence in his place of residence; this was reported by Mr. Aden who lives in student accommodation at the University of Western Cape. On a daily basis, he is called to respond to township violence against SRA members. Under apartheid, "the threat of violence – whether 'vertical' (state against citizens) or 'horizontal' (citizens or rival political and social factions against each other) saturated the lives of South

Africans residing in the volatile, tightly policed townships” (IOM, 2009;10); post-transition, violence is seen predominantly as a symptom of greater structural inequalities and criminal predation (Ibid). Cape Town has one of the highest rates of murder in the entire world, and is the murder capital of South Africa (Gie, 2009). In 2007/08, the city has records for 2,018 murders which were reported to SAPS in Cape Town and surrounding areas; during the same period, 4,009 property-related crimes were reported⁴¹ (Ibid). Perhaps it is a coincidence, but following closely behind the CBD as the site of most business-related crime in the city are the two areas associated most with Somali business – Bellville and Mitchell’s Plain (Ibid).

These statistics reflect only the crimes reported to the police or those crimes that the police officially open cases for (hence the unreliability of these statistics). Forced migrants and non-nationals are often reluctant to report crime to the police for various reasons as the respondents suggested:

- the notorious unreliability of the police in pursuing cases (Male, Bellville, 170910, A #5 & Male, Mitchell’s Plain, 121010, B #3 & Interview with AAA);
- police asking for bribes (Male, Mitchell’s Plain, 121010, B #10);
- people wearing police uniforms actually perpetrating the crimes (Male, Philippi, 170910, A #3 & Male, Khayelitsha 170910, A #1&2);
- ineffectiveness or fear inherent in the police force – making the decision not to pursue criminals out of fear of reprisals (Male, Makaza, 260910, A #8 & SRA Chairman);
- knowledge that even if the criminals were apprehended that they would be released again a few days later without charges or a trial (Interview with SRA Chairman) ;
- if the police are called to the scene of a violent crime then procedure dictates that the victim must be taken to the hospital in an ambulance but as response times are slow, this may result in death of the victim (Interview with SRA Chairman).

The SRA actively encourages its members to report all crimes and works directly with the police to follow-up on cases on behalf of members. Having an organization makes this process more streamlined and effective than it was prior to the formation of the SRA, according to Aden, as the leadership and Branch Managers cultivate a working relationship with the various police precincts. This leads to suspicion in the community about corruption and collusion between the police and the SRA, which contributes to intra-community tension (Male, Mitchell’s Plain, 061010, B #2). In the view of SRA leadership and some members, having a police force with knowledge of and exposure to the Somali community and an Association to lobby for equal treatment under the law is seen as a positive outcome, overall (interview with Aden; Interview with Warasame; Male, Khayelitsha, 260910, A #9; Male, Philippi, 171910, A #3; Male, Bellville, 170910, A #5). Violence is an everyday occurrence in the townships and crime statistics in the informal sections of the city are notoriously unreliable. This country’s history is a violent one

⁴¹ Including ‘business crime’ and robbery, under which most of the non-violent crimes against Somali business people would fall.

and Cape Town has a violent, gang-ridden reputation that is sadly well earned. It is not the intention of this study to assert that foreigners should be better off than other residents of the townships or that their needs should be placed above South Africans. In an ideal world, the crime statistics would be drastically reduced overall. The focus on safety in this section specifically refers to crime, which these Somali men are victims because of their foreignness.

It is sometimes those who are entrusted to give, respect, and enforce the protection of rights who are often the worst abusers of the rights and entitlements of forced migrants. As mentioned in countless other studies, police practices basically make it illegal for migrants to live in the locations, encouraging citizens to root them out, which some see as government-endorsed xenophobia. To complicate matters, when the police harboured non-nationals in the police stations during the May 2008 xenophobic attacks, the police felt they were losing the trust and cooperation of the community. They felt that if they were to be helping the migrants that the community would then turn against them (Hassim, Kupe & Worby, 2008; 139).

Instances of police being involved in robberies, tearing up Home Affairs documentation and other illegal activity were reported regularly by the sample group.⁴² The lack of assistance for Somali victims of xenophobic crime by the police is yet another form of violence. One respondent spoke of his personal experiences with xenophobic violence and the role that the police play:

“The shop has been robbed at gunpoint many times... apart from that, there is also car hijackings, and they even take the cars sometimes. They even take all your money.

KLH: When this happens, do you report it to the police?

Respondent: Yes. But they are not doing anything. It is better us than the police [us meaning Somalis themselves]. Because if you call the police when the people are robbing you... then the police cannot even follow them... Many of the police men do not have the power because when you call him and tell him ‘this is the man who is robbing me’ even the police is scared to follow them... They will come to you and ask you ‘where is the gun?’ It is better you to protect yourself. The police are very strong or powerful to us, not to the South African.” (Male, Khayelitsha, 260910, A#8).

⁴² Participants were also asked about their experience gaining documents at the RRO offices which are notorious as sites of violence and opportunistic crime against asylum seekers (UCT Law Clinic, 2009; SFM, 2006; observations by Hoeflich at Nyanga RRO in 2009 related to UNHCR research; Harris, 2001; Klaaren & Ramji, 2007; Landau, 2004; Landau, 2009;) in addition to the problems that flimsy documentation, lack of proper documentation and related issues cause for vulnerable forced migrants. This lack of paperwork or having documents that are not recognised by employers also means they are unable to access the formal employment sector, are vulnerable to abuse by the police, etc. However as DHA is a national body and the issues of rights being abused by this Department are well documented and the SRA cannot influence these, I did not go into a full discussion of this here.

Those tasked with the prevention and investigation of crime and upholding rights for these vulnerable people are seen as taking advantage of their weakened positions, knowing that they have little to no recourse for action. The SRA holds responding to violent xenophobic crime against its members as one of its most important roles. On several occasions, Mr. Aden had to reschedule our appointments as he was at a police station or in court with members who were victims to a crime. Mr. Warasame who pointed out that they are often on the scene of a crime before the police arrive, in itself, this is an example of how strongly networked this group is. He also explained that in the case of the robberies perpetrated by criminals wearing police uniforms, the SRA and members were instrumental in identifying the men who were, at the time of our interview, in jail awaiting prosecution. One respondent explained his experience being robbed by civilians wearing police uniforms:

"It was 2010 I think May. Three guys, wearing the uniform of police.

KLH: In a police uniform?

Respondent: Yes, a police uniform... he knock my shop, he say, "open please." I come here and I say, "What you want?" "I am police man, I want to search here for firearms and something drugs." Me, I say, "I don't have fire arms, I don't have something drugs." OK, [the 'policemen' said] "must open please, I want to search inside." Another friend I am working with – that guy now is gone to Somalia – but that guy I wake up, I say "come please" to that guy because we are working together at that time. That guy, that police guy, is giving me a 'search warrant', a search warrant, he said "open" and we opened [the store]. He come in, if he's come in and me, I think he's the police. We are we opened, if he's coming in. He say "my friend, if you have got some money, some airtime or some cigarettes, please put it."

KLH: Airtime, and cash and cigarettes?

Respondent: And cigarettes. "You must put it separate. Put it separate." He say we must go in [gestures around back store room to indicate that the 'police' sent them to the storeroom]. We are two guys. If I go, he take the guy and he make me this way [gestures, puts his hands behind his back to indicate that they were tied up]. And the other guy also. He took all the money. He took it that time, and that time the money is 19,000.

KLH: 19,000 [rand]? And he made you put your arms behind your back?

Respondent: Yes, my back. He... when we feel he's gone, me, I take the scissors. Me, I cut my friend [loose], my friend he also cut me [loose] (Male, Khayelitsha, 170910, A #1&2).

Those in this study were particularly adverse to reintegration with the community after violent episodes, which is also in keeping with the findings of the IOM study (2009). Reintegration is particularly unlikely when 1) goods and property were looted or seized by the community, thereby making it impossible for the businessmen to start over and pursue a livelihood; 2) where violence was extreme, as was the case with several respondents who were burned, shot or otherwise severely physically harmed; and 3) when police or other officials were actively engaged in the violence. For instance, one respondent explained that after his five-day hospital stay that followed his shooting in Philippi, he was discharged and opted to move to a hostel in Bellville while he recovered. "I came here to stay until the wound is healed. The problem is that

I cannot go back to that place because of also, I do not want that [those] people to see that [I am] scared [or] that [I am] wound[ed]. You know, if they see here that [indicates his gunshot], you understand, that I got shot? I don't want that people to see because I am scared I may be a target" (Male, Bellville, 170910, A #5). By appearing weak and wounded, he feared he would be an easier target for criminal predation or subject to elimination by xenophobes. Each one of the respondents was affected by xenophobic violence – only one of whom managed to escape being a victim himself.

The other significant issue brought up in the sample group regarding their lives in the township, was the issue of race. The Somalis felt less safe in black townships than those regarded as predominantly coloured townships. This coincides with other research in Cape Town – the city with the largest coloured population in South Africa – including research conducted by this researcher in 2004 with the Swiss Forum for Migration (SFM, 2006). Two of the participant's responses capture this fear in different ways:

"I don't know. Every time they say us, 'you are foreigner, you can go home.' 'You are Makwerekwere.' I don't know what means [when they call us] like that. You know, our life is same. You know. Everyone, if you see us he's talk like that. If I go with another guys friend homes if he stay the black areas, he talk us like that. 'You can go home', what. He treat us... I don't know. KLH: They treat you very badly? Respondent: Very badly. KLH: And its mostly in the black areas, you say? Respondent: The black areas, yea. KLH: Not so much in the coloured areas or white areas? Respondent: Coloured areas, he rob you if he want. He don't threat you, he don't say 'you go' what what... If he say, 'do you have something?' he can take whatever you have. He can't treat you, like the way those black people...They [coloureds] just leave you. He don't hurt. Those [points at black man] people, they rob you, and you know and if he see you, you know, he call you 'Somalia, Somalia!'" (Male, Mitchell's Plain, 121010, B#6).

"It's like this, you know, the way we live in South Africa. I don't know what can I say. Scared for safety. Every time, you can't sleep you know. If you stay like this area [Mitchell's plain town centre], you have the rent or money maybe to house here, maybe it's better. Now I'm sleeping the black side because I ask them guys to sleep them that side, you know. I don't have the rent [to get my own place]. So, that side [in the black areas], sometimes, you don't know... he can burn your house sometimes you know, if you stay that side. Many thing happening. Sometimes he come to your house, you can't wake up at night to go to the toilet. It's difficult... Yea. Anytime, you can expect something bad." (Male, Mitchell's Plain, 121010, B#6)

The previously cited SAMP survey on xenophobic attitudes did not exhibit a notable difference between the attitudes of blacks and coloureds,⁴³ but the Somalis clearly fear living amongst one group more so than the other (Crush, year unknown). The prospect of making a living often outweighs their concerns for personal safety and they settle in all the different areas.

⁴³ The same SAMP study states that white South Africans tend to have the most negative reaction to immigration (Crush, year unknown).

In addition to 'normal' violence of township life, the Somali are under siege by township residents, business competitors and the police. Respondents universally feared for their lives and felt completely unsafe. Many of them cited the violence in Somalia as less than or equal to the way they experienced township life as they are targeted directly in Cape Town, rather than accidental victims of general warfare. Contrasting their responses with those in the Department of Local Government and Housing survey, who generally felt safe as long as they stayed out of the way of gangs or did not go out at night, there is a marked difference in the level of perceived safety amongst South African and Somali respondents. The latter experiencing a less safe and less liveable city. The SRA may not necessarily increase the safety of the Somali community, but is there to help respond when its members become victims, assists them with accessing their rights to treatment in the hospital, liaises with police and – as is explored in the next section – negotiates with South African retail associations to minimize business related conflict that can and does result in violence.

LIVELIHOOD AND WORK

Africans from Nigeria, the Congo, Zimbabwe, Mozambique and elsewhere on the continent each have a negative stereotype (see Mattes, 1999 for specific stereotypes and opinions according to region; Nyamnjoh, 2006; Neocosmos, 2008; Harris, 2001; Landau, Ramjathan-Keogh & Singh, 2004; IOM, 2009; Misango, 2005). Somalis seem to have an entirely different reputation – not as criminals or drug-addicts; the stereotypical Somali is a hawker, trader or a businessman. They are rarely accused of “stealing our women.” In some instances, particularly following the xenophobic rumours which followed the World Cup, communities have even begged the Somalis to return to their shops while continuing to scare off Zimbabweans and Mozambicans from their midst (Prince & Jassiem, 2010; Dolley, 2010).

Despite being looked upon as slightly better than other groups, they are easily identifiable (physically) as Somali and easily targeted because of their business activities. Morris' study from 1998 concluded that foreigners in the townships are usually from SADC countries or they have lived in South Africa for a long time (Morris, 1998). This was echoed in a recent CoRMSA study which asserts that most refugees prefer to live in inner city neighbourhoods because of the perception that townships and informal settlements are too dangerous or xenophobic (CoRMSA, 2008; 50). Although this may be a case on a national scale, the Somali presence in the townships is highly visible. During fieldwork, driving through the townships – even some of the smaller, rougher or more out-of-the-way areas – had a visible Somali presence in the form of small businesses, shops, cell-phone repair stores etc.

One Somali respondent cited their tendency and decision to locate their businesses and live in the townships as one of the things that make them most vulnerable to attack. When asked why he thought that South Africans target foreigners, especially Somalis, he said:

"They see Somalians, they see money. That's [the] problem. There's Somalian, they see money. I think those people, they don't work hard. They just something, want something to grab from the foreigners. Most [other] foreigners go that way, they do business here, they do their business whatever, rightly or wrongly, here in a town. But most of the Somalian they go that area [waves in general direction of townships] to open small tuk shops, that way they are winning. So, they [South Africans] come to the tuk shops and start to loot or rob...I don't know why all Somalis like to go to that place. But other foreigners, they stay [points down to indicate in town], they don't go. They get contracts. Also, in the town. Somalis, they go [to the townships]." (Male, Bellville, 170910, A #5)

As businessmen, they see the potential market is in the townships and they go there, knowing the risk to their own personal safety and that violence is much more pervasive in the townships. The SRA does not have a branch specifically in Cape Town CBD, according to the Spokesperson, because those retailers with shops, restaurants or businesses in town are not as likely to be victims of violence. When asked about the Somali community in Cape Town, whether they work together and what he thought of Somalis in general, one respondent explained "what I know [of] Somalis [is] that they are working and having a jobs and they are losing they properties, again building. This is how they are...mostly they get robbed and they take away their belongings and this is why they lost (sic), that they are risk at lose their things, that's the only way they lose their things. They are a community of businesses and they are working together (Male, Mitchell's Plain, 121010, B#8). They characterize themselves by clan and as Somali, but here in South Africa many of these men recognize and embrace the stereotype of themselves as tuk shop owners or businessmen.

Somalis may not be accused generally of stealing jobs, but their position as businessmen and entrepreneurs creates a tension between the local, largely unemployed township residents, local business owners and the Somali businessmen (Warner & Finchilescu, 2005). The problem of xenophobic violence is certainly not limited exclusively to Somalis but their businesses place them at risk as the Makaza Branch Manager pointed out: "the problem [of xenophobia] is with all these guys from Africa except the South Africans. The only reason the eyes are on the Somalians (sic) is because the Somalians (sic) are the business people and the businesses have been looted. So that is why all eyes on Somalian people. But the problem have reached the other African people from other countries" (Male, Khayelitsha, 260910, A#9). Although Mr. Aden and Mr. Warasame spoke of their attempts at mediating these problems with local hawker associations (including the meetings I attended in Khayelitsha), other Somali respondents did

not acknowledge that by making businesses they are making themselves targets, thereby accepting some of the responsibility for making changes.

The IOM study data confirms that business competition was a stimulant for xenophobic violence in Masiphumelele, Du Noon and other locations where Somalis were the primary target (IOM, 2009; 21). This has continued long after the two large-scale incidences of xenophobia, as Landau points out that the expulsions, evictions and discrimination against foreign shopkeepers continues and that "where words are not enough, business associations and gangsters have kept on killing foreign shopkeepers and residents. Since the violence 'ended' in June 2009, dozens of foreigners have been targeted and killed while mass expulsions continue" (2010; 214). One respondent pointed out that this did not have to be the case for all Somalis in the future and that small business is not necessarily where they see themselves, but there are barriers to entry in the formal sector. He contends that "if the legal problems were not there and we had the right paper work this would not be the case and there would not be this kind of problem... we are doctors, teachers, mechanics, engineers and we could fill many positions where there is a scarcity and we would not all have to be in competition" (Male, Bellville, 121910, untapped).

There is more to the issue of Somali livelihood in Cape Town being threatened – it is not just a case of being held-up at gunpoint or other violence. This gets back to the issue of opportunity structure briefly mentioned in Chapter 5. Kloosterman & Rath explain that "access to markets and their growth potential differ not only from city to city but from neighbourhood to neighbourhood within cities" (2001; 197). In my first connection with the Somali community this year, I was shown around the town centre in Mitchell's Plain. During this tour, my translator showed me the vast numbers of empty spaces, which are demarcated in yellow for informal trading. Although there were a dizzying number of un-manned yellow boxes drawn across the pavement, he explained that most Somali traders who applied for space were told that there were no available permits or that it was full. By excluding them from the prime trading locations, they are effectively denied a chance at enhancing profitability of their businesses and their livelihoods. This is a prime example in "graphic concrete terms how the sheer banality of the local can crush the high promise of the transnational" (Jones, Ram & Theodorakopoulos, 2010; 16).

No matter how strong their connections are with other Somalis, there are barriers to entry in business – formal and informal – and outright discrimination by those who control trading space. Going back to the community meetings and various 'peace treaties' witnessed during fieldwork, the government and South Africa business are actively involved in preventing the expansion of Somali business. Thus, the paradoxical nature of South Africa's refugee policy –

forcing them to fend for themselves and create a livelihood while putting up barriers to their entry in the market while encouraging (or at least doing little to prevent) citizens from seeking out redistributive 'justice' by looting or robbing informal foreign businessmen.

Somali mutual aid networks appear to help to offset some of this discrimination and structural opportunity cost, but it does not go far enough to level the playing field. Even with the semi-formal SRA in place to tie together the retailers, the strength of their social capital is not enough to offset the toll that violence takes on their businesses or provide the Somalis with full access to work and livelihood. In some cases, the SRA's efforts to diminish competition – such as the peace treaties and other negotiated settlements – actually come back to directly harm Somali businesses or put up (illegal) restrictions on opening additional shops (interview with Aden 180111). Barriers to earning a livelihood in the formal sector – namely the lack of proper documentation – coupled with discrimination, exclusion and violent opposition in the informal sector render earning a sustainable livelihood extremely difficult (Bailey, 2004). Without an income, access to government assistance in the form of grants or an alternative place to live where they are kept separate, the city is again less liveable for this vulnerable group despite their efforts and tendency toward entrepreneurship.

HOUSING

Although there were several questions relating to housing in the interview schedule, very little information resulted. As an important measure of liveability, the lack of information on housing was disappointing and leaves a gap in this study. The liveability of Cape Town's townships in terms of housing is incredibly poor for most of its inhabitants. Thus, the dearth of participant experience in this area does not significantly affect the study overall. There are a few salient points which set their experiences apart in terms of quality of life. The issue of housing is a contentious and asserting that non-nationals have a *right* to housing is an explosive issue. The South African Constitution does not place the restriction of citizenship on the positive rights of housing and shelter – Section 26 of the Bill of Rights clearly states that “everyone has the right to have access to adequate housing” (SA Constitution). The National Housing Code limits subsidies to citizens, despite the fact that refugees and asylum seekers, particularly those who are disabled or otherwise unable to provide for themselves, often cannot afford housing options in urban areas (CoRMSA, 2006). Over 25% of the residents of the City of Cape Town live in unsatisfactory or irregular housing (Boraine et al, 2006; City of Cape Town, 2006) and many forced migrants are among that quarter of the population.⁴⁴ The rights of non-nationals should

⁴⁴ This does not mean that forced migrants live exclusively in these areas, only that some forced migrants live amongst this 25%.

not be placed above those of citizens; instead, the rights of all must be upheld without discrimination. The expectation that a highly politicized issue such as housing will be resolved without discrimination based on nationality is highly unrealistic, as several participants recognized.

Whether they are rural South Africans moving to a city to seek out employment, a refugee fleeing to South Africa seeking protection or most any other class of poor migrant, the townships and informal shack settlements are likely to be their first destination, in search of a dwelling. Simply showing up with a few raw materials and erecting a shack when you are a foreigner is not likely to go over well with neighbours. Despite their 'informality,' shack settlements have their own complex patronage systems, and "access to shack settlement is heavily contingent on membership of a social network. This could be a local network or a network of people who come from the same country and who are all living in the same circumstances... Shack settlements often become physically and socially impenetrable to outsiders, ghettos of sorts" (Hassim, Kupe & Worby, 2008; 153-54). Thus, the issue of housing – renting space from willing South Africans to put a roof over their heads – is a complex issue for Somalis who generally do not make attempts to penetrate or ingratiate themselves with South African social networks and South Africans are generally reluctant to allow non-nationals to live in their spaces. Other reports document landlords forcing non-nationals to pay higher rents in Cape Town, Johannesburg and other cities but this was not observed as part of this study (Banks, 2008; SFM, 2006; Khaito, 2007; Pennix, 2004; Landau, Ramjathatn-Keogh & Singh, 2004).

One reason why landlords may prove reluctant to rent space to Somalis is highly logical on their part, and not necessarily done as a discriminatory practice: because Somalis are targeted by xenophobic violence and property damage may result. For instance, one respondent used to run his own shop in a rented space, but he was asked to leave by his landlord after xenophobes repeatedly targeted his shop: "It was take a time (sic) of two months. They set a fire [to] the shop. And again, and time again, whenever I go and sleep and lock it again they set the fire. And again, it takes more times. And at the end, the shop, the landlord tell me I have to leave his place. Then I leave. KLH: They tried to set it on fire many times? Respondent: Yea, four times" (Male, Mitchell's Plain, 121010, B#9). As one respondent in the Department of Local Government and Housing survey pointed out, she would not take in foreigners, but does not care if others do (15DNCF). Thus, it is not always a case of xenophobia nor is it always meant to deny the rights of foreigners to live in an area, although as stated in Chapter 4, of the 23 respondents to the Department of Local Government and Housing survey who were asked directly whether foreign nationals have a right to live their neighbourhoods, 11 said they

definitely had the right to stay, 10 responded that they did not and two expressed no opinion either way (Jooste et al, 2010).

Only one Somali respondent owned his home and Mr. Aden lives in student accommodation, thus avoiding the landlord issue. Overall, the sample group’s housing status was incredibly shaky –at least nine respondents were dispossessed had no dwelling at all (see figure 6.1 below).

Figure 6.1 Sample Group’s Housing

Type of Accommodation	Respondents
Shack	1
Lodging/Hostel due to xenophobic attack	4
Mosque due to xenophobic attack	2
Living in Shop where they work – shared with other Somalis	5
Unsettled – hopping between friends	3
University Residence	1

The SRA did not appear to have any direct impact on the issue of housing for its members. However, the importance of a social network cannot be underestimated in this regard. As noted above, several respondents report living in the shops in which they work – jobs they obtained through their connection to the SRA, network of Somali friends, extended family, clan or other ties. Those who are currently without homes but rely upon the help and generosity of friends, also lean heavily upon the Somali network to put a roof over their heads. Social capital proves to be a lifesaver outside the world of business as well.

The issue of housing in the townships and informal settlements in Cape Town is difficult for all residents. When the ANC Youth League protested and destroyed the temporary toilets in Makaza earlier in 2010, the Somalis felt the hardship like other residents. This section means only to underscore that quality of life and the realization of rights should not come at one group’s expense. Liveability of a neighbourhood affects all of its residents and violence comes at everyone’s expense.

HEALTH

Like housing, access to health services is a right guaranteed to all who live in South Africa. Foreign nationals may not be denied care because they do not pay into the social welfare system, which pays for healthcare. They cannot be denied service at a hospital or made to wait

so that citizens receive priority treatment. Despite these rights, migrants often report differential treatment or refusal at public healthcare centres (CoRMSA, 2008; Harris, 2004; Landau, 2006; SFM, 2006; among others). Only a few of the respondents in this study reported any such treatment, such as one man who brought a Somali lady to the clinic. In response to the open-ended question as to whether he experienced any other issues in South Africa, he said he experienced xenophobia

“especially in the clinic. There is another mother, I think I took her to the hospital last of last week. We rock up roughly half past three in the night and we queue in the line until half past three in the evening. Nobody assisted us. KLH: Why didn’t they assist you? Were you in the queue? Respondent: Yea, we were in the queue, yea. KLH: They just took a long time, or? Respondent: NO! They pick the people that are coming behind us simply because we are Somalis. KLH: Because you are Somalis, they didn’t serve you? Which clinic was this? Respondent: I think this one of Mitchell’s Plain, here” (Male, Mitchell’s Plain, 061010, B#2).

Like the section on Housing, there were several questions in the interview schedule pertaining to health, but due to various reasons – the primary one being time constraints – this issue was rarely discussed unless it was directly connected to their experiences with xenophobic violence. The two men recovering from recent attacks at the time of our interview both reported excellent treatment at the local hospital – Tygerberg (Male, Bellville, 170910, untapped; Male, Bellville, 170910, A#5). This happens to be the hospital most respondents mentioned, if they spoke of health services at all. The SRA asserted that they help to raise money from the community to sustain those injured by the xenophobic violence, such as the respondent who was burned severely by the petrol bomb, but they provide neither long-term assistance nor regularised physical, emotional or mental health support.

All of the Somali respondents experience high levels of trauma and are visibly affected by their encounters with violence and the feeling that they are constantly in danger, under siege. This is the unspoken problem that so many of these men face in their daily lives, yet they are often unable to talk about it. Several of the sources on refugees underscore the experiences refugees may have undergone in their countries which caused them to flee, pointing out that “the trauma experienced by Somali refugees severs families, undermines the sense of security and desire to form lasting relationships, and threatens general mental health” (Boyle & Ali, 2009). They may live amongst the urban poor in Cape Town, facing difficult living conditions along with their South African neighbours, but they are different in that their previous experiences with torture and the on-going mental and physical strain they are under by being ‘undesirables’ takes a giant toll on their well-being (observed in interviews, general observations in the field and also mentioned by Jacobsen, 2006).

Most of them spoke of the lack of safety, or how they fear for their lives, but very few respondents were able to open up about their mental health and internal feelings of security. More than one of the respondents whose interviews took place privately in English spent time crying in my presence – never with a fellow Somali present. One of these men presented the difficulty of life away from family and friends along with the pressures of being a man in the face of his difficulty:

“It is very difficult, life here, yea. Very difficult. KLH: How so? Respondent: Because you stay away with no family, no friends. I’ve got stress. A lot of stress. You are away at home. Just meet friends. It is not your family friends. Just friends, the Somalian friends. Not your family. Only Somalian, not family friends. KLH: So it’s lonely? Respondent: Yea. Too much! KLH: That makes life so... Respondent: Difficult. Because when we are with your family, you can tell your problems, you see. But when you are alone you can’t tell your problems. No one talk to you. So you have to be like a man. Stone face and face the reality. KLH: but sometimes you want to let it out. Respondent: Yea, you need family friends.”
(Male, Mitchell’s Plain, 121010, B#5)

Several of the respondents lost family since coming to South Africa. One respondent was fleeing an attack on his own shop, seeking safety at the home of a friend when he was attacked, shot and watched as his host died before his eyes. Despite an initial consult with a psychiatrist, he had repeatedly been treated harshly by NGOs when he sought further assistance and had received no further treatment. His repeated attempts to look for help were frustrating him, as he explains, “whenever, wherever, whichever office you face to get the help, they transfer you to another office. I went to UNHCR Cape Town, they told me to go to Trauma, I don’t know Trauma or what is it or where Trauma is. The office that I went to yesterday give me a form to complete [by] a doctor. What I must do? Where I going to take this form? Even if I could take that form to the hospital, the nurses will ask you ‘do you have an appointment?’ I don’t! They will tell you, ‘if you don’t have appointment, you go!’” (Male, Mitchell’s Plain, 121010, B#10). Without English language skills, filling in forms, making appointments and other things that are commonplace for locals, navigating the system and accessing his rights was rendered impossible. He was clearly severely depressed and unstable.⁴⁵ Although he was certainly not the only one suffering from severe and debilitating depression, he was by far the worst case, needing immediate mental health care. He was not aware of the SRA at all thus he did not turn to them for assistance; his case demonstrates the limits to the SRA’s support – if one does not go to them or is not ‘plugged in’ to their network, they cannot (or will not?) help. This participant instead relied upon the Muslim principle of zakha (almsgiving) by the local mosque and shared food with fellow Somalis to survive. Again, we see that it is the informal network that provides

⁴⁵ I connected this respondent and one other with the Trauma Centre as well as Cape Town Refugee Centre for counseling and additional assistance.

Somalis with most of the help and assistance they need, with or without the existence of the SRA.

The severe pressure, stress, trauma and mental torture that Somalis experience on a daily basis is a form of violence, and it is taking its toll on their lives. This is more than physical health or safety. Under these circumstances – even if one is never physically attacked but bears witness to the daily execution of your compatriots – there is no quality of life; life is unliveable. The SRA is not equipped to attend to the mental or physical health of Somalis; it can only provide minimal support to those who need financial assistance in the short term, help with translation and help to advocate for members who need further assistance through NGOs, the UN or other bodies.

SUMMARY AND CONCLUDING REMARKS

However much the Somali Retailers' Association or other group may try to assist or facilitate some aspects of the threefold integration process, integration is also a choice. By choosing the distinction of transitional migrant, barely becoming part of their host nation in meaningful ways sticking tightly to the Somali community and forming an association of co-nationals, they stay separate and may lose the opportunity to reap the benefits of full urban citizenship, which in a more-perfect world would be available to them. One respondent thought that perhaps South Africans “think that maybe these Somali stay here until they are made South African people. They think maybe we took something from this country... they don't understand that if it is finished [the war in Somalia] we go back. If the government is serious to scare these people [into stopping xenophobic violence], they can talk to the community and to these people. But it doesn't talk to these people, that is why they shoot, that is why they kill, that is why they take us money...” (Male, Khayelitsha, 1709, A #1&2). They are here only until it is safe to return to Somalia; if life here were glorious would they still desire to return to their homeland? Without the likelihood for peace in Somalia in the near future, that question is presently unanswerable.

In the meantime, informal groups (such as the SRA), citizens and government must work together to improve the liveability of the city for all, using the progress of those who have fallen through the cracks as a measure of accomplishment. Although migration policy will continue to be legislated and regulated at a national level and full citizenship remains far outside the grasp of refugees and asylum seekers, municipalities still have the ability to recognize urban citizenship for all of its inhabitants and plan accordingly (Turok, 2001). This urban citizenship is informal and flexible. In the face of Cape Town's burgeoning growth, most of it comprised of rural South Africans moving in but many international migrants as well, change is necessary. An urban rights-based agenda based on notions of flexible citizenship may be the way forward in

addressing inequality more generally and condemning to the dustbins of history the spatial dictates of its apartheid past, looking more at “relationships, interconnectedness, networks and conviviality. A territorially bounded idea of citizenship in a world of flexible mobility can only result in policies and practices of confrontation that deny individuals and communities their reality as melting pots of multiple and dynamic identities” (Nyamnjoh, 2006; 75). The SRA works to improve the liveability where the city government has failed to do so, but with no funds and even less power, the capacity for improving the lives of its members is limited. Instead, the group is reactive instead of proactive or forward thinking as policy should be. By focusing on one group’s experience of liveability in Cape Town, we see vast areas for improvement and potential areas for diffusing conflict between Somali and South African residents of the townships.

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CHAPTER FOUR: CONCLUSION

In the closing decade of the 20th century, South Africa undertook a democratic transition from apartheid that will be studied and scrutinised for decades to come. With the adoption of a new Constitution, the country went from being a state based on the denial of rights of the majority of its citizens to a country which “establish[ed] a society based on democratic values, social justice and fundamental human rights” SA Constitution). The newly democratic South Africa is based upon a foundation of human rights and freedom. Equality (non-discrimination), human dignity, and the right to life (including freedom from public or private violence) are enshrined in the Bill of Rights for *all* who live in the country. However, as this study and many others have pointed out, those rights have not yet been fully realised. These rights exist on paper for all who live in South Africa and yet foreigners and nationals alike have trouble converting these rights and entitlements into reality in their daily lives.

As studies cited throughout this dissertation and many others can confirm, despite the emphasis placed upon non-discrimination, equality and inclusion during the transition the country has become more xenophobic (Harris, 2001; Landau, 2010; Neocosmos, 2008; Nyamnjoh, 2006; Crush, year unknown; Peberdy, 2010). It is generally accepted that “the obsession with national sovereignty... [as the] normative model for establishing the internal security and secure borders of states in the [African] region, has resulted in a situation of high anxiety, instability and insecurity” (Childester et al, 2003, 325). Stated another way, excluding ‘foreigners’ is one of the main recurrent methods involved in strategies for conquering or preserving political power, especially when the definition of the ‘foreigner’ is ambiguous. Being regarded as a ‘son or daughter of the soil’ brings privileges which are denied to others” (Tadjo, 2008; 231). Thus, it was the transition and its rhetorical emphasis on nationalism and indigeneity – an “overwhelmingly passive conception of citizenship” (Neocosmos, 2009; xi) – where the seeds of xenophobia (in its current violent form) were sown. Again, we see Mamdani’s theory at work here; the language and discourse of the oppressor is appropriated by the liberation movement (Mamdani, 1996). Black South Africans finally obtained formal legal citizenship in their own country. Then, those who were ‘othered’ and denied rights during apartheid identified another group to be considered outsiders and denied rights under the new system.

With identity politics comes the urge to contrast those who belong with those who do not; to “detect difference and to distinguish between ‘locals,’ ‘nationals,’ ‘citizens,’ ‘autochthons’ or ‘insiders’, on the one hand, and ‘foreigners,’ ‘immigrants,’ ‘strangers’ or ‘outsiders’, on the other, with the focus on opportunities, economic entitlements, cultural recognition, and political representation” (Nyamnjoh, 2006). Essentially, as the transition emphasized South African nationalism, and strove to be racially inclusive within the nation; the rainbow includes black

South Africans, white of various European descents, coloureds of many different backgrounds, South Asians and others. Despite appeals to pan-Africanism and their inclusion under the Constitution, the rainbow apparently does not include blacks from the rest of Africa. While striving to be racially inclusive for South Africans (often missing the mark) and a national pride may have resulted, this pits South Africans against the rest; racially inclusive, but nationally exclusive (Harris, 2001).

Life in South Africa's cities can be rough, gritty, dangerous and unpleasant for many inhabitants. The realities of peri-urban life, slums, high rates of unemployment and rampant poverty affect millions of people all over South Africa. That South Africans are struggling to make ends meet, find or create jobs, and fulfil the promises of 1994 for their own people is an issue that cannot be ignored. Quality of life in South Africa's urban areas could be considered low for the majority of inhabitants – particularly in the township and informal settlements and less so in the 'leafy suburbs.' Somewhere along the margins of these cities, falling between the cracks and pushed further into oblivion are some refugees and asylum seekers living at the very limits of the already marginalized millions of urban poor. After fleeing Somalia for fear of their lives, the men involved in this study arrived in South Africa legally seeking asylum from the persecution they left, only to find that their new home can be just as dangerous as the war torn collapsed state they left (Male, Mitchell's Plain, 121010, B # 5; Male, Mitchell's Plain, 121010, B # 10; Male, Mitchell's Plain, 121010, B # 6; Male, Mitchell's Plain, 121010, B # 3; Male, Khayelitsha, 170910, A # 1 & 2). Despite the fact that refugees, asylum seekers, and migrants are all technically afforded most of the same basic rights as citizens, for various reasons – intentional or not – they are often unable to convert these into rights. The Somali Retailers' Association, in its rhetoric utilized with the UNHCR and other stakeholders, seeks to bring attention to this fact and perhaps in time find ways to ensure its members can gain access to their fundamental rights.

Xenophobia is a given in South Africa and it permeates all races, sectors of society, the government, the media, healthcare workers, landlords, businessmen, the educated, the poor, whites, blacks, coloreds... Xenophobia is everywhere and it can be deadly. After years of on-going violence directed at foreign nationals across the country, the country erupted in 2008 in "an orgy of xenophobic attacks" (Hassim, Worby, & Kope, 2008; 62) or "black on black cannibalism" (Ibid, 205) resulting in the deaths of more than 60 people and the displacement of between 100,000 – 150,000 people (Argus Supplement, 2009; IOM, 2009). Two years later after an extremely successful and impressive demonstration of what the 'new' South Africa is capable of during the FIFA World Cup, xenophobia again reached a boiling point and thousands were forced to leave their homes. These external threats were the immediate impetus for formalizing the existing Somali networks in Cape Town and although its impact has been hard to measure or

minimal at best, the Somali Retailers' Association still has the mutual support of its members at the heart of its mission. Competing for scarce resources and perhaps contributing to 'entrepreneurial overpopulation' (Jones et al, 2000) which ensures low profit margins, Somali shop owners are in direct, daily opposition with locals. Whereas some academics posit that transnational migrants have greater and stronger networks than locals that automatically translates into a competitive advantage (Jones, Ram & Theodorakopoulos, 2010), this is not the asset that it is usually assumed to be. Rather, from observing the activities of the Somali Retailers' Association, the strong network does not even balance (in financial or social terms for integration) the negative attitudes, discrimination in terms of obtaining legal documentation, harassment by police and exclusion from the community that the Somali traders face. Without these restrictions refugees and other migrants may be able to provide for themselves and ultimately benefit the communities and cities in which they live (Jacobsen, 2006).

Xenophobic violence is a daily reality for many foreigners, particularly black foreigners living in the townships and informal settlements. Although the two major 'flare-ups' of xenophobic violence have come and gone, violent and psychologically damaging xenophobia still permeates the daily lives and existence of many who came to South Africa seeking protection. The state is responsible for upholding and protecting the rights of all people who live in South Africa (SA Constitution), but sometimes it is agents of the State who directly compromise the rights of inhabitants (Peberdy, 2010; Khaito, 2007; Vingneswaran, 2007b; Harris, 2001; CoRMSA, 2008). In the past twelve years since the Constitution came into effect, the Constitutional Court has upheld these rights and their application to non-citizens in multiple cases. According to Crush et al, "the flowering of a human rights culture since 1994 has been enhanced by the high profile activities of the TRC, watchdogs such as the SAHRC (South African Human Rights Commission). Public Protector's Office and Commission for Gender Equality and the judgements of an activist Constitutional Court" (Crush et al, 2001). However, this often does not flow down to the lowest levels of society since legal or human rights on paper do not necessarily equate with the daily exercise of those rights.

What is the use of having such an open and free, rights-based legal regime and society if the rights of those who most need protection are trampled? In realising the vision of 1994 – a society free from all forms of discrimination – refugees and asylum seekers need the space to realise their basic liberties; not all responsibility rests with the government. In addition, this is where the Somali Retailers' Association comes in – utilizing their social capital, an extensive network, moving from passive victim to agent and raising their voice. Giving refugees a voice and say in their lives, in the cities they call home for now – allowing for these human beings to have some control over their own destinies – seems to marginally improve the lives of its

members and in turn, helps create more liveable cities for all who inhabit them. Instead of being perpetual victims of torture and violence (in the country they fled or their place of 'refuge') in their own minds or in the perceptions of others, these men find ways of serving each other, their own Somali 'community' and the broader communities they inhabit. From providing introductions and assistance to get started in business or paying for burial and assistance to the families of victims of xenophobia to participating in conflict resolution meetings with authorities, the Somali Retailers' Association is making strides and actively intervening on behalf of its membership. As we see in the preceding chapters, the overall impact may be minimal at best and at worst it could be fuelling additional conflicts internally within the Somali community and externally with South Africans who resent foreigners (particularly Somali business owners). From this limited study it was impossible to determine or measure the overall impact of the SRA in the lives of its members or in the community at large.

From August – November 2010 I conducted 18 semi-structured interviews with male Somalis involved in business in Cape Town's townships to develop a better understanding of what this organisation is, how it works and what kind of impact it has on the lives of this select group of forced migrants. A great deal of literature exists about immigrant associations, network ties and even Somali-specific entrepreneurial networks. What I discovered is that this organisation, despite its name, is only nominally about business and primarily a mutual support network that advocates and asks for their entitled rights from various institutional actors.

For this group of Somali in Cape Town, their answer on how to make their lives more liveable in Cape Town was to form an association – the Somali Retailers' Association – to "speak with one voice" against the violence, raise awareness of their plight, negotiate peace settlements with local citizens and call upon institutional assistance to access their rights. These Somali entrepreneurs in Cape Town formalised their pre-existing informal co-national network ties. In doing so, I argue, they were actually mobilising existing social capital, exercising their agency and attempting to realize their legal and human rights. Without social membership within the fabric of the city of Cape Town or their local South African communities, these men are generally unable to translate their political rights into claims or entitlements; they live half-lives at best, always waiting for some kind of disaster and their existence is in a constant state of insecurity. The SRA helps to raise awareness and lobby for action by the police or NGOs, but the overall impact on the lives of Somali traders is, at this point, still nominal.

Somalis are a highly networked group with complex internal social and cultural dynamics (Horst, 2006; Ram, Theodorakopoulos & Jones, 2009; Harris, 2004). In countries all across the globe, they rely on their informal networks or network ties to survive and carve out a living (see

Horst, 2006; Ram, Theodorakopoulos & Jones, 2009; Harris, 2004; amongst others for examples of Somali networks in other countries). While these ties – local or transnational – and their social capital may be primarily converted for business in other refugee receiving countries which require self-reliance, in Cape Town a small group converted this capital into a mutual-support network. While the SRA attempts to support members of the Somali community and help to access their rights, it is only a small organisation with limited resources and reach. Too often, the SRA is responding to incidents of xenophobia and violence against Somalis rather than getting ahead of the game and enabling access to their guaranteed rights and freedoms. This not only exposes the limits of the SRA's mutuality, but also brings us back to Evan's point that without political power or empowerment, as an organisation, the Somali Retailers' Association does not have the traction to make significant changes (2002). With the formation of the SRA, they are able to 'speak with one voice' and better access their rights by approaching the government, UNHCR and other bodies and bring attention to their plight through the media. Despite their efforts, the overall impact on the lives of Somalis in Cape Town's townships is minimal at present. Organising also has some unintended negative consequences, which include stirring up intra-Somali resentments and conflicts; 'speaking with one voice' in a highly diverse population like the Somalis have inevitably means that some voices are silenced.

Routinely during the course of this research, I watched, listened and heard the rights of participants being trampled. My translator – not a member of the SRA by choice – was arrested and beaten in jail; the officer slapped his wife during the arrest and his seven-year-old son was hit with the butt of an automatic weapon. Each time I returned to the township with my translator of Mr. Aden, I heard of another attack against Somalis. Even in the most democratic, civil and well organised societies, there is still a need for groups to lobby for change and protection. These men are using their connections and networks to promote resilience amongst Somali traders and possibly improve the quality of their own lives in the face of overt, violent and damaging xenophobia and a government that is not fulfilling its obligations to all who live in South Africa. Although it may not be an ideal organisation or the most effective mechanism for the Somalis to press for change and the realisation of their constitutionally guaranteed rights, it is their way.

RECOMMENDATIONS FOR FUTURE RESEARCH

While this dissertation is limited in size and scope, the aims and objectives were too far-reaching from the beginning. As the scope of a mini-dissertation is limited, it was impossible for me to undertake a study of the entire network of Somalis in South Africa or even a fully representative study of network ties in Cape Town. By narrowing the subject to one semi-formal network – the Somali Retailers' Association – I was able to examine the subject more deeply and

develop an in-depth understanding of a single group of forced migrants in Cape Town. Resolving conflict and healing fissures at a community level requires many levels of analysis. It is my hope that the in-depth understanding of one group's experience contained herein, when coupled with the responses of ordinary South Africans who participated in the study conducted Jooste et al, will help to shed some light on the subject. Further work is necessary before these findings can be truly policy relevant or they can inform conflict resolution strategies and healing processes at a local community or municipal level.

In addition to simply expanding the scope of this study, another potential aspect for further research could include a look at how immigrant associations affect how readily those groupings are 'othered' by the South Africans. Do they fuel the process or does their work help to familiarise the community with their members? This would involve additional research with other associations – perhaps multiple Somali associations or other nationalities – and interviews with South Africans.

Several respondents spoke about Somalis' general tendency to move as they all have history of nomadism, which is consistent with Horst's observations and research in the Dadaab camp (2006) as well as previous research conducted by this researcher for UNHCR in 2004 on secondary movements of Somali refugees. In this group of respondents, Tiebout's hypothesis does not hold true as he posits that individuals will continue to move from one community to another in order to maximize personal utility (1956). This select group does not prove his theory incorrect; it is just that this small group may not represent the greater Somali community well in this way. Since very few of the respondents reported living anywhere other than Cape Town during their stay in South Africa, it was not possible to ascertain the liveability of Cape Town compared to other cities where the SRA is not present. This could also be an area of further research.

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APPENDICES

APPENDIX 1: INFORMED CONSENT & BASIC INTERVIEW SCHEDULES

Questions for Mr. Abdi Ahmed Aden, Somali Retailers' Association

Spokesperson

Original Date of Interview:

Date Revised (if applicable):

Location of interview

Interview Length:

Translated: Y/N

Contacted Through:

Questionnaire

Make a short résumé of the research: I am a Master's student at the University of Cape Town in the Politics Department. I am conducting this survey as part of my Master's dissertation. Specifically, my dissertation investigates the network or structures that hold together the Somali community in Cape Town, particularly in the context of the xenophobic violence of May 2008 & July 2010. I want to understand how the Somali Retailers' Association responded to and dealt with the conflict back in 2008 and has continued to respond in the last two years. I am also looking at the degree to which your community has or has not achieved integration in Cape Town and the levels of the city's 'liveability' that you experience in the city. I want to provide information and evidence on the life of Somali refugees and asylum seekers in Cape Town and to improve our understanding of the reasons that might help or hinder your integration in South Africa.

As part of my research, I would like to ask a few members of your association to take pictures of their everyday life in and around Cape Town. Those who participate in this part of the research will also help me produce a map of their movements around the city or perhaps South Africa in general. Participation in that part of the study is also voluntary and will be done separately. If you are willing to participate in that part of the study, I will ask for your phone number and write it separately from this form. I will randomly select four phone numbers for participation in the photo narrative from the list, so your selection is not guaranteed. [Ask for his thoughts on this part of the research?]

All answers to interview questions contained in this questionnaire are strictly confidential. [KLH: Make sure to emphasize and ensure that the interviewee understands the total confidentiality of the conversation and the independence of the research and researcher from any organization or government body.] As one of the leaders of the association, it is up to you whether or not you would like to maintain anonymity for all or part of this questionnaire. Please let me know if you would prefer your identity to be concealed, or if you prefer, let me know as per each question. The identity of all other members of your Association that I interview will be written and included in my thesis and any subsequent writing by using a code. For example, if I interviewed "Mohammed" in Mayfair on 15 July 2010, he would appear in my writing as: [Male, Mayfair, 15-07-10]. Should you wish to withdraw or no longer participate in this research, you may let me know this at any time during the interview. If you change your mind after I leave and do not want this discussion to be included in my research, you may simply send me an SMS (provide interviewee with my mobile phone number).

Discuss with the person being interviewed how he thinks it would be best to go about talking to members of the Somali Retailers' Association. How can contacts be obtained? Will they have time for interviews or should I do a few group interviews? I would like to have about 40 participants, but that may be too many. If possible, I would like to focus on Du Noon, if there are enough folks there who would be willing to talk to me.

[Leave the interviewee the possibility to ask questions.]

Do you understand the purpose of the study? Y/N

Do you consent to participate? Y/N

Do you consent to use the present translator (if applicable)? Y/N

Do you consent to being taped (if applicable)? Y/N

Name (actual name):

Male or Female

Age/Birthday:

Marital status:

Languages spoken:

What part of Somalia are you from?

Current residence:

Level of Education:

Profession prior to arrival in RSA:

Profession in RSA:

Position/title in RSA:

Where are your family members:

How many people do you support with your income?

Is any money sent overseas?

When did you leave Somalia? Less than 6 months ago, 6m-1year ago, 1-3 years ago, 3-5 years ago, more than 5 years ago

Under what circumstances did you decide to leave Somalia? (Try to grasp the sentiments of the person in the period preceding the decision to escape) War, Famine, Family, Insecurity, Poverty, Other

Did you receive any assistance along your journey to RSA? Y/N If so, please describe that assistance

How long have you been in South Africa? Less than 6 months, 6m-1year, 1-3 y, 3-5 y, more than 5 years

Reason for coming to South Africa: Peace, Promise of a better life, Family/friends here, Many Somalis in RSA, Democracy, Seeking refugee status (easier to get permit here), Hoping to go elsewhere from here (where?), Other

Do you have legal documentation/status in RSA? Y/N

If so, what type of documents do you have from Home Affairs? Section 22 Asylum Seeker 1 month, Section 22 Asylum Seeker 3 months, Section 22 Refugee Status 2 Years, Passport, UN Refugee Document, Study Permit, Other

Can you tell me about the process you have undertaken to get these documents or any you previously had (Did anyone help you with this application? With translation or just to give you information on the procedures? Probe here)

Did you know anyone before arriving in South Africa? Who did you meet upon arrival? How did you get connected with other Somalis? (Probe here)

How long have you lived in Cape Town? Why did you choose to live here?

Where else in South Africa have you lived & for how long? JBG, Pretoria, Durban, Port Elizabeth, Bloemfontein, Other

Why did you leave the above stated city?

How do you experience living in Cape Town? Probe here.

Do you plan to move again within RSA? Y/N

If so, where & why?

Do you plan to stay permanently in South Africa? Y/N

If not, why? Where do you hope to go next?

What does "integration" mean to you? Do you think it is possible to achieve this in RSA? Cape Town specifically? Would you want to achieve this? Probe here.

The Association & Xenophobic Attacks/Rumours

How long have you been a member of the SRA? Less than 1 m, 2-6 m, 6m-1yr, 2-4y

How long have you been in your current position in the SRA? Less than 1 m, 2-6 m, 6m-1yr, 2-4y

How did you become connected with the SRA?

How did you come to be in your position in the SRA?

How do you personally benefit from being a member of the SRA?

How do you believe that members benefit from being a member of the SRA?

Does the SRA have a formal/written constitution or bylaws? (If so, may I have a copy of this?)

What are the aims of the Association?

How is the SRA organized?? (Can an org chart be drawn or produced?)

How are the leaders of the Association chosen? Elected, only elders represented, consensus, elected by select council, different in each geographic location, Other

Are there any membership or joining fees? (if so, how much)

Do members have a card or other document to prove their membership? Y/N

Do you have a list of members? (may I have a look at the list?; interviewer only to note whether or not it exists, no copy needed)

How many members are there overall?

How many members are there in Cape Town?

Who is responsible for maintaining the list of members? How often do they update it?

Does the list include the type of business each person has?

Does the SRA have any paid or permanent staff? (if so, how many & how much are they paid?)

Do you hold meetings? Y/N

Could you tell me about the frequency of meetings, who is present, where they are held, what is discussed at a typical meeting? (Possible for me to attend a meeting?)

Do you have any female members?

Are there any non-Somali in the Association? Y/N

Do you participate in any other group or association (mosque, cultural group, union, etc)? Y/N

If so, what?

What kind of business(es) do you run? How long have you had this business (or other business)? (Including those that may have previously been impacted by community violence) Spaza/Tuk shop, Halaal butchery, Fabric shop, Hawker, Mobile phone shop, Other

Do you own your retail space? Y/N

Do you own your equipment? Y/N

Can you describe some of the works/functions/activities/undertakings of the SRA? Or does the SRA undertake joint projects?

Does the Association provide any assistance to the Somali community? Y/N

If so, what type of assistance? (Examples: financial, seed money for business, hospital costs, moral support, translation for Home Affairs, work opportunities, contacts in other cities)

Who benefits from this assistance? (family members, members of SRA only, newly arrived Somalis)

What are the SRA's motivation for providing assistance? This is what is normal/social obligations; shared common fate of refugees, Somalis, clansmen; Will eventually be repaid in kind; other

Do you do bulk purchasing as an Association or in smaller groups? (probe on this one & get details of other cost-saving mechanisms) Y/N

Do you have any contact with police or local government? Please describe any of these interactions/arrangements. Y/N (probe on this one a lot! Meetings with UNHCR, Passop, Anti-Eviction Campaign, Lawyers for Human Rights, UCT Law Clinic, etc)

Were you in the RSA during the May 2008 xenophobic attacks? Y/N

Where were you? JBG, Pretoria, Durban, Port Elizabeth, Cape Town, Other

Do you mind telling me about that experience? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to the police? Who do they believe was involved? Did you go to the temporary camps? Did you receive any assistance from the SRA at that time?)

Did you hear the rumours after the World Cup about the resurgence of 'xenophobic violence' in July 2010? Y/N

How did you & the SRA react? How was this different than in 2008? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to the police? Who do they believe was involved? Did you go to the temporary camps? Did you receive any assistance from the SRA at that time?)

Did you receive any assistance from the SRA in 2008 or after the 'xenophobic violence' in July 2010? Y/N

If so, how? If not, what could they have done? Did you hear of anyone else benefitting? What is your opinion of what they could/should be doing?

What do you believe is driving the attacks on Somalis or other foreigners (and some South African citizens)?

What other important or revealing information can you provide as background to the Somali Retailers Association, or your own personal experience with the Somali community, South Africans and Cape Town?

Interviewer notes about place of interview, any tone/ non-verbal communication:

Interview Schedule for SRA Chairperson

Original Date of Interview:

Date Revised (if applicable):

Location of interview

Interview Length:

Translated: Y/N

Contacted Through:

Questionnaire

Make a short résumé of the research: I am a Master's student at the University of Cape Town in the Politics Department. I am conducting this survey as part of my Master's dissertation. Specifically, my dissertation investigates the network or structures that hold together the Somali community in Cape Town, particularly in the context of the xenophobic violence of May 2008 & July 2010. I want to understand how the Somali Retailers' Association responded to and dealt with the conflict back in 2008 and has continued to respond in the last two years. I am also looking at the degree to which your community has or has not achieved integration in Cape Town and the levels of the city's 'liveability' that you experience in the city. I want to provide information and evidence on the life of Somali refugees and asylum seekers in Cape Town and to improve our understanding of the reasons that might help or hinder your integration in South Africa.

All answers provided in response to interview questions contained in this questionnaire are strictly confidential. [KLH: Make sure to emphasize & ensure that the interviewee understands the total confidentiality of the conversation and the independence of the research & researcher from any organization or government body.] As one of the leaders of the association, it is up to you whether or not you would like to maintain anonymity for all or part of this questionnaire. Please let me know if you would prefer your identity to be concealed, or if you prefer, let me know as per each question. The identity of all other members of your Association that I interview will be written and included in my thesis & any subsequent writing by using a code. For example, if I interviewed "Mohammed" in Mayfair on 15 July 2010, he would appear in my writing as: [Male, Mayfair, 15-07-10].

Should you wish to withdraw or no longer participate in this research, you may let me know this at any time during the interview. If you change your mind after I leave and do not want this discussion to be included in my research, you may simply send me an SMS (provide interviewee with my mobile phone number).

Discuss with the person being interviewed how he thinks it would be best to go about talking to members of the Somali Retailers' Association. How can contacts be obtained? Will they have time for interviews or should I do a few group interviews? I would like to have about 40 participants, but that may be too many. If possible, I would like to focus on Du Noon, if there are enough folks there who would be willing to talk to me.

[Leave the interviewee the possibility to ask questions.]

Do you understand the purpose of the study? Y/N

Do you consent to participate? Y/N

Do you consent to use the present translator (if applicable)? Y/N

Do you consent to being taped (if applicable)? Y/N

Name (actual name):

Male or Female

Age/Birthday:

Marital status:

Languages spoken:

What part of Somalia are you from?

Current residence:

Level of Education:

Profession prior to arrival in RSA:

How many people do you support with your income?
 Is any money sent overseas?
 When did you leave Somalia? Less than 6 months ago, 6m-1year ago, 1-3 years ago, 3-5 years ago, more than 5 years ago
 Did you receive any assistance along your journey to RSA? Y/N If so, please describe that assistance
 How long have you been in South Africa? Less than 6 months, 6m-1year, 1-3 y, 3-5 y, more than 5 years
 Do you have legal documentation/status in RSA? Y/N
 If so, what type of documents do you have from Home Affairs? Section 22 Asylum Seeker 1 month, Section 22 Asylum Seeker 3 months, Section 22 Refugee Status 2 Years, Passport, UN Refugee Document, Study Permit, Other
 Can you tell me about the process you have undertaken to get these documents or any you previously had (Did anyone help you with this application? With translation or just to give you information on the procedures? Probe here)
 Did you know anyone before arriving in South Africa? Who did you meet upon arrival? How did you get connected with other Somalis? (Probe here)
 How long have you lived in Cape Town? Why did you choose to live here?
 Where else in South Africa have you lived & for how long? JBG, Pretoria, Durban, Port Elizabeth, Bloemfontein, Other
 Why did you leave the above stated city?
 How do you experience living in Cape Town? Probe here.
 What does "integration" mean to you? Do you think it is possible to achieve this in RSA? Cape Town specifically? Would you want to achieve this? Probe here.
 How long have you been a member of the SRA? Less than 1 month, 2-6m, 6,-1y, 2-4 y, 5+ y
 How long have you been in your current position within the SRA? Less than 1 month, 2-6m, 6,-1y, 2-4 y, 5+ y
 How did you become connected with the SRA?
 How did you come to be in your position in the SRA? (elected?) Y/N
 How do you personally benefit from being a member of the SRA? Y/N
 How do you believe members benefit from being a member of the SRA?
 On who's authority does the SRA work for it's members? What kind of decision do you make for the community? How are these enforced?
 How is the SRA organized? (can an org chart be drawn or produced?)
 How many branches of the SRA are there? Are they in other provinces? Are members allowed to/encouraged to travel between? (lots of probing here)
 How are the leaders of the association chosen? Elected, Only Elders represented, Different in each geographic location, consensus, elected by select council, other
 Do you have a list of members? Y/N
 How many members are there overall?
 How many members are there in Cape Town?
 Do you hold meetings? y/N
 Do you have any females members? Y/N
 Do you participate in any other group or association? y/n
 What kind of business(es) do you run? How long have you had this business (or other businesses?) Spaza/Tuk shop; Halaal Butchery; Fabric Shop; Hawker; Mobile Phone Shop; Other
 Do you own your retail space? Y/N
 Do you have any employees or 'helpers'? Y/N (if so, how many)
 Do you own your equipment? Y/N
 Can you describe some of the works/functions/activities/undertakings of the SRA? Or does the SRA undertake joint projects?
 Does the Association provide any assistance to the Somali community? Y/N
 If so, what type of assistance? (examples: financial seed money for business, hospital costs, school fees, moral support, translation for Home Affairs, work opportunities, contacts in other cities)
 Who benefits from this assistance? (family members, members of the SRA only, newly arrived Somalis, etc)
 What are the SRA's motivations for providing assistance? This is what is normal/social obligations; shared common fate of refugees, Somalis, clansmen); will eventually be repaid in kind or in full, other
 Do you do bulk purchasing as an association or in smaller groups? Y/N
 Probe on this one & get more details on other 'cost-saving' mechanisms

Do you have any contact with police or local government? Please describe any interactions/arrangements. Y/N

Probe on this a lot. Meetings with UNHCR, Passop, Anti-Eviction Campaign, Lawyers for Human Rights, UCT Law Clinic, etc

Do you know of any other Somali Association? In Cape Town or elsewhere?

Do you interact with them? Have there been any problems?

Were you in RSA during the May 2008 xenophobic attacks? Y/N

Where were you? JBG; Pretoria; Durban; Port Elizabeth; Cape Town; Other

Do you mind telling me about that experience? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to the police? Who do they believe was involved? Did you go to the temporary camps? Did you receive any assistance for the SRA at that time) Did you hear the rumours after the World Cup about the resurgence of 'xenophobic violence' in July 2010?

How did you react? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to police? Who do they believe was involved? How was this different from 2008? Was it just rumours or real? Did you receive assistance, if so, from whom?)

What do you believe is driving the attacks on Somalis or other foreigners (and some South African citizens)?

HOUSING

What type of housing do you live in currently? Rented flat, Single family home, single, Rented & Shared house, Informal housing/shack, Other

Could you briefly describe your living situation in Cape Town? (establish relations with neighbours, type of neighbourhood, necessity for moving, etc)

Are there other Somalis living in or near you in your current home? Y/N

Do you have contact with South Africans on a regular basis? Y/N

Can you tell me about these interactions?

Do you meet other Somalis regularly? Y/N

Do you have contact with Somalis outside of Cape Town? (ask more about these, if yes) Y/N

Do you have contact with Somalis outside of South Africa? (ask more about these, where, what kind (phone, e-mail, letters, financial assistance, etc.) Y/N

Have you had any additional issues with the following and briefly explain.

Health, Safety, Department of Home Affairs, Trouble with other Somalis, Police, Official, Verbal Abuse by Citizens of RSA, Other

What other important or revealing information can you provide as a background to the SRA, or your own personal experience with the Somali community, South Africans, and Cape Town?

Interviewer's notes about place of interview, any tone/non-verbal communications:

Interview Schedule for SRA members

Original Date of Interview:

Date Revised (if applicable):

Location of interview

Interview Length:

Translated: Y/N

Contacted Through:

Questionnaire

Make a short résumé of the research: I am a Master's student at the University of Cape Town in the Politics Department. I am conducting this survey as part of my Master's dissertation. Specifically, my dissertation investigates the network or structures that hold together the Somali community in Cape Town, particularly in the context of the xenophobic violence of May 2008 & July 2010. I want to understand how the Somali Retailers' Association responded to and dealt with the conflict back in 2008 and has continued to respond in the last two years. I am also looking at the degree to which your community has or has not achieved integration in Cape Town and the levels of the city's 'liveability' that you experience in the city. I want to provide information and evidence on the life of Somali refugees and asylum seekers in Cape Town and to improve our understanding of the reasons that might help or hinder your integration in South Africa.

All answers provided in response to interview questions contained in this questionnaire are strictly confidential. [KLH: Make sure to emphasize & ensure that the interviewee understands the total confidentiality of the conversation and the independence of the research & researcher from any organization or government body.] As one of the leaders of the association, it is up to you whether or not you would like to maintain anonymity for all or part of this questionnaire. Please let me know if you would prefer your identity to be concealed, or if you prefer, let me know as per each question. The identity of all other members of your Association that I interview will be written and included in my thesis & any subsequent writing by using a code. For example, if I interviewed "Mohammed" in Mayfair on 15 July 2010, he would appear in my writing as: [Male, Mayfair, 15-07-10].

Should you wish to withdraw or no longer participate in this research, you may let me know this at any time during the interview. If you change your mind after I leave and do not want this discussion to be included in my research, you may simply send me an SMS (provide interviewee with my mobile phone number).

Discuss with the person being interviewed how he thinks it would be best to go about talking to members of the Somali Retailers' Association. How can contacts be obtained? Will they have time for interviews or should I do a few group interviews? I would like to have about 40 participants, but that may be too many. If possible, I would like to focus on Du Noon, if there are enough folks there who would be willing to talk to me.

[Leave the interviewee the possibility to ask questions.]

Do you understand the purpose of the study? Y/N

Do you consent to participate? Y/N

Do you consent to use the present translator (if applicable)? Y/N

Do you consent to being taped (if applicable)? Y/N

Name (actual name):

Male or Female

Age/Birthday:

Marital status:

Languages spoken:

What part of Somalia are you from?

Current residence:

Level of Education:

Profession prior to arrival in RSA:

How many people do you support with your income?

Is any money sent overseas?

When did you leave Somalia? Less than 6 months ago, 6m-1year ago, 1-3 years ago, 3-5 years ago, more than 5 years ago

Did you receive any assistance along your journey to RSA? Y/N If so, please describe that assistance

How long have you been in South Africa? Less than 6 months, 6m-1year, 1-3 y, 3-5 y, more than 5 years

Do you have legal documentation/status in RSA? Y/N

If so, what type of documents do you have from Home Affairs? Section 22 Asylum Seeker 1 month, Section 22 Asylum Seeker 3 months, Section 22 Refugee Status 2 Years, Passport, UN Refugee Document, Study Permit, Other

Can you tell me about the process you have undertaken to get these documents or any you previously had (Did anyone help you with this application? With translation or just to give you information on the procedures? Probe here)

Did you know anyone before arriving in South Africa? Who did you meet upon arrival? How did you get connected with other Somalis? (Probe here)

How long have you lived in Cape Town? Why did you choose to live here?

Where else in South Africa have you lived & for how long? JBG, Pretoria, Durban, Port Elizabeth, Bloemfontein, Other

Why did you leave the above stated city?

How do you experience living in Cape Town? Probe here.

What does “integration” mean to you? Do you think it is possible to achieve this in RSA? Cape Town specifically? Would you want to achieve this? Probe here.

How long have you been a member of the SRA? Less than 1 month, 2-6m, 6-1y, 2-4 y, 5+ y

How did you become acquainted/connected with the SRA?

Do you feel you benefit from being a member of the SRA? Y/N

If so, how?

What do you think is the reason that the Somali Retailers’ Association exists? Do you think that Somalis are organized as a community? Do they work together? How could they work together more? Do you think your leaders help to make things better with the South African community?

ADDITIONAL PROBE QUESTION: Does the SRA provide any non-business related benefits to your life (such as friendship, social interactions, etc)? Y/N

If so, can you describe this?

What kind of business(es) do you run? How long have you had this business (or other businesses?)

Spaza/Tuk shop; Halaal Butchery; Fabric Shop; Hawker; Mobile Phone Shop; Other

Do you own your retail space? Y/N

Do you have any employees or ‘helpers’? Y/N (if so, how many)

Do you own your equipment? Y/N

Were you in RSA during the May 2008 xenophobic attacks? Y/N

Where were you? JBG; Pretoria; Durban; Port Elizabeth; Cape Town; Other

Do you mind telling me about that experience? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to the police? Who do they believe was involved? Did you go to the temporary camps? Did you receive any assistance for the SRA at that time) Did you hear the rumours after the World Cup about the resurgence of ‘xenophobic violence’ in July 2010?

How did you react? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to police? Who do they believe was involved? How was this different from 2008? Was it just rumours or real? Did you receive assistance, if so, from whom?)

Did you receive any assistance from the SRA in 2008 or after the ‘xenophobic violence’ in July 2010? Y/N

What do you believe is driving the attacks on Somalis or other foreigners (and some South African citizens)?

HOUSING

What type of housing do you live in currently? Rented flat, Single family home, single, Rented & Shared house, Informal housing/shack, Other

Could you briefly describe your living situation in Cape Town? (establish relations with neighbours, type of neighbourhood, necessity for moving, etc)

Have you encountered any issues with the person/business who owns your property? Y/N

If so, briefly describe.

Are there other Somalis living in or near you in your current home? Y/N

Do you have contact with South Africans on a regular basis? Y/N

Can you tell me about these interactions?

Do you meet other Somalis regularly? Y/N

Do you have contact with Somalis outside of Cape Town? (ask more about these, if yes) Y/N

Do you have contact with Somalis outside of South Africa? (ask more about these, where, what kind (phone, e-mail, letters, financial assistance, etc.) Y/N

Have you had any additional issues with the following and briefly explain.

Health, Safety, Department of Home Affairs, Trouble with other Somalis, Police, Official, Verbal Abuse by Citizens of RSA, Other

Interviewer’s notes about place of interview, any tone/non-verbal communications:

Interview Schedule for non-SRA members

Original Date of Interview:

Date Revised (if applicable):

Location of interview

Interview Length:

Translated: Y/N

Contacted Through:

Questionnaire

Make a short résumé of the research: I am a Master's student at the University of Cape Town in the Politics Department. I am conducting this survey as part of my Master's dissertation. Specifically, my dissertation investigates the network or structures that hold together the Somali community in Cape Town, particularly in the context of the xenophobic violence of May 2008 & July 2010. I want to understand how the Somali Retailers Association responded to and dealt with the conflict. I am also looking at the degree to which your community has or has not achieved integration in Cape Town and the levels of the city's 'liveability' that you experience. I want to provide information and evidence on the life of Somali refugees and asylum seekers in Cape Town and to improve our understanding of the reasons that might help or hinder your integration in South Africa. All answers provided in response to interview questions contained in this questionnaire are strictly confidential. Make sure to emphasize & ensure that the interviewee understands the total confidentiality of the conversation and the independence of the research & researcher from any organization or government body. The identity of the interviewee will be written and included in my thesis & any subsequent writing by using a code. For example, if I interviewed Mohammed in Mayfair on 15 July 2010, he would appear in my writing as: [Male, Mayfair, 15-07-10]. Should you wish to withdraw or no longer participate in this research, you may let me know this at any time during the interview. If you change your mind after I leave and do not want this discussion to be included, you may simply send me an SMS (provide interviewee with my mobile phone number).

[Leave the interviewee the possibility to ask questions.]

Do you understand the purpose of the study? Y/N

Do you consent to participate? Y/N

Do you consent to use the present translator (if applicable)? Y/N

Do you consent to being taped (if applicable)? Y/N

Name (actual name):

Male or Female

Age/Birthday:

Marital status:

Languages spoken:

What part of Somalia are you from?

Current residence:

Level of Education:

Profession prior to arrival in RSA:

How many people do you support with your income?

Is any money sent overseas?

When did you leave Somalia? Less than 6 months ago, 6m-1year ago, 1-3 years ago, 3-5 years ago, more than 5 years ago

Under what circumstances did you decide to leave Somalia? (try to grasp the sentiments of the person in the period preceding the decision to escape) War, Famine, Family, Insecurity, Poverty, Other

Did you receive any assistance along your journey to RSA? Y/N If so, please describe that assistance

How long have you been in South Africa? Less than 6 months, 6m-1year, 1-3 y, 3-5 y, more than 5 years

Reason for coming to South Africa: Peace, Promise of a better life, Family/friends here, Many Somalis in RSA, Democracy, Seeking refugee status (easier to get permit here), Hoping to go elsewhere from here (where?), Other

Do you have legal documentation/status in RSA? Y/N

If so, what type of documents do you have from Home Affairs? Section 22 Asylum Seeker 1 month, Section 22 Asylum Seeker 3 months, Section 22 Refugee Status 2 Years, Passport, UN Refugee Document, Study Permit, Other

Can you tell me about the process you have undertaken to get these documents or any you previously had (Did anyone help you with this application? With translation or just to give you information on the procedures? Probe here)

Did you know anyone before arriving in South Africa? Who did you meet upon arrival? How did you get connected with other Somalis? (Probe here)

How long have you lived in Cape Town? Why did you choose to live here?

Where else in South Africa have you lived & for how long? JBG, Pretoria, Durban, Port Elizabeth, Bloemfontein, Other
 Why did you leave the above stated city?
 How do you experience living in Cape Town? Probe here.
 Do you plan to move again within RSA? Y/N
 If so, where & why?
 Do you plan to stay permanently in South Africa? Y/N
 If not, why? Where do you hope to go next?
 What does "integration" mean to you? Do you think it is possible to achieve this in RSA? Cape Town specifically? Would you want to achieve this? Probe here.
 Have you heard of the Somali Retailer's Association? Y/N
 What do you know about this organization? – what is its purpose, function, etc? Can you tell me about any of its activities?
 Are you a member of affiliated with this Association? Y/N
 If so, how? If not, why not?
 What is your opinion of the Somali Retailers' Association? Positive/Negative
 Do you know any of the leaders or members of this group? Y/N
 If so, can you tell me about them?
 Do you think that Somalis are organized as a community? Do they work together? How could they work together more? Y/N
 If so, can you describe this? If not, why?
 What kind of business(es) do you run? How long have you had this business (or other businesses?) Spaza/Tuk shop; Halaal Butchery; Fabric Shop; Hawker; Mobile Phone Shop; Other
 Do you own your retail space? Y/N
 Do you have any employees or 'helpers'? Y/N (if so, how many)
 Do you own your equipment? Y/N
 Were you in RSA during the May 2008 xenophobic attacks? Y/N
 Where were you? JBG; Pretoria; Durban; Port Elizabeth; Cape Town; Other
 Do you mind telling me about that experience? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to the police? Who do they believe was involved? Did you go to the temporary camps? Did you receive any assistance for the SRA at that time)
 Did you hear the rumours after the World Cup about the resurgence of 'xenophobic violence' in July 2010?
 How did you react? (Probe here... attacked? Looted? Verbal abuse? Not impacted? Left the city? How much damage/loss? Reported to police? Who do they believe was involved? How was this different from 2008? Was it just rumours or real? Did you receive assistance, if so, from whom?)
 What do you believe is driving the attacks on Somalis or other foreigners (and some South African citizens)?

HOUSING

What type of housing do you live in currently? Rented flat, Single family home, single, Rented & Shared house, Informal housing/shack, Other
 Could you briefly describe your living situation in Cape Town? (establish relations with neighbours, type of neighbourhood, necessity for moving, etc.)
 Are there other Somalis living in or near you in your current home? Y/N
 Do you have contact with South Africans on a regular basis? Y/N
 Can you tell me about these interactions?
 Do you meet other Somalis regularly? Y/N
 Do you have contact with Somalis outside of Cape Town? (ask more about these, if yes) Y/N
 Do you have contact with Somalis outside of South Africa? (ask more about these, where, what kind (phone, e-mail, letters, financial assistance, etc.) Y/N
 Have you had any additional issues with the following and briefly explain.
 Health, Safety, Department of Home Affairs, Trouble with other Somalis, Police, Official, Verbal Abuse by Citizens of RSA, Other
 Interviewer's notes about place of interview, any tone/non-verbal communications:

APPENDIX 2: RESEARCH DESIGN AND METHODOLOGY

Sampling: and area/network selection:

As part of the 2004 Swiss Forum for Migration and UN High Commission for Refugees (UNHCR) Project on secondary movements of Somalis, I spent three months immersed in South Africa's Somali refugee/asylum seeker population in four cities: Pretoria, Johannesburg, Cape Town and Port Elizabeth. The findings uncovered in that study, as well as other literature reviewed to date suggest that the Somali community fits in well with the characterization of refugees and asylum seekers as transnational migrants who are frequent targets of xenophobic violence. Considering my past experience and maintained contacts within the community, in addition to the toll that xenophobic violence has taken upon this group in the Cape Town area, selected this particular nationality as the focus of my research. An article appearing in the Cape Argus in July 2010 only confirmed my suspicions that Somalis were the easiest target of the xenophobe and would thus be a good group to focus on: "it is Somalis who occupy the unenviable position of being South African xenophobes' victims of choice. As Arabs in predominantly black areas they look different, they dress differently and they have different manners and customs. But it appears to be mainly because they are traders and business people that they are targeted" (Powell & de Vries, 2010).

To confirm this decision, I consulted several key informants, studied data on the xenophobic attacks of 2008, 2009 and 2010 from news sources and reviewed several studies conducted by the University of Witwatersrand's Forced Migration Studies Program. Seeking out a discreet population of Somalis, I narrowed the target group to focus on only those living in informal settlements or townships across Cape Town and those involved directly in business.

In the interest of reducing the research sample to a manageable size given the scope of a mini-dissertation, and confining the study's definition of "community" and "network", I decided to focus on a particular and semi-formal group of Somali forced migrants: the Somali Retailers Association (SRA). Narrowing the field of participants, makes accessing individuals and scheduling interviews more convenient for the researcher, and it also provided insights into the Somali network and its role in the lives of its members. This certainly did not lead to generalized findings with relevance to the entire population of Somalis living in South Africa. However, by focusing on a network of retailers, I was able to interrogate the connections between economic grievances, xenophobia and the role that a network plays in the Somali community in Cape Town. Since the Somali retailers are virtually all involved in the informal economy as business operators or hawkers with tenuous holds on residency in the city and South Africa, they are regularly subjected to violence, looting, protests, intimidation and discrimination, as was regularly reported through the interviews.

After conducting an interview with one of the leaders of the Association to gather information of the structure and make-up of the SRA, he helped to connect me with members of the Association who operate (or formerly operated) businesses in and around the townships of Cape Town. Individual interviews were conducted with eight SRA members in several different locations; typically these interviews were conducted within the shops that they owned or worked; two were conducted at a guest house where they were recovering from recent violent attacks.

To increase the value of the responses and obtain information for comparison with Somalis outside of this Association, nine interviews were conducted with non-SRA members operating businesses in other locations.¹ For these interviews, I approached several Somali gentlemen in attendance at the community meetings I attended and requested interviews. I also went to Mitchell's Plain Town Centre, one of many sites where Somali shop owners go to buy stock and, with the help of my translator, approached them at random to request an interview. The selection of Mitchell's Plain Town Centre as the site of 'random'

¹ The reason for the lack of balance in numbers of respondents within and outside the SRA will be explained in the "problems" section below and explored in greater detail in Chapter Five.

sampling was multi-faceted. Several other sites frequented by Somalis for stocking their shops are notoriously dangerous (see examples in Philippi later in the text) and although this study seeks to understand violence against the Somali community, I tried to avoid becoming part of it. Mitchell's Plain Town Centre is a busy, high-traffic area near a police station with a perceived lower threat level than other locations. Also, the Chairman of the SRA cited this and Bellville as the two most popular areas for Somalis to concentrate (interview with Warasame, 260910). Bellville is considered a suburb of Cape Town and not a township like many parts of Mitchell's Plain. Thus, the selection of Mitchell's Plain for 'random' sampling of Somali township residents. One member of another, recently formed, Somali semi-formal network was also interviewed in order to obtain "outsider" and critical perceptions of the SRA.

THE SAMPLE

In total, I conducted interviews with eighteen Somali males, 15 of the interviews were captured on a digital recorder. Table 3.1 provides the basic demographic data of the sample, organized by their place of residence.

Table 3.1: Sample of Respondents

	Khayelitsha	Philippi	Delft	Bellville	Mitchell's Plain	Other
TOTAL	6	2	2	1	3	4
Male in SRA	4	2		1		1
Male non-SRA	2		2		3	3
<i>Marital Status</i>						
Single	2	1	1	1		2
Married - Partner in South Africa			1			
Married - Partner in Somalia or elsewhere	2				3	1
Unknown		1				1
<i>Age</i>						
18-24	1				1	1
25-30	3		2	1		1
31-35		1			2	1
35-40						
41-45						
45 +						
Unknown	2	1				
<i>Type of Doc</i>						
Asylum Seeker 3 months		1				
Asylum Seeker 6 months	3		1		1	
Refugee Status 2 years	2	1		1	1	2
Undocumented			1		1	
Unknown	1					2
<i>Time out of Somalia</i>						

less than 6 months						
6m - 1 year	1					
1-3 years	2	1			2	
3-5 years	2					2
5 years +	2	1	2	1		1
Unknown					1	1
<i>Time in South Africa</i>						
less than 6 months						
6m - 1 year	1		1			
1-3 years	2	1			2	2
3-5 years	3					1
5 years +		1	1	1	1	1
<i>Where From</i>						
Mogadishu	4		2			1
Kismayo				1	1	
Badade	1					
Hargassa		1				
Baydabo	1				1	1
Other		1			1	1
Unknown						1

My sample size was relatively small, in part because the upsurge in xenophobic violence following the FIFA World Cup made it even less safe for me to enter the townships in July as planned and I did not want to attract further attention or scrutiny for Somali shopkeepers. Thus I delayed the start of my fieldwork by a month and a half; instead of beginning in July, I began in September which gave me less time to devote to interviews. Owing to the size limitations of a mini-dissertation, the small sample was more appropriate than the original target of 45 interviews. Although there are female Somalis in business in Cape Town, the overwhelming majority are males. The SRA reported almost exclusively male membership, thus my sample group reflected the composition of their membership. A gender bias is inherent and acknowledged in the sample group.

OTHER SOURCES OF DATA

Prior to conducting my own in-depth qualitative interviews, I delved deeply into the available literature on community formation, transnationalism, social networks, conflict resolution, the history and context of South Africa's immigration policies, rights-based discourse, liveability, integration, the conditions and implications of forced migration, and ethical research principals in forced migration studies. Media sources were also consistently monitored as the rumours and incidents of a resurgence of violence against Somalis in the Western Cape increased in July 2010; relevant news pieces were collected from the better-regarded news sources (South African and international) and some of the tabloids regarding the May 2008 attacks as well as on-going violence.

In addition to the above sources, recognition must be given to the vast amount of research that has already been or is currently being conducted in similar and related fields across South Africa. Most notably, extensive research has been conducted by the University of Witwatersrand's Forced Migration Studies Program (FMSP), often in conjunction with major donors and international organizations. At the outset of research, I contacted the FMSP to request transcripts and data for several of their research

projects. This request was denied, however they did provide some testimony from their *Moving Voices* series which captures the experiences of migrants in the Johannesburg area following the 2008 attacks.

To get a feel for the sentiments of South Africans living in the townships regarding foreign nationals, I relied upon the Jooste et al study as again, my time and research capacity was very limited (2010). Although this study is centred on racial mixing of South Africans in new housing settlements around Cape Town, they asked several questions about foreign nationals.

In-depth interviews with members of the SRA and other Somalis living in Cape Town's informal settlements and townships were conducted only after the relevant secondary research was completed in July 2010. The interview schedule consisted of mainly open-ended questions broken down into eight sections: personal details, family, history, the Association & experiences with xenophobia, general safety, housing, health and other liveability issues. Participants were encouraged to tell stories in detail, thus the semi-structured interviews resembled each other, but no two were the same. Interviews were conducted in the homes, businesses, temporary residences of the participants as well as in the parking lot of Mitchell's Plain Town Centre. Participants could respond in either English or Somali, depending upon their comfort-level. For the interviews with SRA members, Mr. Aden the Association's Spokesman, translated². A professional translator from the Somali community was used for the five interviews conducted in Somali with non-members. All but two of the interviews were digitally recorded based upon the consent of the participants, although my discussions with the Retailers' Spokesperson, Mr. Aden were also unrecorded. With the exception of the two leaders of the Somali Retailers' Association, Mr. Abdi Ahmed Aden and Mr. Abdullah Warasame, all of the participants were guaranteed anonymity and provided with coded names. This was done both for the protection of the participants from any reprisals or perceived threats as well as to encourage them to speak more freely with me.

MAPPING AND PHOTO NARRATIVE

Originally, the study was to include a photo narrative and mapping component, however that portion was eliminated after my initial discussion with the Spokesperson of the Somali Retailers' Association. Due to the incredibly sensitive and precarious nature of their existence and the on-going violence in the townships, they do not feel comfortable with photographs or mapping.

Below, I have included a map of the general locations of respondents' residences; a map that includes branch locations of the Somali Retailers' Association appears later in the paper. These maps were digitally created utilizing the Google Maps API (alternative mapping services are available, but this platform is particularly user-friendly and does not require the use of GPS measurements in the identification of a location (see Research Ethics, below)).

² See Limitations section for more information on this aspect of the translation.

Figure 3.1: General areas of Residence for Sample Group



RESEARCH ETHICS

All interviews were conducted with the informed consent of individuals over the age of 18 and the researcher fully disclosed all research purposes. Half of the interviews were conducted through a professional translator or Mr. Aden. At the outset of the interviews, each subject received a verbal disclosure of the research, the researcher's independence from any organization, the study's purpose, methods for preserving anonymity, and their right to withdraw at any time from the process. I then requested verbal consent prior to recording the interview digitally and initiating the interview. The disclosure statement appears at the top of each questionnaire (Appendix 1) and a note on their consent or refusal is recorded on all physical notes taken. All those who initially expressed willingness to speak with me subsequently agreed to participate in the research and none withdrew their information following our discussions.

Interviews were recorded digitally, in the case of all those providing consent to record, and I also took notes by hand during the interactions which include notes on non-verbal communication. With the exception of the Spokesperson and the Chairperson who spoke in their official capacities, all participants were assigned a code based on the date and location of the interview to maintain their anonymity.

As several experts in the field have written extensively on the methodological and ethical concerns of working with vulnerable forced migrant populations, all of these concerns will not be repeated here.³ It is important to acknowledge that this part of the research comes with some risk or perception thereof based upon the migrants' previous interactions with members of the community and the police. Although a few of the participants requested that I take down their names, these have been replaced by codes in all

³ See "Researching refugees: some methodological and ethical considerations in social science and forced migration", *New Issues in Refugee Research*, No. 90, Evaluation and Policy Analysis Unit, UNHCR, Geneva; Jacobsen, K. and Landau, L. (2003). "The Dual Imperative in Refugee Research: Some Methodological and Ethical Considerations in Social Science Research on Forced Migration". *Disasters*, 27(3): 95-116.; and Mackenzie, C., McDowell, C. and Pittaway, E. (2007). "Beyond 'Do No Harm': The Challenge of Constructing Ethical Relationships in Refugee Research". *Journal of Refugee Studies*, Vol. 20: 299-319. for a more complete discussion of the ethical considerations involved in working with refugees.

written transcriptions based upon the digital recording. I did not associate any names with this part of the research and thus, I do not have a written document with their name or signature.

I am fully aware of the sensitivities and fear within these groups since their current status of official documentation may not be legal or up to date and the pervasive climate of xenophobia was critically high at the time of fieldwork. There is a certain fear that immigration officials, the police or even those in their neighbourhood may utilize information about their physical location or movements against them. Although it is not for official use, it is possible that the government or other groups may obtain information from this study and utilize it for purposes which were not intended. I worked at every possible point to ensure that the privacy and identity of participants were protected by as much anonymity as possible.

As the maps are only intended to provide a visual representation of the variety of locations involved in the study and the scope of the Association, I chose not to take exact measurement or input the data into a geographic information system (GIS) database; no global positioning system (GPS) readings were taken. Thus, all maps included in this study depict estimated locations only. The lack of exactitude in locational measurement also serves as a measure of protection of the participant's privacy.

PROBLEMS ENCOUNTERED DURING FIELDWORK

During the course of the first round of interviews with the Somali Retailers' Association members, I realized that Mr. Aden was not representing me or my role clearly to all of the respondents. Prior to the start of each interview, I gave a prepared speech about my research, my independence from any organization etc. In the case of those who spoke English, they listened intently, some asked questions but all consented to continue with the interview. Although I repeated the same speech with those non-English speakers, I am not convinced that the message of my independence was conveyed clearly. By way of example, I cite one interview in which Mr. Aden translated my introductory speech into Somali but then promptly left the room. I was confused by his departure as I had assumed that the participant only spoke Somali. However, the respondent began speaking in English as soon as I requested his consent to record our conversations. At the end of the interview, when I asked if he had anything further to add, he asked for my assistance then went on to say that Mr. Aden had told him I was with the UNHCR. My introduction was not translated accurately. I had to immediately dispel any association with the UN and again ask him if it was okay for me to use the information he provided to me now that he knew I was unaffiliated and only a graduate student. Although I was prepared to discard our conversation, he again consented to have his information included.

Issues of translation are common difficulties facing researchers, but the misrepresentation of my study and research presented a strong moral and ethical dilemma. To ensure that this did not happen in any subsequent interviews, I discussed this problem with Mr. Aden at our next meeting and again urged him to be entirely accurate in his translation as well as in his representation of me to the study's participants. During the next round of interviews, I added a clear, unequivocal statement that could easily be understood even by non-English speakers. Thus, the statement: "I am not UNHCR" while simultaneously shaking my head vigorously was added to the initial description of my research.

As an additional mechanism to mitigate the possible misrepresentation of the Somali respondent's original intent, I asked an independent professional Somali translator who is familiar with but not affiliated to the Somali Retailers' Association to review all interviews conducted in Somali with Mr. Aden to ensure accuracy. He listened to all of the interviews conducted in Somali and read the transcription based on the simultaneous translations provided by Mr. Aden, correcting any omissions, misrepresentations or other errors in translation in the written transcripts. Thus, those quotes appearing in this paper have been double-checked to ensure their accuracy.

LIMITATIONS

This study does not in any way represent the experiences of all Somalis in Cape Town, let alone in South Africa. Nor was this study designed to be generalizable to whole populations of forced migrants in South Africa, but as an in-depth investigation of the experiences of one semi-formal network. I am not attempting to present this dissertation or my methods as statistically representative either, particularly due to the small sample size. As with other studies conducted on Somali transnational migrant entrepreneurs, I can only hope to elucidate and provide examples at the level of theory (Jones, Ram & Theodorakopoulos, 2010) and present the experiences of this group of men as they were observed and conveyed to me. Given the lack of information about this particular network in Cape Town, this study is primarily descriptive -- positive and negative elements are explored.

Without the two datasets from the Wits Forced Migration Studies Program, this narrative case study on the scale of this dissertation represents a drop in the bucket in contributing to our understanding and stopping this deep-rooted conflict. Although the broader policy implications of these two FMSP studies are vast, the human element is somewhat absent.

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APPENDIX 3: XENOPHOBIA – CAUSES & RESPONDENTS’ EXPERIENCES

EXPLORING THE ‘CAUSES’ OF XENOPHOBIA IN SOUTH AFRICA

Volumes have been written on the subject of xenophobia in South Africa and this chapter does not offer any new theories. I am simply exploring the validity of each of the four dominant theories by evaluating it with primary data. As explained above, Harris gives us three general hypotheses or categories that scholars seem to fall into. Basically she explains these as black foreigners being seen as scapegoats for many of the country’s social problems and crime, thus they are blamed and targeted intensely by South African citizens and the state in an attempt to rid the country of these ills. Reviewing several other scholars’ work in this area, Harris explains that the isolation hypothesis points directly to the country’s separation from the international community, particularly during the waning days of apartheid, as engendering a suspicion, fear and ultimately hostility toward the unknown. Also, the isolation theorists bring in the apartheid government’s focus on boundaries as an underlying cause of xenophobia; “because of the creation of strict boundaries between South African citizens, as well as between the country and other nations, South Africans in this argument are unable to accommodate, and indeed, tolerate difference” (Harris, 2001). The third general hypothesis basically puts xenophobia down to racism; it points to the unequal treatment of white versus black foreigners and the ease of picking out African foreigners because of their distinct visible and audio characteristics (Ibid). And finally, to these three categories we will also look at the influence of the government and media in shaping public opinion on this matter, as Landau reminds us that “anti-foreigner sentiments are not only an organic or spontaneous response to street-level tensions, but have been shaped by politicians and bureaucrats” (Landau, 2007).

HISTORICAL IDENTITY DEVELOPMENT OR THE ISOLATION HYPOTHESIS

Many believe that the legacy of exclusion is woven into South African society – maybe even since pre-colonial days, but certainly the apartheid regime institutionalized notions of separateness and otherness. In the words of Worsby, Hassim and Kupe:

“The violence that seeks to dispossess those identified as ‘Other’ to the nation is revelatory of the unfinished and contradictory nature of the transition from authoritarian apartheid project. A decade and a half after the transition to democracy, vast numbers of South Africans feel anything but included in the nation’s rainbow. Despite considerable effort, the post-apartheid state has been unable to provide even basic entitlements of safety, health and the right to secure the means of life... [and] the aspiration to democratic inclusion also remains haunted by the older, naturalized differences engendered by apartheid ideology” (2008; 7-8).

Both Neocosmos and Landau point out that the history of apartheid, which made foreigners out of South African citizens, is one of the underlying structural causes of, or reasons for the imagining of post-transition South African citizenship based on indigeneity (Neocosmos, 2009; Landau, 2010; 219-220; Hedetoft, 2002). Citizenship by indigeneity as defined by Neocosmos, is “citizenship given by territory and birth, not by political agency and is underlined by state power. Indigeneity implies an exclusive conception of nationality and citizenship, meaning that those conceived (in whatever way) to be outside territorial boundaries are excluded from rights and entitlements” (2009; 14). As the Constitution separates rights into those to which all people are entitled and those which are exclusively the domain of South African citizens (nationals), our discussion of belonging and identity must be shaped by the contested concept of citizenship, and not exclusively nationality. This is underscored by the fact that South African citizens have also been singled out and attacked as ‘foreigners’ during the waves of xenophobic violence.

Sociology, political science, cultural or diversity studies, philosophy and other disciplines all grapple with the contested notion of citizenship. What makes a ‘citizen’ or conversely, how can one identify a ‘non-citizen’? An expansive definition, such as Turner’s, may be useful when conducting sociological debates: “citizenship may be defined as that set of practices (juridical, political, economic and cultural) which

define a person as a competent member of society, and which as a consequence shape to flow of resources to persons and social groups" (Turner (ed.), 1993). In politics, and indeed in the South African Constitution, the definition is more limited to political rights (voting, identity documents), entitlements (grants, free speech) and obligations (paying taxes) that being born to a state conveys upon a person. This more limited definition is often attributed to Marshall who divided citizenship up into three dimensions: civil, political and social (Ibid).

What is important here in our discussion of xenophobia, however, is more about inclusion and exclusion than it is about which definition of citizenship is actually correct; the distinction between citizen and noncitizen, those with claims of belonging and those without, or in the South African context those with formal citizenship or substantive citizenship – those are the crux of the issue here (Kivisto & Faist, 2007), but in post-apartheid South Africa where inequality and poverty are rife amongst the majority of citizens, citizenship of any kind is precious, particularly as most of the rights they are guaranteed, they are unable to access. Defending whatever rights you may be able to claim against incursion by those you deem to be 'outsiders' are highly aggressive (Nyamnjoh, 2006). The tone and language of xenophobia being mostly a "generalist discourse of nativist exclusion" (Landau, 2007; 5) and "legitimate (if illegal) violence extends and entrenches a form of spatial control, political authority and sovereignty... Although the South African state has long sought to monopolize control over space in the interest of national self-realization, the violence reveals a population that remains active in determining the boundaries and means of control" (Landau, 2010; 217). This was echoed by the sentiments of one of the participants in the study when he stated that "what is going on here, even the policepeople [sic] can't help" (Male, Bellville 170910, #5).

As Shotter explains, one's placement in society in relation to others and the psychological feeling of citizenship is what matters most, "for the fact is, no one yet quite knows what it is to be a citizen; it is a status which one must struggle to attain in the face of competing versions of what is proper to struggle for" (Turner (ed.), 1993; 115-116). Others, like Hedetoft point to the various aspects, feelings and constructions of belonging and Andersen's 'imagined communities' as areas of xenophobic exclusion (2002). Ordinary South Africans may not know how academia defines citizenship, but they can certainly tell you who 'belongs' and who does not: "no right to be there... They belong in their own countries, not here. They must stay because they are already here, but they don't have a right to be here" (25DSAF).

As this argument goes, apartheid made 'foreigners' out of South Africans in order to create institutional segregation (apartheid) that made it easier for a tiny white majority to rule the majority black population, "so that everyone, victims no less than beneficiaries, may appear as minorities" (Mamdani, 1996; 6). Which "meant, on the one hand, the forced removal of those marked unproductive so they may be pushed out of white areas back into native homelands and, on the other, the forced straddling of those deemed productive between workplace and homeland through an ongoing cycle of annual migration" (Mamdani, 1996; 7). Forced to the homelands and ruled by tribal authority with no claims on political or civil rights, South African nationality, those who could trace their ancestry back to this land were thus denied their belonging. As Mamdani then goes on to explain, the struggle against this type of rule was actually moulded by it and ultimately took on aspects of it (Ibid); Neocosmos takes this a step further to demonstrate that the transition and shaping of the new South Africa inherited this obsession with inclusion and exclusion in terms of access to rights and group identity (2009). "Non-nationals are the functional equivalent of black South Africans two decades ago" (IOM, 2009; 16).

Harris explains that South Africa's history of exclusion from the rest of the world – particularly during sanctions in the 1980s and the self-imposed limits on immigration under the apartheid era – has been cited as the root cause of South Africans' inability to tolerate or accept difference (Harris, 2001). Most scholars, including Harris herself, have dismissed this as naïve or at the very least an incomplete explanation (IOM, 2009; Neocosmos, 2009; Nyamnjoh, 2006).

RELATIVE DEPRIVATION, ECONOMIC AND SOCIAL DEVELOPMENT OR THE SCAPEGOATING HYPOTHESIS

The 2010 United Nations Human Development Report rankings place South Africa as 110 out of 169 – quite far from the bottom, yet nowhere near the top – and is classified as a country of ‘medium human development’ along with the likes of Thailand, China, India, Egypt, Guatemala and Indonesia (UNDP, 2010). The Gross Domestic Product of the country is \$276.4 billion, which earns South Africa the designation of ‘upper-middle income country’ along with Argentina, Columbia, Mexico, Russia, Turkey and Malaysia (World Bank, 2010). Often referred to as ‘Africa’s powerhouse’, South Africa is the wealthiest, most productive country on the continent. The contrast of rich and poor in this country is stark; adjusting for inequality, South Africa would rank 144th out of 169 on the Human Development Index (0.411), with a Gini index of 57.8 (UNDP, 2010) and experts say the rate of inequality is growing.

Macro-views of the country show a dramatically different country than the one most visible from the ground where unemployment is astoundingly high and the average working South African makes a pittance. Poverty and inequality are “distinct issues: they are not the same thing and cannot be addressed in policy as if they were, according to Gelb (Hassim, Kupe & Worby, 2008; 80). While even those living in shacks in Khayelitsha may seem better off than the majority of citizens of Niger (ranked 167 out of 169 on the HDI) the absolute level of poverty is not the issue; what matters here – according to this hypothesis – is inequality and level of relative deprivation.

South Africa, seen through this lens, is a nearly perfect example of the problems and conflicts that arise from giant gaps between expectation and reality. The language of transition raised the expectations of South Africans – everyone should have a house, a job, electricity, land, indoor plumbing and an education among other promises and they should expect them to be delivered to all 45 million South Africans yesterday. Promises unfulfilled, services undelivered and a large disenfranchised, disempowered, unemployed urban population – this is the recipe that revolts, revolutions and uprisings are made of. Nyamnjoh contends that “xenophobia explains, as much as it is explained by, poverty, underdevelopment, economic disparities and assumptions of social and cultural superiority” (2006; 5). Similarly, Nieftagodien insists that the entire discussion about xenophobia and its roots has to be located within the “politics of failed development and delivery” (Hassim, Kupe & Worby, 2008; 66). Silverman and Zack believe it is ultimately the housing crisis which is a cause, or at the very least a strong link, to the reason why these long-held xenophobic sentiments erupted in the violence of 2008 (Ibid, 2008; 147). One respondent explained how he sees the unfulfilled promises from the transition and the complex issues around this country’s development impacting the lives of his fellow refugees.

“I can’t blame the government because they are busy with their own domestic issues (land, TRC etc). The government is in transition from apartheid to democratic rule which makes it difficult to respond to the new refugee problem. South Africans do not have land, property and it is difficult to respond here like they do in the US where they help you find a job and a place to live... we are fighting for scarce resources” (Male, 120910, unrecorded).

In the words of Pillay, it was the discourse of the transition that “unleashed a socio-economic system of market violence against the majority of the population... The victims of this violence, unable to recognize or reach the real perpetrators or beneficiaries of this violence, have, as often happens, lashed out at those closest to them... in this instance, the convenient scapegoats were easily recognizable foreign nationals – particularly those with houses, jobs or small businesses” (Hassim, Kupe & Worby, 2008; 94). This argument has refrains of Johan Galtung in it as Pillay cited the structural violence heaped upon poor black South Africans as a cause of or motive for inflicting physical violence upon another (Galtung, 1969).

There are Somalis all over the Cape Town metropolitan area; Mr. Aden estimates that there are about 3,000 most of whom are single males engaged in some type of business. While they may set up stands in the CBD or open small stores dotted around the suburbs, they usually choose to start shops in the

townships (Male, Bellville, 170910, A#5 & Male, Mitchell's Plain, 061010, B#2). They are there, visible and involved in business amongst a sea of unemployed South Africans. Harris contends that it is unclear why nationality becomes the determining factor for scapegoating, but in the Somali case it may be slightly clearer. Several respondents repeated the refrains of the xenophobic attacks: foreigners steal South African money and jobs – “Because sometimes they tell you ‘you take our business’ ‘you take our money’. Sometimes they say like that. Sometimes they say ‘you take our jobs.’ You see? They don’t like us because of that. You see, it’s not true. We have our own business” (Male, Mitchell's Plain, 121010, B#5). In the words of one respondent who had recently been shot while transporting his stock to his store: “They see Somalians, they see money. That’s problem. There’s Somalian, they see money. I think those people, they don’t work hard. They just something (sic), want something to grab from the foreigners... So, they [South Africans] come to the tuk shops and start to loot or rob” (Male, Bellville, 170910, A#5).

The economic argument has to be part of the discussion since we are dealing with traders, particularly in the informal sector and competition over business and territory. This study confirms the observation that “in every major, South African city, the informal sector is increasingly dichotomized and polarized between ‘local’ and ‘foreign’ hawkers, with the former organizing campaigns, marches and boycotts against the operations of the latter. The general feeling, as portrayed in articles & reports in the press is that ‘illegal immigrants/aliens’ are trespassing on the informal sector and are therefore trampling on the livelihoods of huge numbers of unemployed black South Africans” (Nyamnjoh, 2006; 41). In Cape Town, there are daily assaults on Somali business owners. Each day of my field research, I received an update on the number of attacks over night or since my last meeting with either my translator or Mr. Aden. In all, dozens of Somalis were attacked, injured or killed between September – November 2010 in Cape Town’s townships during the field research for this thesis; very few of these attacks appeared in the newspapers. All but one Somali involved in this study – even those selected at random – was at some point involved in shops, whether at the time of our interview or previously (the one exception was a sedan-taxi driver for exclusively Somali clientele). Five respondents owned at least one tuk shop at the time of our interview; four worked at a shop owned by another Somali and eight were former shop owners or workers that were forced to abandon their work after they were personally attacked in their shops. When asked “what do you believe is driving the attacks on Somalis or other foreigners?” ten out of eighteen respondents specifically cited competition for jobs, money and business as the primary reasons.

Similarly, in the Jooste et al study, whenever Somalis were mentioned, they were associated with business or shops almost every single time (2010). Respondent’s attitudes to this varied between they have no right to be here “because there is no work, because the Somalians take all the work” (18DSCF) or “all the people like the Somali [shop owners] people and we communicate very nice with them” (33TSCM). As business people Somalis are seen to bring commerce “they open a shops in our area, the shops we don’t know how to open the shops in our own areas” (2DLAM) or to undercut the prices of local shop owners and force them out of business (36TSCF, 14DNCF, 16DNCF, & 11DNCF). Shop keeping leaves them exposed and vulnerable to a populous that is hurting economically and looking for someone to blame.

CULTURE OF VIOLENCE, CRIME, HATE OR THE BIO-CULTURAL HYPOTHESIS

Pointedly, there are no such things as white *Makwerekwere* (Mngxitama, 2008; 197), so Americans, Brits, Australians and other Westerners do not earn the moniker. This essentially demonstrates the contradictions of xenophobia and underscores the point that xenophobia – hatred of foreigners – in the general sense is not the ultimate cause of the violent outbursts. No, whites are not targets for xenophobic attacks, even where white foreigners live among other whites or wealthy people and compete for resources (jobs, houses, placement for their children in school). Pointedly, as a foreigner living in South Africa for two years, I have never been accused of stealing anyone’s job although I do work; when looking for housing I have never had a South African turn me down because of my American accent. When I have been the victim of crime, it was always crime of opportunity—pickpocketing, stolen luggage, muggings – and the perpetrators likely did not know I was foreign at all. This underscores Harris’ point about the two previous theories providing an incomplete picture of xenophobia as there is no differentiation

between groups of foreigners when you simply look at South Africans fearing the other due to the history of identity formation or singling out foreigners as scapegoats for inequality (Harris, 2001).

Physical, cultural and audible differences identify Africans from north of South Africa; this also explains why many South Africans have been caught up in the violence: they were 'too black' to be South African and assumed to be foreign. Nyamnjoh points out instances of people being "arrested for being 'too black', having a 'foreign name' or, in one case, 'walking like a Mozambican' ... the darker one is, the more accused by criminality one is perceived to be" (2006; 51). When asked if they could see who was an 'outsider' in the community, most respondents in the Jooste et al survey assumed that 'outsider' meant foreigner, even when those people lived in the community (2010). How could they tell that someone was an 'outsider'? "I smell them! You look different, you walk different, your attitude, everything is different and that tells me, no, you do not belong here" (3DLCF). In the case of Somalis, they are physically unique looking in contrast to South African blacks, as is their language; several Somali respondents said that their religion sets them apart as well. In short, they are easy to pick out of a crowd.

Human Rights Watch and the Human Rights Commission, among others, have commissioned reports, undertaken studies and made much ado over the extent that physical profiling takes place amongst the South African Police Force as they target non-nationals for arrest and detention (HRW, 1998; HRC, 1999; Morris, 1998; Minnar & Hough, 1996; CORMSA, 2009; Crisp, 2004; Crush, 2000; Handmaker, de la Hunt & Klaaren, 2001), so that does not bear repeating here. The fact is that using physical attributes to single out foreigners is pervasive: "These people from there [other countries], we are black but they are not like us. As they are black but they are not like us. Their colour is different from us and they way they dress is also different" (23DSAM). "You can see that this one is not from here... they are too dark and their hair is different" (27DSAF). The fact that race is an issue in South Africa, despite what Mamdani calls 'deracialization of politics', is not surprising (Mamdani, 1996), and again, black African foreigners bear the brunt of the anger.

Gqola insists that the violence is actually a "battle between two sets of men" to control women, territory and livelihood (Hassim, Kupe and Worby, 2008; 218); as two Somali respondents flatly denied this is an issue for them as they do not fraternize with South African women, mostly due to religious beliefs. However, one of these respondents, after first asserting that religious differences keep Somalis away from South African "chicks" then mentioned that "the Somalians (sic) people, the community, do not know about HIV and AIDS; especially the youth, they just go with any chick they see in the road" (Male, Mitchell's Plain, 061010, A#2). It is unlikely that the 'battle' over women is a major component of xenophobic attacks against Somalis. The only case of inter-racial marriage mentioned in all 41 of the respondents in the Jooste et al was actually between a white man and a coloured lady; no mention was made of Somali marrying or having relations with South African women (2010). Of those involved in this study, seven of the eighteen were already married, although only one man's wife was actually in South Africa.

This 'battle,' according to Tadjó is actually nothing more than "opportunism and the desire to get quick material gains from driving away foreigners" (Ibid) thereby equating it with general criminal activity. A great deal has been written about South Africa's 'culture of violence' (Harris cites the works of Simpson, Mokwena & Segal, 1992; Hamber, 1998; Hamber & Lewis, 1997; IOM cites Knyoch, 2005 and Hamber, 1999) as a legacy of the anti-apartheid struggle lingering; that violence was political in nature, a means to an end (Harris, 2001). Township life has long been characterized by violence and it "must be seen within this history, characterised as it is by years of social and economic disadvantage, repressive policing, criminal predation and a consequent recourse to vigilantism" (IOM, 2009; 10). Certainly there is a lot of senseless violence in every day South Africa which is purely criminal, but the use of violence as a means to an end – a legitimate mechanism for solving problems – is where violence and xenophobia cross paths. Explaining xenophobia as part of a wider 'culture of violence' is highly unsatisfactory though because it is still not clear how violence can be explained by the existence of violence. Just as we have sought here to

understand the roots of xenophobia because it is assumed that xenophobia cannot be explained by a culture of xenophobia, surely there has to be a *cause* other than simply saying that violence is legitimate therefore it exists.

As discussed in Chapter 2, immigration legislation in this country devolves a great deal of responsibility to communities and citizens to identify, apprehend, report and root-out 'illegal aliens.' In this way, there are, according to IOM, three ways to view the massive xenophobic violence of 2008 (and presumably that of 2010): 1) officially, it was crime; 2) the social construction of crime equates foreigners with criminality (either by being illegal or committing criminal acts) thus the community were simply taking their jobs as citizen law-enforcement too seriously; or 3) it was a form of or exercise of control over territory and nationality (IOM, 2008; 12). The transition may have emphasized peaceful means of reconciliation as avenues to justice, but that message did not filter down to the lowest level. Justice in the hands of the communities in the townships means retribution and redistribution (Ibid). Looking at it from this perspective, the looting of Somali shops is simply the community taking what they feel they deserve from people who they believe to be undeserving.

Xenophobic violence, which is not yet defined as a 'hate crime' in South Africa – particularly when it comes in the form of petrol bombs thrown into shops or other similarly explosive, highly visible crimes – probably should be defined and punished as such. One respondent, who requested not to be taped, spoke to me four months after he had petrol poured on him and he was lit on fire. He was burned from head to toe with barely recognizable facial features. His was not the only case of burning Somalis alive that I uncovered during the field research. Acts like that – again, a regular and weekly underreported occurrence in Cape Town – targeted against one nationality send a message that Somalis are not wanted and their existence is punishable by extreme violence. On a larger scale (more than a few a week) or perhaps out of the townships which are written off by government and more empowered South Africans, this kind of violence may look a lot more like ethnic cleansing. No, this kind of violence cannot simply be brushed under the rug as part of a 'culture of violence' even if it may be part of business competition strategies.

The IOM study referred to instances of youths being 'hired' by South African business owners to attack Somali shops in Masiphumelele in 2006. Also, a 30 July 2010 article in *The Daily Voice* and picked up by the *Sunday Independent* entitled "The Sinister Truth" explains that police suspected a local 'shebeen queen' was behind the attacks on Somalis in Philippi and that she had "mobilized a small army" of youths to root out and attack Somali business owners. No evidence of this kind was uncovered in the process of this research (2010). In the course of my research, I did attend several community meetings in the township of Khayelitsha where the topic of discussion was intended to be conflict resolution, but devolved into a discussion of Somali shops. Essentially, over the course of two weeks, five shop owners were given "notice" by the police and other organizations that they must vacate their shops and shut down because they were "illegal" or not registered with the government as a taxpaying business, as very few businesses in the townships are (UNDP, 2007). The names of these shops were actually supplied to the police by the SRA, adding fuel to the flames of resentment within the Somali community as they see the SRA as a corrupt organization of people only out for their own interest or the interest of their fellow clan members (Male, Mitchell's Plain, 260810 & Male, Mitchell's Plain, 061010 B#2). Shops were subsequently destroyed after the shopkeepers were given 'notice'. Evictions like this are commonplace, although it is unclear how many are condoned and conducted with full participation of the government as this one was.

GOVERNMENT COMPLICITY AND MEDIA REINFORCEMENT

Another important aspect of xenophobia in this country is how far up it reaches into the arms of government and how these attitudes can help shape popular opinion and anti-foreigner rhetoric. The state's influence over xenophobic attitudes is not limited to the creation of legislation or policy to prevent the in-migration of foreigners, but also in the rhetoric used by the powerful, as well as general

bureaucratic process. In the most extreme sense, this violence against non-nationals is seen as a “demonic proxy for state violence” (Landau, 2010; 217). Both the Mbeki government – in power during the 2008 wave of violence – and the Zuma government brush aside the possibility that xenophobia exists in South Africa. Mbeki often cited the African Renaissance, and South Africa’s connection to the continent to obfuscate the issue. President Jacob Zuma has at different times remained silent on the issue and blamed the opposition for creating these rumours to make the ANC look bad, or downplayed the extent of the problem.

The current Police Minister, Nathi Mthethwa, in a statement on Heritage Day 2010, fervently condemned acts of violence against foreigners and in Mbeki-style, appealed to a notion of Pan-Africanism and tolerance. In the same speech and countless others, he repeats his standard position: “I don’t believe South Africans are xenophobic... We see that [xenophobia] as a pure act of criminality” (BuaNews, 2010) at other times calling xenophobic acts the work of “opportunistic criminals” (IOL, 2010). All of this runs contrary to solid evidence of xenophobia’s violent manifestations that are daily levied against non-nationals and the firm commitments made by the government to not only verbally condemn but also punish xenophobes and protect the rights of foreigners.

The new tactic is to brush the problem under the rug, deny it exists and look to some other “third force” or simply criminality to explain the violence hailed down upon foreigners. While it may be true that some of the attacks, robberies, other violent behaviour and “human rights violations perpetrated against foreigners are motivated by financial gain and economic exploitation, rather than ‘pure xenophobia’... the climate of xenophobia renders foreigners more vulnerable to such financial exploitation” (Harris, 2001; 6). While some of the muggings, attacks and other offenses experienced by non-nationals could probably just be categorized as regular crime (Sichone, 2001), much of it is overtly and purposefully directed against foreigners. For instance, carjacking and muggings at traffic lights are a fairly common phenomenon in South Africa; 120,862 thefts out of or from a motor vehicle were reported country-wide in the 2009/2010 period, 35,367 in the Western Cape alone (SAPSb, 2010). Add to that the statistics on carjacking – 13,902 in South Africa, 575 of which took place in Western Cape (SAPSa, 2010) – and it is a statistical likelihood that foreigners are occasionally the random, hapless victims of these crimes. However, such crimes are also purposefully perpetrated against foreigners. The very first respondent for this study described the robbery at gunpoint he experienced at a traffic light in the Philippi township that very morning:

“You see at that robot, it is not only me, all the Somali are robbed. Everyone we know. Every day that robot. That robot next to Makro [actually Philippi Cash & Carry]. KLH: Are they specifically robbing Somalis are do they rob everybody? Respondent: That time we were robbed and the other guy [in my car] is from Uganda. He and Rwanda and these people [South African blacks] looks similar. So [the robber] say “oh, I don’t want you, I want Somalian.” I think he want to kill me, he think that [Ugandan] guy is also the other one, because he looks same. Especially me because I don’t look the same. Me, I think he is attacking all Somalian. He don’t target the other people, maybe he is only attacking Somalian. Because I listen, he say “I don’t want you [to the Ugandan guy in the truck], I want only Somalian!” It is because I am Somalian. That guy, before he thinks he is Xhosa, then he say “me, I am not Somalian.” Then the guy say “you, you are not Xhosa! Hey [he said to his friends] this one, this one is foreigner like Somalian.” Then that guy he robbed his money too. But before they think he is a South African guy and so they weren’t going to take that money. I think [if] he don’t talk they weren’t going to take the money of that guy... That guy that guy is also like Somalia, he is Makwerekwere. You know Makwerekwere? He same like foreigners. I think they are attacking especially Somalian, next he attack foreigner” (Male, 170910, Khayelitsha, A#1 & 2).⁴

⁴ The Somali Retailers’ Association has filed numerous letters with police and justice services requesting that the individuals who conduct these robberies at this robot be apprehended, arrested, charged and put in prison. Although these men have been arrested on numerous occasions, according to the SRA, they are let out

By simply dismissing such acts as merely opportunistic crimes or placing it in the same category as other aggravated robbery, the Police Minister makes an egregious error and shirks his responsibility under the Constitution and the country's commitment to UN Resolution 52/111 which is against Racism, Racial Discrimination, Xenophobia and Related Intolerance. A government that denies a problem is thereby incapable of properly responding to and addressing the structural causes of that violence. We only have to look to the Mbeki government's HIV/AIDS denialism to see the horrible impact that ignoring a deadly problem can cause. Denying the connection between HIV and AIDS did not make the scientific facts disappear, nor did it help the government design and implement effective policies to combat the disease.

Similarly, denying that South Africans have a fear or hatred of their African brothers from up-continent does not make the daily assaults on their rights and bodies stop. If anything, the denialism translates into a culture of impunity. It exonerates those who set fire to, beat up, shoot and murder foreigners. It tells those xenophobes that they are simply common criminals instead of labelling these crimes as hate crimes and punishing them accordingly. It also sends a message to the foreigners themselves, as one respondent put it: "the truth is, that with Zuma's denialism of the xenophobia that the Somalis' hearts ache more with that than the attacks because our lives are being denied. Back in 2008 even, a Somali said directly to Mbeki 'you kill us, Mbeki!' because he was denying what was happening to us" (Male, 270810, Mitchell's Plain). On the other side, in South African nationals' eyes, Mbeki's influence on the issue of migration is also seen as negative: "they [non-nationals] don't have a right to be here, okay, but we must accept it now. Mr. Thabo allowed it before, now we just have to respect them, finish. It was him who allowed it" (3DLCF).

When the Police Minister waves away xenophobia as non-existent, he sends the message to his police officers that they need not follow up on acts of xenophobia. When police do not respond to crime, or follow up on the reports of criminal or xenophobic acts simply because they are reported by foreigners, as many respondents in this study claim, there is not only a disincentive to report crime but almost a tacit acceptance of the behaviour in the local community and a perpetuation of the culture of violence (Harris, 2001). As the IOM study points out, police attitudes are overtly xenophobic as well (IOM, 2009).

The inefficiency and other problems that plague the Department of Home Affairs are well documented elsewhere and they do not bear repeating here (see Landau, 2006a; Landau, 2006b; Handmaker, de la Hunt and Klaaren, 2001; UCT Law Clinic, 2009; Polzer, 2008; Crisp, 2001; Peberdy, 2009 among others). The essence of the problem there amounts to a lack of administrative justice and denying asylum seekers and refugees access to the rights and entitlements that they are afforded by law. The various issues with the Department of Home Affairs have been extensively dealt with elsewhere and will not be repeated here.

However, it is not only the denialism and administrative discrimination exhibited by the government that helps to fuel a general climate of xenophobia. Many have cited the openly anti-foreigner attitude of the former Minister of Home Affairs, Mangosuthu Buthelezi, but his attitude is certainly not unique amongst those in power. Harris, Landau and many others include quotes from civil servants all levels of government who are quoted in the media with outlandish, but wildly held views that foreigners are the source of the country's ills or that there are hoards rushing through the borders to better themselves at the expense of citizens. One other contributor to xenophobic attitudes that was uncovered in this study was that of the anti-apartheid struggle language being used by politicians, presumably at the local-level, then repeated by xenophobes as they verbally or physically abuse Somalis. As one respondent put it, "actually, they are politicians doing those things... When I'm looking those people when they speak, they are speak by [about] the time ANC they are fighting white. You see? Same like this, they are speak. Because those people say "how many people of my family, when I am freedom fighting for this country South Africa?" No fear when they are speak. That's why they are politician" (Male, Mitchell's Plain,

of jail without charges each time only to return to the same traffic light and continue to rob Somalis in broad daylight.

121010, B#3). Again, we come back to the promises of the transition, the struggle for national identity and the faults of the 'other' which explain some of the sources for xenophobic rhetoric.

Thus, we see that the cycle of government responses coming from public opinion or action, while simultaneously influencing how the public perceives non-nationals (Jul-Larsen, 1994). One respondent in the Jooste et al survey explained that the government's changing attitude toward non-nationals also influences how the people react: "No, they actually do not belong here. But the government allows them to be here. But in the apartheid years how was it? They were not allowed access here" (14DNM). However, it is not simply in irresponsible rhetoric and policy creation that places some of the responsibility for the xenophobic violence at the doorstep of the government, it is in deeds as well. In the words of a South African man who participating in the University of Witwatersrand project *Moving Voices*, "it is a responsibility of the government to protect refugees because it has given them refugee status. Its reaction to the [May 2008 xenophobic] crisis was slow, it was uncoordinated and therefore it must bear responsibility for those deaths also. Because it has got the resources, it has got the infrastructure, it has got a military that can play that kind of role and if it mobilised. So if it started, and if it mobilised people in Jeppe Street, we wouldn't have destruction there. If it mobilised its forces in Alexandra, we couldn't have had the destruction" (Male South African; *Moving Voices*, 2008).

The media in South Africa is not a neutral observer, but helps to create and shape public perceptions of non-nationals (Harris, 2001). On the whole, the impression given is a negative one where poverty, crime and a host of other problems are connected to immigrants (Ibid). Nigerians are seen and often depicted in the media or by the police as drug-dealers, gun-runners and organized criminals. Mozambicans, often recruited for mine work during apartheid, are accused of stealing South African jobs, as are Zimbabweans who are also perceived as 'flooding' the country at present due to economic and political situation back home. Congolese, as well as Rwandans and Burundians (who are lumped in with the Congolese due to physical resemblance or language), are depicted as criminals or people who will work for next to nothing in order to undercut the wages of South Africans. Stereotypes are used as short-hand with little critical thought or attention to the implications.

A quick scan through most newspapers or articles written about non-nationals or migrants reveals a whole host of anti-foreign rhetoric, even in the more liberal or independent papers. The word 'illegal' appears in front of immigrant more often than not and the word 'alien' is seen as an acceptable synonym for non-national; numbers of immigrants are exaggerated or talked about in terms of 'floods'. In a content-analysis of two papers that covered the 2008 xenophobic violence, Harber shines a light on two perspectives in the media which are themselves mere reflections of popular sentiment – those that sympathize with the victims of the violence and those that reflect the anger of the powerless in townships who perpetrate the violence (Hassim, Kupe & Worby, 2008). The Somali Retailers' Association leadership – both Mr. Aden and Warasame – brought collections of newspaper accounts of anti-Somali violence to our meetings; the clippings were full of these short-cut phrases which belittle or lump all nationals into categories such as 'illegal immigrants', 'aliens', 'foreigners' and other labels.

While it may simply be poor journalism or businesses pandering to their audiences using the vernacular, it is at the very least irresponsible, and has even been seen by some as contributing to the spread of xenophobic attitudes and violent behaviour (Hassim, Kupe & Worby, 2008; IOM, 2009). How the violence is reported influences attitudes, but it may also help to spread the message. When the rumours got started as the World Cup was drawing to a close, the media reported heavily on the rumours, not wanting to be caught off-guard if or when violence erupted again; these reports may have helped spread the actual message that foreigners should go, as one respondent in the Jooste et al survey explained, "like we heard on the news, sir, they must go again" (4DLCM).

REFLECTION/SUMMARY

As we see, there are many competing theories, most of which have merit in explaining the cause of xenophobia. Who is to say what the one true cause of xenophobia is? Those who possess these sentiments may be able to explain why they dislike or even hate foreigners so much that they will resort to violence. As the analysis above suggests, the objects of the hatred can also shed light on the reason for xenophobia. It is beyond the scope of this thesis to proffer up a final answer, although based on my research and those scholars cited above, the cause of this phenomenon is complex and very likely contains elements of each theory when examining South Africa as a whole. Individuals' reasons to have a fear or hatred of foreigners are as complex as human emotions, personal histories and psychosocial makeup. A country as diverse and large as South Africa – a composite of 45 million individuals – can and does contain elements of at least four theories.

Whatever the underlying cause of the xenophobia is in South Africa, it presents a clear threat to the perceived and actual physical safety of the country's marginalized and vulnerable refugee and asylum seeker population. Indeed, as Crush and Pendleton point out, "xenophobia undermines social cohesion, peaceful coexistence, good governance and human rights observance" (2004: no page numbers) – what is bad for the country's most vulnerable is bad for the whole country. Instead of continuing the debate on causes, scholars should accept the multivariate causes of xenophobia and devote future research to how it can be neutralized or diminished. At the same time, these same scholars have a responsibility to continue to work with civil society, the government, the media and foreigners themselves to document and bring to justice those perpetrating the violent manifestations of this mind-set.

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APPENDIX 4: ORGANIZATIONS ASSISTING REFUGEES AND ASYLUM SEEKERS IN CAPE TOWN

African Disabled Refugee Organization (ADRO)	Legal Resource Clinic	The Education Support Services Trust (ESST)
Agency for Refugee Education, Skills Training and Advocacy (ARESTA)	PAX	Trauma and Healing Project
Alliance for Refugees (AFRISA)	People Against Suffering and Oppression (PASSOP)	The Trauma Centre
Bonne Esperance Refugee Project	Projects Abroad Human Rights Office (PHARO)	Tutumike
Cape Town Refugee Centre (CTRC)	Rape Crisis Centre	University of Cape Town Refugee Law Clinic
Catholic Welfare Development	Red Cross South Africa	Sonke Gender Justice Network
Excelsior Empowerment	Scalabrini Centre of Cape Town	Ikwa Kuthi Research and Advocacy

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