

**POLICIES AND PROGRAMMES TO REDUCE XENOPHOBIC VIOLENCE AGAINST  
BLACK AFRICAN FOREIGN NATIONALS IN SOUTH AFRICA:  
A case study of the City of Cape Town's Metro Police and Business Areas Management:  
2008-2013**

A mini-thesis presented to the School of Government  
at the  
University of the Western Cape

*In Partial Fulfilment  
of the Requirements for the Degree  
of Master of Public Administration*



By  
**Felicia Lombard**  
**3314411**  
2015

Supervisor: Professor Greg Ruiters

## DECLARATION

---

---

I declare that *POLICIES AND PROGRAMMES TO REDUCE XENOPHOBIC VIOLENCE AGAINST BLACK FOREIGN NATIONALS IN SOUTH AFRICA: A Case study of Cape Town's Metro Police and Business Areas Management: 2008-2013* is my own work, that it has not been submitted for any degree or examination at any other university, and that all the sources I have used or quoted have been indicated and acknowledged by complete references.

Felicia L Lombard

Signed:.....

Date :.....



## KEYWORDS

---

Xenophobia

Violence

Cape Town

Black African Foreign Nationals

Migration

Policies

Local Government

Cape Town Metro Police

Cape Town Business Areas Management



## ABSTRACT

---

---

South Africa continues to experience unprecedented levels of violence against foreign African nationals, to be more specific, black African foreign nationals in poor communities but also in cities. Local Government has become a major role-player in the functioning of South Africa's democracy and in managing local conflicts. In light of this, this research-based mini-thesis explores the policies and programmes used in the City of Cape Town Municipality to reduce xenophobic violence against black African foreign nationals in the city.

I acknowledge the importance of understanding the historical background of racial conflict in South Africa, and briefly look at whether this attributes to current conflict against black foreign nationals by evaluating competing theories of xenophobic violence. Whilst South Africans found refuge in neighbouring countries during the apartheid era, recent migration patterns reveals a reverse of this trend as the upper regions of the continent suffer war and famine and nationals of those countries seek refuge in South Africa. The Alien Control Act of 1991 strengthened South Africa's national borders and made it difficult for foreigners to enter the country without the needed documentation. However, South Africa's transition from an apartheid state to a democracy brought with it a number of changes, including an increase in the number of migrants who was previously not allowed to enter the country. One of the major concerns for government has been the issue of distinguishing between those who are in the country legally and those who are in the country illegally. In this mini-thesis, I draw a clear distinction between the different categories of foreigners in South Africa.

Xenophobia broke into public view in May 2008 when black South Africans living in townships that suffer poor living conditions and high levels of crime, violently attacked black African foreign nationals working and living among them. The scale of the attacks led to the mass displacement of black African foreigners as they sought protection in refugee camps set up by the state as well as other organizations. Black African foreigners were severely assaulted in the violence. Some were burned while others suffered the looting of their belongings.

Local government has an important role to play in the functioning of democracy in South Africa. I am of the view that the policies and programmes employed at local government level would significantly reduce the incidences of xenophobic violence experienced in South African communities, since local government has easier access to communities and people at grassroots level. Xenophobia is not a peculiarly South African problem, and many local governments around the world have used various methods of addressing this. While insights into their methods would be helpful; the focus of this thesis is on South Africa and more specifically the City of Cape Town.

In this mini-thesis, I thus investigate the policies and programmes employed by the City of Cape Town municipality in reducing xenophobic violence against black foreign nationals.

## DEDICATION

---

---

This mini-thesis is dedicated as follows:

- To Mr Keith De Wet (1968-2015), thank you for the many conversations, laughter, milk and cigarettes shared during our journey together. R.I.P colleague, gone but never forgotten.
- To all the African foreign nationals who have been the victims of the continuous xenophobic attacks in South Africa.



## ACKNOWLEDGEMENTS

---

---

Praise be to God for the strength during the difficult times, the endurance and the patience during the times of doubt; and the guidance of His hand.

My sincere gratitude and appreciation to my mother, Mrs Patricia Lombard, for her unwavering support and unconditional love. I have indeed been blessed with an angel and could not have asked for a better mother.

Eternal gratitude to my supervisor, Professor Gregory Ruiters; who guided and motivated me through this journey. Professor, thank you for sharing your valuable knowledge and insights during my research.

To my most spontaneous friend, Neil Hassan, without your motivation and guidance this thesis would not have been possible. Thank you for always being by my side.

To my Rillers, Thank you for your support, motivation and distraction during the periods I needed it the most. Whitney Williams, Raymondi Aiken; Inge Adams, Lynn Hoop and Mogamat Satarien; I am eternally grateful for your valuable friendship.

To the friends and family, especially the Ward family that I neglected whilst completing this thesis, I am grateful for your patience and support during my journey.

My sincere gratitude to my colleagues, Ms T Hoosain, Dr A Arendse, Mr J Verster, Mrs A Sinyegwe, Mrs Z Williams and Ms I-L van Louw.

To Charlene and Kevin Taillard, thank you for the gift of my niece, Summer Taillard. Looking at her angel face is reason enough to strive onward.

Finally, to my beloved Aunt, Merle Cloete, after almost 10 years I still feel your presence every day. Thank you for the part you played in raising me to be the person that I am today.

## ABBREVIATIONS

---

BAM - Business Areas Management

BID - Business Improvement District

CBD - Central Business District

CCT - City of Cape Town

CID - City Improvement District

CTP - Cape Town Partnership

CORMSA - Consortium for Refugees and migrants in South Africa

IDP - Integrated Development Plans

LED – Local Economic Development

MFMA - Municipal Finance Management Act

MSDF - Metropolitan Spatial Division Framework

NGO - Non-Governmental Organisation

PASOP - People Against Suffering Oppression and Poverty

SANCO – South African National Civic Organisation

SAPS - South African Police Services

UN – United Nations



## LIST OF TABLES

Table 2.1:	CCID areas in Cape Town
Table 4.1:	Crime Statistics for the periods of 2009-10 and 2012-13
Table 4.2:	Metro Police Budget for the period 2006 to 2016 (Selected from the CCT Capital Budgets 2006-07 to 2015-16)
Table 4.3:	Metro Police major budget allocations 2009-10
Table 4.4:	Metro Police major budget allocations 2012-13
Table 4.5:	Areas grouped as follows (Annual Police Plan 2009-10)
Table 4.6:	Staff in the Metro Police for the Period 2009-10 (Annual Police Plan, 2009-10)
Table 4.7:	Metro Police vehicles per area for the period 2009-10 (Annual Police Plan 2009-10)
Table 4.8:	Staff in the Metro Police for the period 2009-10 (Annual Police Plan, 2012-13)
Table 4.9:	Number of Metro Police vehicles per area for the period 2012-13
Table 4.10:	Division of areas for the service of the Informal Trading Unit
Table 4.11:	Informal Trading Unit proposed budget allocations for the period of 2006 to 2016
Table 4.12:	Major budgetary allocations for the financial year 2009-10
Table 4.13:	Major budgetary allocations for the financial year 2012-13
Table 5.1:	Presentation of participant details

## LIST OF GRAPHS

Graph 4.1:	Total number of selected crimes by precinct
Graph 4.2:	Drug-relates crimes
Graph 4.3:	Driving under the influence of alcohol or drugs
Graph 4.4:	Public Violence

# Table of Contents

DECLARATION.....	ii
KEYWORDS.....	iii
ABSTRACT.....	iv
DEDICATION .....	vi
ACKNOWLEDGEMENTS.....	vii
ABBREVIATIONS .....	viii
LIST OF TABLES .....	ix
LIST OF GRAPHS .....	ix
<b>CHAPTER ONE</b> .....	<b>1</b>
<b>INTRODUCTION TO THE STUDY</b> .....	<b>1</b>
1.1 BACKGROUND TO THE STUDY.....	1
1.2 PROBLEM STATEMENT AND AIMS.....	3
1.3 RESEARCH DESIGN AND METHODOLOGY .....	5
1.4 CLARIFICATION OF CONCEPTS.....	6
1.5 CHAPTER OUTLINE .....	7
1.6 CONCLUDING REMARKS.....	8
<b>CHAPTER TWO</b> .....	<b>9</b>
<b>LITERATURE REVIEW</b> .....	<b>9</b>
2.1 INTRODUCTION .....	9
2.2 XENOPHOBIA IN THE SOUTH AFRICAN CONTEXT .....	9
2.3 XENOPHOBIA IN HISTORIC AND CONTEMPORARY SOUTH AFRICA .....	10
2.4 THEORIES OF XENOPHOBIA.....	14
2.5 INSTITUTIONS AND XENOPHOBIA IN SOUTH AFRICA .....	18
2.6 RECENT LITERATURE ON THE CITY OF CAPE TOWN .....	19
2.7 THE LITERATURE ON THE RESPONSE OF THE SOUTH AFRICAN GOVERNMENT AND LOCAL GOVERNMENT.....	24
2.8 CATEGORIES OF FOREIGNERS.....	25

2.9	SOUTH AFRICAN MIGRATION POLICIES.....	27
2.10	LOCAL GOVERNMENT INTERACTION WITH AFRICAN FOREIGN NATIONALS .....	28
2.11	CONCLUDING REMARKS.....	29
<b>CHAPTER THREE.....</b>		<b>31</b>
<b>RESEARCH METHODOLOGY.....</b>		<b>31</b>
3.1	INTRODUCTION .....	31
3.2	RATIONALE FOR A QUALITATIVE RESEARCH METHOD .....	31
3.3	THE CASE STUDY DESIGN .....	32
3.4	DATA COLLECTION STRATEGIES .....	34
3.5	ETHICAL CONSIDERATION .....	35
3.6	DOCUMENTATION AS A DATA COLLECTION TECHNIQUE .....	36
3.7	KEY INFORMANT INTERVIEWS AS DATA SOURCES.....	37
3.8	DATA ANALYSIS METHOD .....	39
3.9	STUDY LIMITATIONS .....	41
3.10	CONCLUDING REMARKS.....	42
<b>CHAPTER FOUR.....</b>		<b>43</b>
<b>DISCUSSION OF FINDINGS RELATED TO MUNICIPAL DOCUMENTS .....</b>		<b>43</b>
4.1	INTRODUCTION .....	43
4.2	DOCUMENTS STUDY.....	44
4.2.1	AN OVERVIEW OF THE CITY OF CAPE TOWN MUNICIPALITY .....	45
4.2.2	CITY OF CAPE TOWN METRO POLICE .....	50
4.2.3	CITY OF CAPE TOWN BUSINESS AREAS MANAGEMENT – INFORMAL TRADE .....	64
4.3	CONCLUDING REMARKS.....	75
<b>CHAPTER FIVE.....</b>		<b>76</b>
<b>PRESENTATION AND DISCUSSION OF FINDINGS FROM THE INTERVIEWS .....</b>		<b>76</b>
5.1	INTRODUCTION .....	76
5.2	DESCRIPTION OF INTERVIEWS .....	76



5.3	HOW CITY OFFICIALS AND NGO STAFF UNDERSTAND THE STRUCTURE OF THE CCT MUNICIPALITY .....	77
5.4	DIFFERENTIATING BETWEEN THE VARIOUS CATEGORIES OF FOREIGN NATIONALS.....	78
5.6	KNOWLEDGE OF THE RIGHTS OF FOREIGNERS.....	79
5.7	CHANGE IN POLICIES AND PROCESSES SINCE THE 2008 XENOPHOBIC ATTACKS.....	80
5.8	CHANGES NEEDED TO CURB XENOPHOBIC VIOLENCE.....	81
5.9	DIFFICULTIES IN RENDERING SERVICES TO AFRICAN FOREIGN NATIONALS .....	82
5.10	OTHER ISSUES RAISED .....	83
5.11	THE VIEWS OF THE VICTIMS.....	84
5.12	CONCLUDING REMARKS.....	88
<b>CHAPTER SIX</b>	.....	<b>89</b>
<b>SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS</b>	.....	<b>89</b>
6.1	INTRODUCTION .....	89
6.2	SUMMARY OF FINDINGS.....	89
6.3	CONCLUDING REMARKS.....	97
6.4	RECOMMENDATIONS.....	98
<b>REFERENCES</b>	.....	<b>100</b>
APPENDIX A- INTERVIEW GUIDE.....		108
APPENDIX B- STAFF LOCATED WITHIN THE CCT MUNICIPALITY BUSINESS AREAS MANAGEMENT ....		122
APPENDIX C- LIST OF INTERVIEWS.....		123

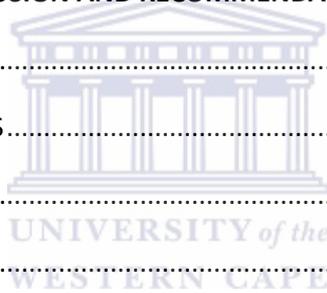




Figure 1: City of Cape Town Municipality Area Map

# CHAPTER ONE

## INTRODUCTION TO THE STUDY

### 1.1 BACKGROUND TO THE STUDY

Since its peak in 2008, xenophobic violence perpetrated by South African citizens against black African foreign nationals living and working in South Africa has seen varying levels. (Moatshe, 2014, 'Foreigners brave an uneasy refuge in SA'). Xenophobia broke into the public view in May 2008 when a number of South Africans residing in Townships and informal settlements violently attacked black African immigrants. South Africa became the focus of international attention as thousands of black foreigners were displaced, many were injured and a number of black African foreign nationals as well as South Africans died during these attacks. What also became a major point of controversy during this time was the denial by the South African government that these attacks were xenophobic in nature; most government officials argued that they were merely part of normal criminal activities, as pointed out by Solomon and Kokasa (2013) and Dodson (2010). Dodson (2010, p. 4) notes that "senior government ministers and officials have blamed 'illegal immigrants' for placing strain on state resources or engaging in criminal activity". Not all South Africans displayed these violent xenophobic tendencies. Dodson (2010, p.3) is of the opinion that many South Africans "of all races took to the streets in protest marches reminiscent of the anti-apartheid struggle. They carried placards with slogans such as Shame on Us, Join the Fight against Xenophobia, Don't Touch My Sista, and No Black in the Rainbow".

Following these attacks, numerous studies have emerged trying to explain that, at the time in 2008, although xenophobia was not a new phenomenon in South Africa, there were specific reasons behind the outbreaks of those xenophobic attacks. While the origins of the attacks are not fully known, the City of Cape Town was not immune to having to deal with actual confrontations and their aftermath. These confrontations led to the mass displacement of black African foreigners who overnight found themselves refugees once more in camps set up by the state as well as other organisations.

Studies reveal the role and influence of government officials and local municipality staff in instigating local people to attack foreigners (Landau, Ramjathan-Keogh and Singh, 2005; Hendrickse, 2009; and Harris, 2001). While most attacks occurred in townships (Delft, Imizamoeyethu, Dunoon), the Cape Town Central Business District (CBD) also became a focus for attacks and for surveillance and control of black African foreign migrants and their activities. Whilst the role of local government in seeking to prevent and mitigate the outbreaks of xenophobic attacks has not been clearly defined in policy, local governments, as mandated by South Africa's Constitution, have direct access to local communities; and more particularly, to the migrant groups in those communities. They have a fundamental role to play in promoting and regulating social peace, social cohesion, economic activity and service delivery; as is stipulated in chapter 7 of the constitution which reads that "...local government are to promote social and economic development" (Constitution of the Republic of South Africa, 1996) amongst others.

Municipalities are arguably best situated to address the social and spatial divisions in South Africa. Many commentators have blamed the attacks of black African foreign nationals on the inequality and lack of service delivery that exists in South Africa, amongst others. Ivan Turok (2001) argues that whilst basic services are being extended to previously disadvantaged communities, the developmental impact between these and affluent communities can clearly be seen. He states that "private-sector investment and jobs continue to be concentrated in the affluent north and west, while low-income subsidised housing is focused on the poorer south-east – the Cape flats" (Turok, 2001; p . 2349). This refers to the unequal development of communities within the City of Cape Town.

It is important to note that during the time of writing this thesis, another spate of attacks occurred in the City of Durban, with South Africa once again becoming the focus of international media attention. A number of media reports stated that these attacks were set off by comments made by the Zulu King Goodwill Zwelethini. A report in the Mail & Guardian is one such example, arguing that King Zweekethini brought this about when he stated that "foreigners should pack up their bags and leave South Africa" (Mail & Guardian Africa, 2015). Authorities once again feared that those attacks would spill over to other provinces.

At that time, the fight against xenophobic violence seemed to be much larger and much more rapid as pointed out by Maseko (2015) when she states that “About 30,000 people took part in a march through South Africa's main city, Johannesburg”, not excluding the city of Cape Town. The massive public support for the marches could be attributed to the fact that the South African government once again, at the time, denied that the attacks were xenophobic in nature. In two such instances, President Jacobs Zuma denied the acts of xenophobia at an African Union (AU) meeting where he stated that “South Africans are not xenophobic. We do not believe that the actions of a few out of more than 50 million citizens justify the label of xenophobia” (Du Plessis, 2015); and the co-Chairperson of Ad hoc joint committee on probing violence against foreign nationals, Mr Tekoetsile Motlashuping stated that “We as a committee have come to a determination that these attacks cannot be characterised as xenophobic” (Du Plessis, 2015). It is thus evident that xenophobia continues to thrive in South Africa notwithstanding the denials of state officials. Whilst the recent spate of attacks does not fall within the time-line of this study, one should acknowledge the fact that this is an indication that black African foreign nationals, in particular, continue to face the possibility of violence and discrimination. It thus becomes necessary to look past the explanations already offered by academics and critiques and look at other reasons, perhaps related to local government, given their access to foreign nationals.

## **1.2 PROBLEM STATEMENT AND AIMS**

Local government plays a fundamental role in the functioning of South Africa’s democracy and in building social harmony. Local government is mandated to promote social and economic development in communities, and to identify and service the needs of people at grassroots level (Chapter 7, South African Constitution, 1996). Landau, Segatti and Misago (2011, p. 7) state that municipalities are empowered by the White Paper on Local Government of 1998, to be the leading force of development, but that they “have nevertheless been wary of addressing population movements and acknowledging human mobility as a fundamental driver of or response to development”. In this sense, municipalities have been unable to address the challenges related to migration and are often unable to provide suitable services to both migrants and South Africans. The presence of black African foreign nationals in South African communities and in cities as traders has created numerous challenges for the municipalities of such towns and cities. These challenges include the increasing demand for services such as housing, security, licensing to operate small

businesses and open shops, etc (Dodson and Oelofse, 2000, p. 126; Bekker, Eigelaar-Meets, Eva and Poole, 2008).

Whilst national and provincial governments are responsible for addressing the primary needs of migrants, Landau et al (2011, p. 7) argues that municipalities, under Section 153(a) of the Constitution have a responsibility to ‘structure and manage its administration, budgeting and planning processes to give priority to the basic needs of their communities and to promote the social and economic development of the community’. The aim of this research was therefore to identify the policies and measures put in place by the City of Cape Town in the areas where informal trading occurs. The research also examined policing interventions in the City of Cape Town Municipality to curb or address xenophobic violence. These include not only policies and programmes that specifically mention foreign nationals but also those which respond to the needs of the community as a whole.

Whilst there have been numerous studies on violence against African foreign nationals in South Africa, the issues around the role of local government have not been fully addressed. This study acknowledges the contributions made by Palmary (2002) who examined the role of local government and Botha’s Masters Thesis (2012) which examined the communication challenges facing for local government with the rise of xenophobia, but Palmary’s work is outdated and Botha focussed only on communication challenges.

The broader purpose of this study is to add to the existing knowledge of xenophobic violence in South Africa. The specific aim is to identify the role local government municipalities can play in curbing xenophobic violence by assessing the measures put in place by local government municipalities to do so.

This study is centred on the following main question:

***What are the policies and measures employed by Cape Town Municipality (CCT) to reduce xenophobic violence in the period 2008-2013?***

The following sub-questions guided the research:

1. What are the CCT policies relating to trading and policing that directly and indirectly affect black African foreign nationals in the city of Cape Town?
2. What financial resources, human resources and tools are available to the City of Cape Town (CCT) Municipality in the areas of Metro Police and Business Areas Management?
3. What, in real terms, has been done over the period 2008-2013 to curb attacks on black African foreign nationals?
4. What difficulties are experienced by local municipalities in rendering services to black African foreign nationals and protecting them from xenophobic violence?

### **1.3 RESEARCH DESIGN AND METHODOLOGY**

This study is based on a qualitative research approach, which provided an in-depth understanding of complex phenomena within their context using a variety of data sources (Baxter and Jack, 2008). This type of study is useful to utilise when the boundaries between the phenomena and the context, as in this study, are not clear (Baxter and Jack, 2008).

This study is based on a case study of the City of Cape Town Municipality in the areas of Trade and Policing, augmented by NGO support data. The primary source of data used in this study is documents which focus on a review of policies that directly and indirectly affect African foreign nationals within the two areas. This study also will also use the City of Cape Town's annual reports to verify a number of issues such as the annual budgets of the two selected areas.

The key informant interview method will be employed to supplement the data. These interviews will be conducted with officials employed by the CCT Municipality and four people from two NGOs that regularly work with refugees and black African foreign nationals. The key informant interviews will draw on semi-structured interviews that allow the interviewee maximum opportunities to share key insights that would not otherwise emerge in a structured format. It allows for good quality data to be extracted in a short period of time (Marshall, 1996). The purpose of these key interviews is to draw data from senior official in the organisations concerned who possesses the kind of information that could contribute to

the research study and who have access to information which others in their organisations might not necessarily have access to ( Marshall, 1996). This data is discussed in Chapter Three.

The data collected in this qualitative study will be analysed thematically after each departmental interview, the finding of which is discussed in Chapter Four.

#### **1.4 CLARIFICATION OF CONCEPTS**

This section provides an explanation of the concepts used in this study. These include Violence, Policy, Acts and by-laws.

##### **Violence**

The concept of violence forms an important aspect of this thesis. It is often believed to be associated with causing physical pain onto another, but this concept refers to so much more than that. In this thesis, violence refers not only to the cause of physical pain but includes those of intimidation, threats and symbolic violence. While there are numerous definitions of violence, this thesis applies the definition as set out by the World Health Organisation in 2002 which states that violence can be defined as “The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation” (Krug, Mercy, Dahlber and Zwi, 2002, p. 1084). It thus means that violence does not necessarily have to be physical, but threats and intimidation could also be seen as violence. Violence thus refers to anything that could cause not only injury but psychological harm such as living in fear; which are what many black African foreign nationals in South Africa are currently experiencing.

##### **Policy**

Cristo De Coning and Fanie Cloete (2000, p.3) state that policy specifies the basic principles to be pursued in attaining specific goals, and thus define policies as statements of intent. They also state that “policy specifies the values of society and is usually embodied in the management of pertinent projects and programmes” (De Coning and Cloete, 2000, p. 3).

Kraft and Furlong (2012, p. 3) argue that “The term policy refers in general to a purposive course of action that an individual or group consistently follows in dealing with a problem”. They are also of the opinion that policies can be thought of instruments of regulation – as

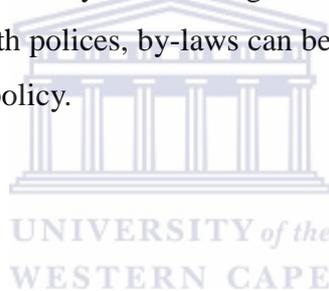
instruments through which societies regulate themselves and attempts to channel human behaviour in an acceptable direction (Kraft and Furlong, 2012, p3). This study draws upon policies in the context of a government entity, thus making it public policy, which Kraft and Furlong (2012, p. 3) state “is what public officials within government, and by extension the citizens they represent, choose to do or *not to do* about public problems”.

### **Acts and by-laws**

For the purpose of this study, an Act is defined as a rule, which, once approved by the two Houses of the South African Parliament, and should be adhered to by all institutions and citizens in the country. It can thus also be seen as an instrument of regulation.

The City of Cape Town (2015) defines a by-law as “a law that is passed by the Council of a Municipality to regulate the affairs and the services it provides within its area of jurisdiction”. The Waterberg Municipality defines a by-law as a regulatory mechanism intended to regulate a particular situation. Thus, as with polices, by-laws can be seen as instruments of regulation, with by-laws being informed by policy.

## **1.5 CHAPTER OUTLINE**



Chapter 1 provides an introduction to this study and a background to the problem and the research questions.

Chapter 2 reviews the current literature that is available on xenophobic violence, the views and perceptions of this concept and the response from government, local government as well as the general populations in South Africa. This chapter also contains summaries of various hypotheses and theories relating to the phenomenon of xenophobia and how these have been used to explain xenophobic violence in modern-day studies.

Chapter 3 discusses the methodological approach undertaken in this research.

Chapter 4 centers on the presentation and analysis of the findings of this study.

Chapter 5 concludes the findings, and provides the reader with the concluding remarks as well as recommendations for future studies on the concept of xenophobia.

## 1.6 CONCLUDING REMARKS

This chapter provided a background to the study and highlights how the presence of black African foreign nationals, in particular, affects the services rendered by local governments, and why local government municipalities should become more involved in the fight against xenophobic violence. This chapter also presented the aim of this study, a brief overview of the methodological framework that was employed and the organisation of the chapters to follow.



## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 INTRODUCTION**

A literature review comprises a critical reading of academic literature on a given topic, to uncover the current arguments and information regarding the topic at hand. A major contributor to the review of literature in this paper is the existing knowledge regarding the concept of xenophobia with specific reference to South Africa. Included in the discussion is the current literature regarding xenophobia in historic and contemporary South Africa and the existing arguments around "othering". These concepts will provide a theoretical basis for the study. The literature review then examines the factors believed to be involved in exacerbating the outbreak of xenophobic violence against black African foreign nationals in South Africa and also reviews the arguments around xenophobia's breeding ground, as well as the response by the South African government and the metro police to the outbreak of attacks. This chapter also sketches the legislative context and the different categories of foreigners as classified in the South African constitution, and whilst this is not a literature review per se, it will assist in creating an understanding around the migration policies which dictate the entering of foreigners into South Africa. The literature review will provide conceptual pointers for the rest of the thesis.

#### **2.2 XENOPHOBIA IN THE SOUTH AFRICAN CONTEXT**

Violence against 'the other' plays a prominent part of not only South African history, but the history of the world. South African in particular, continues to show signs of violence against African foreign nationals, especially poor and black foreign migrants (Jensen, 2011; Desai, 2010). Hendrickse (2009, p.5) defines xenophobia as "an unreasonable fear, distrust or hatred of strangers, foreigners, or anything perceived as foreign or different". According to this definition, and taking South Africa's socio-political history into account, a common factor that prevails in xenophobic behaviour is the distinction between oneself and someone different or foreign. Another defining feature of xenophobia is the "attitudes, prejudice and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community,

society or national identity" (Adjai and Lazaridis, 2013, p. 192). The history of distinctions based on skin colour, language and other physical features are still prevalent in present-day South Africa. Adjai and Lazaridis (2013, p. 192) highlights the distinctive difference between what they refer to as "old Racism", which is the discrimination based on one's skin colour; and "new Racisms" which they identify as the discriminatory treatment of 'the other' based on national origin or ethnicity. Parallels are thus drawn between xenophobia and new racism where similar outcomes of perceiving the other as a threat and discrimination based on cultural differences becomes important features (Adjai and Lazaridis, 2013). Michael Neocosmos (2006, p. 1) too, speaks of the distinction between oneself and the other when he argues that xenophobia "is a form of discrimination closely related to racism and liable to affect anyone or any group which for whatever reason is considered non-indigenous or non-autochthonous". Neocosmos (2006) enhances this definition by arguing that the manifestation of xenophobia is through the exclusion, hostility and violence towards something 'foreign'.

For the purposes of this paper, the definition by Sudstroom (2013) becomes applicable, where the modern meaning of xenophobia – referred to as Civic Ostracism – refers to the exclusion of those not belonging within the nation; those who do not share in the nation's traditions, language and religious traditions. When considered in this sense, xenophobic attitudes are thus not limited to poor South Africans, but could find expression among the rich, black and white; the employed and the unemployed. This begs the question of why xenophobic violence mainly occurs in poor, marginalised communities.

### **2.3 XENOPHOBIA IN HISTORIC AND CONTEMPORARY SOUTH AFRICA**

South African history is dominated by trends of racial conflict; therefore an explanation of the past is often used to assist in understanding current tensions (Adjai and Lazaridis, 2013). Misago, Landau and Monson (2009, p. 10) argues that "violence in townships have been a feature of township life since its inception and must be seen within this history, characterised as it is by years of social and economic disadvantage, repressive policing, criminal predation and consequent recourse to vigilantism". In other words, apartheid spatial development legislation created certain kinds of residential areas, and then subjected those communities to such sustained violence that it became the norm in them. The phenomenon of community courts, or community justice; is still rife in many South African townships and

the perception of a failing the South African criminal justice system is often blamed for its prevalence. The continuation of these types of behaviours is what Misago et al (2009) argue to be violence as an appropriation of state authority.

Both Hendrickse (2009) and McConnell (2009) argue, with reference to South Africa's history of apartheid, that South Africans have turned their anger towards the country's government over the slow pace of development and seemingly permanent inequality, into a prejudice against foreigners who have integrated into South African communities.

Hendrickse (2009) shows a historical pattern of the influx of migrants from Mozambique, Somalia, Congo and Zimbabwe. This shows that South Africa became home to about 350 000 Mozambicans who were allocated no infrastructural support and at the same time, spatially divided from South Africans; estimated figures of Congolese in South Africa in 1992 stood at 23 000 whilst estimate 23 million Zimbabweans were documented in 2007. Thus, whilst South Africans found refuge in neighbouring countries during the apartheid era; South Africa also experienced a huge number of foreign national migrants as northern African countries suffered war and famine. Hendrickse (2009) thus argues that the xenophobic behaviours of South Africans have become more prevalent with the emergence of policies which brought about the increase of migrant workers and refugees into South Africa since the 1994 democratic elections. This conclusion is drawn because it is mainly black African foreign nationals who get attacked.

Racial integration continues to be a major obstacle in South Africa, where unequal power relations continues to exist in which whites are still more privileged than the masses of South Africa (Adjai and Laziridis, 2013). Many commentators point out that white South Africans continue to be more privileged than black South Africans who continue to feel the effects of the apartheid government 20 years after the new democratic dispensation. Adjai and Laziridis (2013), for example, highlight a number of key instances where the effects of apartheid are still evident in lived realities like the differences in literacy rates between black and white citizens; low matric pass rates in black schools and the lower percentages of blacks in top management positions compared with whites in top management positions. What is evident in these highlights is the growing gap in lifestyle between the rich and the poor; and the struggle of the Democratic government to meet the expectations set in 1994.

While Hendrickse (2009) finds evidence of xenophobic behaviour in history starting with migration of foreigners to South Africa, and Adjai et al (2013) highlight the socio-economic circumstances of black South Africans after the transition to democracy; Mattes, Taylor, McDonald, Poore and Richmond (1999) explore the willingness of South Africans to welcome non-South Africans to the country. Mattes et al (1999) highlight the most alarming result of the survey as the ignorant attitudes around anti-immigrant behaviour of South Africans. Whilst the survey conducted by Mattes et al took place in 1999, many of his findings around the attitudes of South Africans towards black African foreign nationals can still be seen through the violence and discrimination against black African foreign nationals today. These findings show that South Africans (black and white equally) have negative perceptions of black African foreign nationals, believing that their presence is not healthy for the South African economy. Information regarding the actions and value of immigrants are thus misunderstood, since data released by the African Centre for Cities, amongst others, would indicate that “migrants are making a significant contribution by servicing the needs of poorer consumers who can access cheap goods often in appropriate quantities, at places and times of day that are convenient or have their niche demands met” (Washinyira, 2015).

The survey conducted by Mattes et al (2009) explored, amongst others, attitudes towards immigration policy, attitudes towards deportation, attitudes towards migrants and attitudes towards the rights of resident non-citizens. What is important to note from these results, for this study in particular, is the willingness of South Africans to participate in actions to keep foreign nationals out of the country. Mattes et al (1999) found that an alarming one-third of South Africans expressed this willingness. Mattes et al (1999) suggest ways to combat these attitudes, arguing that educating South African citizens on the experiences and intentions of non-citizens in South Africa must be a priority for the South African government. Sinwell and Podi (2010) view these types of recommendations as problematic since they are based on the assumption that government itself does not exhibit xenophobic attitudes.

What is interesting to note is that, almost ten years after the 1999 survey by Mattes et al, a 2008 discussion by Jonathan Crush (2008) revealed an increase in the negative attitudes and perceptions of South Africans towards foreign nations, as found by Mattes in 1999. Crush analysed the 2006 xenophobia survey conducted by the South African Migration Project which concluded that many South Africans feel that government is allowing too many foreigners into the country. Some of the findings in this survey reported that

...in 1999, 66% of South Africans supported electrification of South African borders. In 2006, this figure had risen to 76%, with only 2% strongly opposed" and "nearly 50% support or strongly support the deportation of foreign nationals including those living legally in South Africa.

(Crush; 2008, p. 25)

Based on this, it is evident that there is an increasing support by South Africans to protect South African borders against foreigners. By looking at attitudes and behaviours towards foreign nationals, Crush (2008) provides policy recommendations on how to analyse xenophobia in this context. According to Crush (2008), the lack of policy regarding foreign nationals has been a major contributor to xenophobic violence in South African communities.

Since the outbreak of xenophobic violence in 2002 up to 2008, over 70 recorded murders of black African foreign nationals have taken place; their businesses have looted, while many victims of these crimes have received no assistance from government (McConnell, 2009). Lucy Dunderdale (2013) argues that as many as sixty-two people were killed during the 2008 xenophobic attacks, and as many as 16 000 displaced, which drew international attention to xenophobia in South Africa. The damages to foreign owned businesses in 2008 were as high as R1, 5 million, with victims having no means of recouping these losses (McConnell, 2009). A database compiled by Duncan Breen in 2010 at the Consortium for Refugees and migrants in South Africa records a large number of attacks in Cape Town since 2008, which include the eviction of five Somali shops in Valhalla park; the killing of a Somali shopkeeper in Fisantekraal; the killing of one and injury of three foreigners in Delft; the attack of a Burundian national by police in the Cape Town CBD and the murder of a Malawian national. A database compiled by Breen in 2013 reveals the killing of two Somali nationals in Samora Machel and the killing of two Somali traders in Wynberg and Mitchell's Plain respectively, by local traders.

Xenophobia has been blamed on a lack of education and poor information among ordinary South Africans with regard to the rights of foreigners (Hendrickse, 2009). It is believed that xenophobia is located within the context of social transition and change and is explained in relation to limited resources, such as housing, education, health care and employment (Harris, 2002). Neocosmos (2006) argues that these explanations are inadequate and merely speculative in nature. He argues that these accounts "do not say anything about xenophobic practices of state institutions and their employees..." (Neocosmos, 2006, p. 5). Sharing Neocosmos's view is Sinwell and Podi (2010) who argue that these types of suggestions of xenophobic violence do not pay enough attention to the way in which deteriorating living conditions contributed to the violence and that too much focus is placed on the immediate causes. This is an important argument for this study because it looks at the practices of state institutions such as local government.

Similarly to Neocosmos (2006), Sinwell and Podi (2010); Lucy Dunderdale (2013) generally argue that xenophobia should be viewed as a symptom and not a cause - a symptom of the social ills experienced by the poor and marginalised; and informed by negative perceptions and attitudes. A fourth supporting argument is presented by Misago, Monson, Polzer and Landau (2010, p. 10); who state that "violence against foreign nationals was not triggered by a 'third force', poor economic conditions, competition for resources or poor service delivery". These scholars based their findings on empirical evidence drawn from a study conducted across South Africa, and found that "violence against foreign nationals was organised and led by local groups and individuals who used popular frustration of their circumstances as a means of mobilising people to commit violence" (Misago et al, 2010, p. 10). Xenophobia should thus not be looked at as an isolated issue, but within the context of anger within marginalised and poor communities in South Africa.

## **2.4 THEORIES OF XENOPHOBIA**

Xenophobia became public knowledge in May 2008 when violent attacks against African immigrants were conducted by South Africans in various cities in South Africa. The attacks occurred in townships, such as De Doorns in the Western Cape, which suffer poor living conditions and crime. Due to the scale of the attacks, a mass displacement of black African foreigners occurred as they sought protection in refugee camps set up by the state as well as other organizations.

Official reports state that the underlying causes of xenophobia are things like unfounded myths and stereotypes fuelling negative perceptions of foreigners. Foreigners are perceived as an economic threat as they are often better educated, more experienced and willing to work for lower wages. The media and politicians also promote the assumption that non-nationals are inherently inclined towards criminality, increasing a perceived physical threat posed by black African foreigners. Misago, Landau and Monson (2009, p. 54) make an interesting argument when they state that "the emergence of xenophobic violence is typically rooted in the micro-politics of township life". They further argue that the violence is led by "local groups and individuals as an attempt to appropriate local state authority for localized political and economic interests" (Misago et al, 2009: 54).

Harris (2002) provides three hypotheses regarding the causes of xenophobia. These hypotheses have been widely used to describe the phenomenon of xenophobia in South Africa (Harris, 2002; Handmaker and Parsley, 2001). The first is the **scapegoat hypothesis** in which black African foreign nationals become a frustration scapegoat, a target to blame for the ongoing deprivation and poverty within South African communities. Black African foreign nationals are blamed for increasing the demands on housing, education and health; social issues which many South Africans are already struggling for.

The scapegoat hypothesis is linked to relative deprivation theory, which holds that the feeling of subjective discontent arises out of the disparity between what one feels entitled to, and what one actually receives (Harris, 2002). This 'entitlement' referred to by Harris (2002) is felt by South Africans who were promised a new beginning in which everyone would enjoy access to the basic rights as stipulated in the Constitution. Xenophobia thus becomes an "expression of disillusionment with the government's ability to deliver" (Adjai and Laziridus, 2013, p. 194). What the relative deprivation theory thus suggests is that South Africans feel frustrated by the lack of services such as housing, water, etc; as well as the lack of economic freedom, e.g. job creation while others are seemingly getting jobs and improving their circumstances. These frustrations are usually processed internally; what turns it into violent acts is when an entire community shares the same frustrations and finds a commonality in what they share and decide to take action.

Another view in terms of relative poverty of the perpetrator group looks at sudden changes in their socio-economic reality – for example, rising prices and rising levels of unemployment; coupled with corrupt practices in service delivery from the state, immigration policy and policing (Bekker, Eigelaar-Meets, Eva and Poole; 2008). Many South African communities have seen an increase in the number of house tuck-shops owned by black African foreign nationals. This has created frustration in many communities, especially in townships where the majority of people are not employed. This is an important point for the current study as it suggests that South Africans become frustrated when black African foreign nationals are afforded trading opportunities whilst they are unemployed.

The second hypothesis – the **isolation hypothesis** – views xenophobia as a result of South Africa's seclusion from the international community during apartheid. After the fall of apartheid, South Africans got exposed to the unknown cultures and ways of the world after its borders opened up following the fall of the apartheid government (Harris, 2002). Similarly Handmaker and Parsley (2001) argue that xenophobic violence is the product of futile isolation policies designed to control foreigners. This suggests that South Africans, during apartheid, never learnt to welcome and incorporate strangers into their communities; and that the divisions of apartheid created a sense of ownership of the small piece of area that people were allocated. Harris (2002), in explaining the isolation hypothesis, refers to the work of Hobsbawm in which he discussed the rapid change in Europe as creating a sense of fear amongst people, a fear of the 'unknown', where xenophobia thus becomes a defense mechanism against the unknown. In this instance, black African foreign national would become the unknown, feared by the South Africans.

The third hypothesis, the **biocultural hypothesis** explains that xenophobia is unequally applied to all foreigners. Whilst the previous two hypotheses provide general explanations, the biocultural offers an explanation which can be applied to the xenophobic violence in South Africa more directly. Here it is argued that xenophobia is not equally applied to all foreigners, that some may experience xenophobia with greater intensity than others; and that this is based on physical or cultural differences (Harris, 2002). This theory holds that Nigerians and Congolese are more easily identifiable as the 'other', because of their physical features and their inability to speak one of the indigenous languages (Harris, 2002, p. 174). If they are more easily identified, then it follows that they are more easily targeted. The biocultural features of black African foreign nationals – things such as their accent, their language and the clothes they wear – have made them easily identifiable in South African

communities, and this makes them easy targets. Whilst the biocultural hypothesis offers a good basis to understand the theoretical notion behind xenophobia, Harris (2002) points out that it is not good enough, as it does not explain why mainly black African foreign nationals are attacked during xenophobic violence outbreaks and not other foreign nationals such as Europeans or Chinese.

**Othering** is a theoretical concept used to explain the ethnic identification of minority groups, and was originally associated with post-colonial theory (Jensen, 2011). In the South African context, it can be seen as the establishment of a national identity and the need to distinguish between that which is different after the many years of isolation from the world during the apartheid era (Morris, 1998; Handmaker and Parsley, 2001). Handmaker and Parsley (2001) argue that this focus on national identity, the creation of the so-called 'rainbow nation' and projects of nation-building amongst South Africans have had a particularly negative effect on the South Africans' ability and willingness to welcome outsiders into the newfound landscape. A close look at early post-colonial writings of othering can be seen in the writings of Edward Said when he speaks of the 'Orient' as the other in an imagined geography, where the Orient is viewed as alien and Europe as superior (Jensen, 2011). A further argument focuses on the evolution of language as a feature of identity and power, but also as a means of distancing oneself from something unfamiliar (Jensen, 2011). This historical overview thus provides us with an understanding that othering evolved from being the created distinguishing features between two different species to the creation of a platform where the 'other' is referred to as alien and based on features such as language.

Though widespread, many (Michael Neocosmos, 2006; Bekker, Eigelaar-Meets, Eva and Poole, 2008) have argued that these explanations are inadequate. The general problem lies in the methodological individualism and the speculative nature of these explanations. These explanations are silent on why South Africans, for example, use black African foreign nationals as scapegoats instead of blaming others such as whites or politicians (Neocosmos, 2006). These explanations do not get to the root of why black African foreign nationals in particular become targets of xenophobic violence. Thus, whilst the above-mentioned three theories as pointed out by Harris will assist in the development of the analytical instrument in this study; Neocosmos (2006) suggest taking a closer look at the political environment, the institutions that often dictate the behaviour of citizens.

The argument that I wish to make here is that the creation of an ideal state in which there are guarantees that people will not harm one another; and people can rely on one another to keep to agreements, creates a need for various forms of protection, i.e. protection against attacks creates the need for police. Protection against breaking contracts would need agreements on punishment. If the state fails to uphold its part of the agreement, citizens become prone to retaliation either through non-participation or violence.

## **2.5 INSTITUTIONS AND XENOPHOBIA IN SOUTH AFRICA**

Xenophobic violence broke out in areas where state presence seemed to be weak or in which partially privatised authority structures existed (Misago & Monson, 2010). Thus, the nature of authority appeared to be a factor that allowed negative perceptions to transform into violent displacement (Misago, Landau, & Monson, 2009). In another study, Misago, Monson, Polzer and Landau (2010, p. 32) relate this to the history of institutional discrimination and perceptions of blacks; and claim that “the state used the idea of alien to deny both political rights and rights of residence to cities’ surplus people”. Black South Africans were only useful to the extent of building cities, cleaning pools and other domestic duties; after which they had to return to their allocated spatial areas. Misago et al (2010, p. 33) thus argued that “in the eyes of the state and the politically empowered, non-nationals are the functional equivalent of black South Africans two decades ago”. Misago et al (2010, p. 33) states the act of turning non-nationals into violable aliens can be seen in three areas of political action which include “legal status and documentation; related practices associated with arrest, detention and deportation, and a more general lack of constitutional protection through the courts and political processes”. What is particularly important for this study, are the issues on legal status and documentation and related practices associated with arrest.

Klotz (2000) discusses the policy effects of laws inherited from apartheid on migrants today. He argues that "South Africa's reincorporation in the international system contributes to new pressures on policy makers, not least in the area of migration" and "yet these transformations have not resulted in substantial shifts in immigration policy" (Klotz, 2000, p. 831). However the argument put forward in this thesis explores an opposite dynamic: How does the state become a factor in xenophobia either by acts of omission or commission? Acts of omission would include turning a blind eye, not addressing the challenges head on and denying any form of involvement, whilst acts of commission would be to directly instigate violence amongst the people.

Michael Neocosmos (2006) makes an interesting observation when he refers to the connection between liberal democracy and the prevalence of xenophobia, arguing that perhaps the prevalence of xenophobia should not merely be associated with authoritarian regimes; but looked at in terms of xenophobia within state discourse because of political history and practice. This argument could be linked to the work of Faranak Miraftab (2007) in which she argues that the practice of developing Business Improvement Districts (BID) and City Improvement districts (CID) in the City of Cape Town in particular, have continued the post-apartheid socio-spatial relationship in which the poor people continue to face challenges of access to the city through unaffordable living spaces and trading requirements (2007). She explicitly states that "post-apartheid neoliberalism, through restructuring the state and liberalising the economy has to a certain degree continued the apartheid legacy of spatial inequalities" (Miraftab, 2007, p. 625).

## **2.6 RECENT LITERATURE ON THE CITY OF CAPE TOWN**

The local government of the City of Cape Town adopted the concept of City Improvement Districts (CID) in 1997, to generate income for local government through lucrative deals with the private sector, specifically those focused on real-estate and tourist attractions (Miraftab, 2007). CID Zones receive additional services of security, cleanup and marketing and are privately funded. Miraftab (2007) points out that it only takes 51% of owners to adopt a CID to force the participation of all other property owners; while residential and commercial tenants have no say about CID's. In the City of Cape Town, "CID's are managed by non-profit, private partnerships between local government and businesses (Cape Town Partnership aka CTP), which oversee services by both the municipality and the private sub-contractors within the CID's "(Miraftab, 2007, p. 605). Paache, Yarwood and Sidaway (2013, p. 6) support this by stating that, although CID areas are "...regulated by a by-law, CID status requires business owners to pay a levy to fund the provision of services beyond those usually delivered by state agencies".

This ultimately means that municipalities are structured to run like a business, that services are offered on the basis of whether the client is able to pay for it; and the best services rendered to those who can afford it. It also means that the City of Cape Town is not only run by the state, but often influenced by private businesses that have their own agendas. Paache et al (2013) are of the view that CID areas are territorial in nature, and managers of these areas aim to display their areas as more attractive, safe and clean in contrast to other areas in Cape

Town. They argue, similar to Miraftab (2007), that the creation of CID enhances the spatial inequality created by apartheid not necessarily on the basis of skin colour, but on the basis of wealth; and that the use of private security companies alongside state policing has caused the unintended effect of crimes now being much easier to commit in areas unable to afford the extra services.

The areas that have been classified as CID areas are mostly affluent areas where people are able to afford these extra services offered by the City of Cape Town. The following areas are currently classified as CID areas:

**Table 2.1: CID areas in Cape Town**

Airport CID	Athlone CID	Blackhealth CID	Cape Town CBD CID	Claremont CID	Epping CID
Fishhoek CID	Greenpoint CID	Grooteschuur CID	Maitland CID	Muizenberg CID	Observatory CID
Oranjekloof CID	Paarden Eiland CID	Parow Industria CID	Seapoint CID	Triangle Farm CID	Vredelokloof CID
Woodstock CID	Wynberg CID	Zeekoevlei Peninsula CID			

Source: City Improvement Districts, 2015

### 2.6.1 The Business District

The biggest influence of the Cape Town Partnership (CTP) to date could perhaps be seen in the trade industry, where informal trading has been one of the biggest issues on the agenda of the CTP (Miraftab, 2007). What the CTP wants to create is a city similar to that of New York City, USA; and informal trading is not part of these plans. Miraftab (2007, p. 608) argues that "The City and the CTP, aspiring to make City of Cape Town a globally competitive and world class African City, intend to regulate the places and kinds of informal trade so that the special zones project the image of a highly orderly city that is promising site for investment". This becomes an important aspect for this study, since this is not protection of property rights for all but only a selected few who are able to afford it. Skinner (1999) too argues that the City of Cape Town outsources management responsibilities more than any other local authority. She also argues that this is a system that is often highly discriminating to black people.

Many black African foreign nationals who live in South Africa make use of informal trade, so, in curbing the areas of informal trade, the City is creating less and less space for people to put up their stalls. Skinner (1999, p. 22) argues that “The process of declaring an area a restricted or prohibited trade zone is open to bias”. This is based on the fact that the City of Cape Town, like other municipalities, has declared many areas restricted or prohibited. This, in turn means that it is easier to set up house tuck-shops in townships and other areas where restrictions are less. Thus, due to the strict regulations of informal trade in the City, black African foreign nationals often opt for opening house tuck-shops in residential communities. Adjai and Laziridis (2013) argue that it is in the market places that hostilities toward foreigners plays out. They point out that the asylum status of refugees does not allow them to get formal employment, so they make use of the informal sector, which brings them into direct contact with the masses of poor South Africans who try to make a living in a similar fashion (Adjai and Laziridis, 2013). The issues that develop between African traders and South African traders is that black African foreign national traders often sell their goods at lower profit margins, thus creating competition for South African traders (Adjai and Laziridis, 2013). Neocosmos' (2006) argument thus follows that mere state-led education programmes is not enough to curb xenophobic violence, and that these should perhaps be coupled with a different kind of politics.

### **2.6.2 Safety and Security in CCT**

As mentioned before, the creation of City Improvement Districts brought with it a number of features which includes improved security in areas which are able to afford it. Miraftab (2007, p. 616) argues that “by thus creating zones of advantage and disadvantage, CIDs widen the gap between haves and have nots, and help to fragment and polarize urban space in post-apartheid cities”. Areas unable to afford these extra services thus face the disadvantage of not having this improved security, relying only on the services of the South African Police Services (SAPS) and the City of Cape Town’s Metro Police. Paache et al (2013, p. 7) argues that private security in CID areas police ‘invisible boundaries’, seeking to expel threats or nuisances from the areas which they protect. They have little concern with the areas outside their boundaries and thus do not necessarily eradicate crime as to displace it to areas outside of their protection.

Paache et al (2013, p. 11) makes reference to an interview with a senior Metro Police Officer who stated that

You've got your private security there that does have an impact on your crime whether you want to acknowledge or not, but all it does basically, it pushes that crime to the less privileged areas that cannot pay for the security, which aggravates the situation on that side

An important statement for this paper, is one pointed out by Paache et al (2013, p. 12), from a Member of the Mayoral Committee for Safety and Security as follows

What happens at least from the Metro Police's perspective is that it leaves the City free to concentrate on the higher crime areas. We constantly adjust our policing resources to where the highest crime rates are and in response to new crime patterns and trends. As the areas within the CIDs see reduced crime we are then able to reduce our resource allocation to that area, which might not be a popular thing to admit to, but it is true. Obviously, we give less energy to an area where the crime rate reduces.

The argument that this study wishes to make at this point is that the City of Cape Town's Metro police, despite the reduced crime rates in certain areas, continues to spend most of their resources here, which will be shown later in this study. Policing resources are in fact not relocated to areas where crime statistics are the highest, and both black African foreign nationals as well as South Africans continue to face challenges related to safety and security. Thus, in the absence of the CCT's Metro Police and private security, many foreign nationals as well as South Africans, are left to depend on the services of the South African Police Service (SAPS). The South African Police Service has itself exhibited xenophobic attitudes toward black African foreign nationals. Adjai and Laziridis (2013) point out that black African foreign nationals are stopped more frequently by police than South African citizens. They argue that "the identification method purportedly used by the Internal Tracing Unit of the SAPS in trying to establish whether a suspect is an illegal or not, takes into account language, accent and the pronunciation of certain words" (Adjai and Laziridis, 2013, p. 199). Adjai and Laziridis (2013) also believes that the police target black African foreign nationals as they believe them to be drug dealers and criminals; and routinely destroy the documents of black African foreign nationals in order to justify arresting them as illegal migrants (Adjai and Laziridis, 2013).

### 2.6.3 The City of Cape Town's 'Inclusive City Campaign'

On Human Rights Day, 21 March 2015, the City of Cape Town launched its 'Inclusive City campaign', believed to be a platform for dialogues on exclusion by some and entitlement by others in the City of Cape Town. Ra'eesa Pather (2015) argues that "On Human Rights Day, City of Cape Town Executive Mayor Patricia de Lille launched the Inclusive City campaign, which aims to make restaurants more inviting to brown-skinned folk, and apartment hunting a little easier for Capetonians of a darker pigment". Pather, like many others, then continues to explain how the City of Cape Town seemed to have, even through this campaign, continued to exclude people from the City, by excluding the victims of racism. This is highlighted by Pather (2015) when she refers to a statement made by the Mayor of the City of Cape Town which reads



Pather's (2015) argument is:

The Inclusive City project seems to focus on groups who are often accused of racism, encouraging them to stand up and fight against the stereotype, while doing little to include the experiences of people who are excluded from the city as a result of the prevalent racism.

In another article, Mr Tokelo Nhlapo (2015) questions whether the City of Cape Town's new campaign is just a PR campaign. He states that:

Cape Town's 'inclusive city' campaign matters little when the people who need it the most are unlikely to access it. Those who most often bear the brunt of racism live on the fringes, in unbearable conditions, and the government has no apparent solution.

What is interesting to note is that Pather (2015) and Nhlapo (2015), as well as (Davis, 2015) are of the opinion that institutional racism is prevalent within the City of Cape Town, that blacks are still entrapped in the old system of having to travel to white areas for work, only to return to their violent and poor communities at night. They also argue that the City seems to be misunderstanding the definition of racism, and that the exclusion of citizens created by the City itself continues to enhance the notion of white superiority and privilege.

It would thus only appear as though the City is welcoming to people of all nationalities when, in actual fact; the exclusion of black South Africans continues to be a major problem in the City of Cape Town. The denial of the existence of institutional racism and the shifting of blame to individuals only are often highlighted in the papers. What is then of importance, or raises a few questions, is whether, when the City highlights the importance of attracting tourism and foreigners to its city, the invitation includes black African foreigners. This question is pertinent when seen against the backdrop of the City's domestic people of colour apparently being excluded from the City; and within the context of the City's failure to address the impoverished conditions that many people of colour still continue to live under in areas such as Mitchell's Plain, Khayelitsha and Manenberg.

## **2.7 THE LITERATURE ON THE RESPONSE OF THE SOUTH AFRICAN GOVERNMENT AND LOCAL GOVERNMENT**

The response of the South African government to the attacks on black African foreign nationals during 2008 was slow, tedious and sought to blame criminals. Government denied both the extent and serious nature of xenophobic violence in 2008, and many government officials blamed the spate of attacks on criminal activity (Bekker et al, 2008). Bekker et al (2008, p. 29) refers to a quote by the then Intelligence Minister, who stated that:

We cannot ignore...that there were reportedly meetings held in hostels, that this prairie fire of hate seemed to have move fast as if planned, and there were printed pamphlets

Further extending the denial of the state and state officials was the then President Thabo Mbeki who argued that that these attacks are not driven by xenophobia but by criminals (Bekker et al, 2008).

Mukwena (2012, p. 16) argues that "local leaders and the police were also exposed for being under-equipped, reluctant, and unwilling to protect foreigners from attacks during the outburst of xenophobic violence in May 2008". Notwithstanding the denial of the state, Kamwimbi, Banaszak, Khan, Morgan, Nadori and Ives (2010) argue that very few perpetrators were brought to justice, and that, of the 70 perpetrators who were found guilty, none were prosecuted for the actions; which created the impression that South Africans can get away with doing these things and also that black African foreign nationals do not enjoy the same protection under the law as South Africans. Kamwimbi et al (2010) also argues that government took no visible action to address concerns relating to xenophobia, despite reports

from one of the leading Organisations involved in working with refugees and Migrants, the Scalabrini Centre of Cape Town issuing warnings preceding the 2008 attacks.

Although these actions speak to that of the National South African government, Dunderdale (2013) speaks to the need for local government efforts to be increased, as they too play an important role as many of these attacks have been blamed on local issues.

Palmary (2002) too addresses the need for increased local government awareness of the rights of refugees, and suggests a need for a monitoring system that will allow for the evaluation of services rendered to foreigners at local government level. In light of this need for increased awareness as pointed out by Palmary (2002), what is of interest to this study is how the City of Cape Town municipality goes about addressing xenophobic violence.

Misago et al (2010) used two areas in Cape Town as case studies in their empirical study. In both areas – Masiphumelele and Du Noon – it was found that local leaders often instigated the violence to gain political power. Police reactions were slow and in many instances perpetrators of the violence were not brought to justice due to cover ups. Both areas had also experienced a previous wave of xenophobic attacks, two years before, in 2006 (Misago et al, 2010). Misago et al (2010, p. 143) mentions the response of one participant who claimed that “the criminals were arrested but released because the Premier and MEC Ramatlakane negotiated with the police”. In Masiphumelele the underlying causes of violence against foreign nationals were found to include issues with regard to trade, as foreigners were competition for local traders. This was also an issue in Du Noon, although here it was also found that the lack of local government authority had created a vacuum in which no political authority exists, resulting in infighting between ward councillors and SANCO.

## **2.8 CATEGORIES OF FOREIGNERS**

Whilst numerous studies have been conducted on the topic of xenophobic violence, many of these studies fail to distinguish between the types of foreigners who experience xenophobic violence in South Africa (Handmaker and Parsley, 2001). Harris (2001) identifies three broad categories of foreigners mentioned in the South African legislation which include refugees, migrants and immigrants.

*Refugees*, as a category, is believed to be a relatively new concept in the South African legislation, emerging only in the post-apartheid transition of South Africa to democracy,

which saw the return of exiled South Africans (Harris, 2001). South African legislation views a refugee as any person who has been granted asylum (Republic of South Africa, 1998). This study thus views refugees as any person who has been granted asylum in South Africa due to war, famine and other factors which has brought them to South Africa. The rights of refugees are set out in Chapter 5 of the Refugees Act of 1998, and prescribes that refugees enjoy the rights as set out in Chapter 2 of the South African Constitution, are entitled to seek employment; travel documents and are entitled to the same basic health care services and education which are enjoyed by South Africans (Republic of South Africa, 1998a).

*Migrants* are believed to be those who participate in cross-border movements (Harris, 2001). Migration is thus a temporary change of one's place of residence which means that migrants in South Africa are foreigners not permanently based in the country and have not been granted the necessary permits as refugees/asylum seekers. An important note here is that, whilst migration is temporary, ongoing migration has resulted in many foreigners becoming permanent migrants in South Africa (Harris, 2001). A key distinction between refugees and migrants is that migrants are allowed to enter the country for work purposes whilst refugees are often allowed for reasons pertaining to safety.

*Immigrants* are described as those who make a permanent move from one country to another (Harris, 2001). Harris (2001) highlights a very important key when she argues that foreigners who enter the country may be granted permanent residency on the basis of temporary or permanent employment after 5 years.

The ambiguous and overlapping nature of these definitions and descriptions should be borne in mind when looking at the various categories of foreigners. With this said, the black African foreign nationals referred to in this paper are mostly refugees, whom we assume, have been granted permission to be in South Africa due to the various reasons stipulated above.

## 2.9 SOUTH AFRICAN MIGRATION POLICIES

South Africa's migration policies form an important background to this study as they provide the framework within which local government can and has to assist and service foreign nationals. Prior to 1994, South Africa was well-known for its racialised policies and strict measures of social control. Handmaker and Parsley (2001, p. 41) point out that "migration control in South Africa was in line with apartheid-era policy and has always been restrictive and security orientated". All policies on entry and residence formed part of the Aliens Control Act. A memorandum of understanding, signed in 1993 between the South African government and the United Nations High Commissioner for Refugees stipulates that refugees are allowed in South Africa (Palmary, 2002; Harris, 2001). Harris (2001, p. 13) highlights that "in 1995, South Africa ratified the 1969 Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa" and "in 1996, South Africa acceded to the "1951 United Nations Convention Relating to the Status of Refugees and the United Nations Protocol of 1967" (Harris, 2001, p. 13). This international legislation laid the foundation for the Refugees Act passed in 1998.

The Refugee Act of 1998 outlines the rules and regulations governing a refugee's may entry into South Africa. The Act does not allow for the denial of applications, allowing for any persons who wish to receive refugee status to apply for such in South Africa (Palmary, 2002). What is interesting to note here is that while the application process is being conducted, foreigners are not allowed to work or study, basically leaving them with no income (Palmary, 2002). Handmaker and Parsley (2001) argue that the Refugee Act 1998 has its origins in the Aliens Control Act 96 of 1991, and although significant changes are visible, this Act has failed to provide adequate due process guarantees to applicants and is implemented in an ad hoc manner. Moreover, Palmary (2002) argues that the Refugees Act 1998 does not clarify whether migrants who are awaiting their papers for refugee status, will receive services under the same conditions as South Africans. With this said, the Act acknowledges that, firstly, upon approval of refugee status, refugees are entitled to receive full legal protection, including the rights set out in Chapter 2 (the Bill of Rights) of the South African Constitution (Republic of South Africa, 1998a). The Refugees Act further states that refugees are entitled, to the same basic health care and education services to which South Africans are entitled (Republic of South Africa, 1998a). What is important to note here is that many of the services mentioned (housing, security, etc) form the delivery mandate of local government. Thus, the

role of local government becomes important when trying to understand the concept of xenophobia.

Klotz (2000) forms a discussion around the control of influx of foreigners during and after apartheid. As South Africa transitioned from apartheid to democracy, the influx of foreigners into the country increased. This created competition for resources, which led to a conflict situation in which people felt the need to distinguish themselves from the other, thus creating a need for national identity.

An example of this is the speeches by Inkatha Freedom Party (IFP) leader Mangosuthu Buthelezi against foreign nationals on the pretext of wanting to preserve jobs for South Africans. Crush points this out by referring to a speech delivered by Buthelezi in 1997 during which he stated that

...with an illegal population estimated at between 2,5 million and 5 million, it is obvious that the socio-economic resources of the country, which are under severe strain as it is, are further being burdened by the presence of illegal aliens

(Crush, 2008, p.50)

Further evidence of this is the view of the then Minister of Defense Joe Modise who publicly blamed foreigners for the spiraling crime rates of South Africa (Crush, 2008). Crush (2008) argues that politicians painted the image that foreigners are responsible for the high crime rates, the exceedingly large amount of drugs in the country, and human trafficking. Klotz (2000) points out that unchanged policies towards foreign nationals, the effect of hate speech by citizens and leaders in South Africa, and the classifying of all black Africa foreign nationals into a category of threats contributes towards defining national identity.

## **2.10 LOCAL GOVERNMENT INTERACTION WITH AFRICAN FOREIGN NATIONALS**

The interaction between local government and black African foreign nationals is an important aspect for this study. South African governmental authorities have made few attempts to distinguish between the different types of immigrants. Within local government in particular, it has been found that “there was little understanding of the different kinds of migrant communities allowed for in the Immigration Act of 2001 or the Refugees Act” (Palmary, 2002, p. 1).

Palmary (2002) identified three areas of interactions: the management of informal trade in the city; the provision and management of resources such as housing; and the provision of security. These three categories have been identified based on three factors: one is that local government is mandated constitutionally to ensure the improvement of the standard of living and have been faced with an increasing number of informal trade businesses, especially businesses run by black African foreign nationals. Second, as previously discussed the identification of the need for resources and the distribution of such resources have been placed at the level of local government, thus their identification and distribution strategies, and whether these involve foreign nationals, becomes important to this study. Third, municipal policing services are responsible for the policing of municipal by-laws e.g. the regulation of informal trade in the cities; which, in turn, have increased the contact between municipal police and black African foreign nationals. These municipal police units are also expected to intervene in cases of violence and provide security to foreign nationals, increasing this contact (Palmary, 2002). I will thus base my study on the framework used by Palmary (2002) and Mukwena (2012).

## **2.11 CONCLUDING REMARKS**

This chapter consulted the current literature available on the concept of xenophobia, specifically related to xenophobia against black African foreign nationals in South African cities. It considered the views of various scholars around the defining features of xenophobia, while locating the phenomenon in the context of historic and contemporary South Africa. This chapter also examined the various theoretical explanations for the recent xenophobic violence in South Africa, which include the scapegoat hypothesis, isolation hypothesis and relative deprivation theories. The chapter also considered the theoretical concept of othering as a means of explaining the recent xenophobic violence, the findings of which portray conflicting theories on a case-to-case basis.

This chapter examined popular views surrounding xenophobic violence within institutions such as the City of Cape Town local municipality, more specifically, the areas of business and policing. Scholars such as Klotz (2000) and MirafTab (2007) are of the view that unchanged policies with regards to migration and the creation of uneven City Improvement Districts enhance the breeding ground of xenophobic tendencies. The literature revealed that what further enhanced these tendencies was the blatant denial of the South African government and the actions of local leaders. Scholars such as Handmaker and Parsley (2001);

Bekker et al (2008), Kamwimbi et al (2010) and Mukwena (2012); not only point out the denial and slow response of the government, but also points out the inadequate means to deal with perpetrators of xenophobic violence. In light of these failures pointed out, scholars such as Dunderdale (2013) and Palmary (2002) specifically mention the need for an increase in local government efforts, as they too play an important role in curbing xenophobic violence within South African communities.

This paper briefly discussed the different type of immigrants as identified in the South African constitution, as well as the migration policies which dictate the movement of foreigners entering the country. It is also clear that whilst the role of local government in addressing xenophobic violence against black African foreign nationals is not clearly defined, the interaction between them creates a need for increased interventions from local government authorities. The subsequent chapter will focus on the methodology used to collect the data for this study.



## CHAPTER THREE

### RESEARCH METHODOLOGY

#### 3.1 INTRODUCTION

This methodology was derived from the methodology used by Palmary in 2002 in an important study on the role of local government. This chapter discusses the research methodology that was used to collect and analyze the data in this study. The rationale for the use of a qualitative research method and more specifically, a case study design is discussed. This includes the collection of data, the reasons behind the selection of key informant interviews as a means to support the documents study, and the subsequent collection of interview data in the absence of key Metro Police informant interviews. The chapter concludes with a discussion of the limitation of the study.

#### 3.2 RATIONALE FOR A QUALITATIVE RESEARCH METHOD

Qualitative research, according to Hancock, Ockleford and Windridge (1998, p. 2); “is concerned with developing explanations for social phenomenon”. These authors assert that this helps people understand why things are the way they are, and it seeks to understand social aspects of the world and how things have developed in the way they did. Baxter and Jack (2008) further indicate that qualitative research explores a phenomenon using a variety of data sources, which allows for understanding in different ways. Thus, as Hancock et al (1998, p. 2) argues “no attempt is made to manipulate the situation under the study as is the case with experimental quantitative research. Berg (2001, p. 7) vividly points out that “Qualitative researchers then, are most interested in how humans arrange themselves and their settings and how inhabitants of these settings make sense of their surroundings through symbols, rituals, social structures, social roles, and so forth.” What is of greater significance for this research is pointed out by Merriam (2002, p.4), who states that qualitative researchers—

Might also investigate how the social and political aspects of the situation shape the reality; that is, how larger contextual factors affect the way in which individuals construct reality

Qualitative research seeks to understand a phenomenon from the point of view of the inhabitant, instead of measuring the person's point of views, as would have been done using quantitative studies. Merriam (2002, p.5) argues that it is “an effort to understand situations in their uniqueness as part of a particular context and the interactions there”. Qualitative research is often seen as more subjective and reliable than quantitative data since the researcher is the primary instrument for data collection. Merriam (2002, p. 5) argues that “since understanding is the goal of this research, the human instrument, which is able to be immediately responsive and adaptive, would seem to be the ideal means of collecting and analyzing the data”. Qualitative research draws its data from small samples of populations in order to acquire in depth information, instead of drawing from large samples (Ambert, Adler, Adler and Detzner; 1995). This type of research encompasses many procedures, which include interviews, focus group, observations and analysis of text (Ambert et al, 1995). The main reason for using a qualitative research design methodology was thus to gain an in depth understanding of the policies and programmes adopted by the Cape Town Municipality to reduce xenophobic violence against black African foreign nationals, and of how those types of political aspects could possibly shape the reality of xenophobia in South Africa.

### **3.3 THE CASE STUDY DESIGN**

A case study approach is defined as—

A qualitative approach in which the investigator explores a bounded system (a case) or multiple bounded systems (cases) over time through detailed, in-depth data collection involving multiple sources of information...and reports a case description and case-based themes.

(Creswell, Hanson, Plano and Morales; 2007, p. 245)

Baxter and Jack (2008, p. 544) assert that a case study “allows the researcher to explore individuals or organizations, simple through complex interventions, relationships, communities or programmes”. They further indicate that this type of design allows for multiple facets of a phenomenon to be revealed and understood, as it looks at issues through a variety of lenses (Baxter and Jack; 2008). The City of Cape Town's Metro Police and Business Areas Management were selected as two areas within the municipality to subject to an in-depth exploration so as to arrive at an understanding of the policies and programmes used in each to reduce xenophobic violence in the City of Cape Town. It is important to note that the findings in this research cannot be generalized to other cities since the focus is on the City of Cape Town.

Baxter and Jack (2008, p. 545) indicate that a case study approach should be considered when “you want to cover contextual conditions because you believe that they are relevant to the phenomenon under study” and “the boundaries are not clear between the phenomenon and the context”. Hancock et al (1998, p. 7) states that “By attempting to capture as many variables as possible, case studies can identify how a complex set of circumstances come together to produce a particular manifestation.” In the case of this study, local government approaches to reduce xenophobia are not always clear; and it is also not very clear whether local government should indeed have an active role in this.

This research is rooted within an explanatory paradigm. This is useful “particularly in complex studies of organizations or communities, [as] one might desire to employ multivariate cases to examine a plurality of influences” (Berg, 2001, p. 230). This study applied a qualitative case study by means of textual analysis and key informant interviews within the City of Cape Town Metro Police and Business Areas Management. Where key informants were not available for interviews, the effect of their non-availability was managed by interviewing a number of black African foreign national traders instead, in order to triangulate the textual data collected.

### **3.3.1 ADVANTAGES OF A CASE STUDY DESIGN**

Like any research design, the case study design has both advantages and disadvantages. One of the distinctive advantages of case study research is perhaps that it is not restricted to one method of research – that it is flexible enough to be used in both qualitative and quantitative research. Dooley (2002, p. 336) supports this by stating that “Case study research has the ability to embrace multiple cases, to embrace quantitative and qualitative data, and to embrace multiple research paradigms”. It is thus able to contribute to different phases of theory development. Creswell, Hanson, Plano and Morales (2007, p. 245) highlighting an advantage of case study research, state that “Case study research builds an in-depth, contextual understanding of the case, relying on multiple data sources rather than on individual stories...”. This means that findings are not only based on one method of collecting data, but are also supported by additional sources. This notion is supported by Flick (2009, p. 134) who argues that “Case studies can capture the process under study in a very detailed and exact way”. Flick (2009, p. 134) further asserts that “they are not restricted due to an intended comparability and are able to fully use the potential of certain methods”.

Noor (2008, p. 1603) argues that case studies are useful in “capturing the emergent and immanent properties of life in organisations and the ebb and flow of organizational activity, especially where it is changing very fast”. This is especially important in the local government environment where rigorous processes are followed and decisions are taken every day.

The preferred design for this thesis is thus a case study design as it is best suited to capture the in-depth details available on this topic.

### **3.3.2 DISADVANTAGES OF CASE STUDY DESIGN**

A case study design, just as it has its advantages, also has its disadvantages. One of the main disadvantages of case study design is that findings cannot be generalized (Stake, 1978; Noor, 2008 and Merriam, 2002). Hancock et al (1998, p. 7) states that “One of the criticisms aimed at case study research is that the case under study is not necessarily representative of similar cases and therefore the results of the research are not generalisable”. The findings of this research have thus not been generalized to other municipalities in South Africa. Baxter and Jack (2008, p. 554) highlights another disadvantage of case study design as “the collection of an overwhelming amount of data from various sources that require management and analysis”. During the collection of data for this study, it was carefully ensured that each entry of data was rightfully named and filed under the appropriate folders corresponding to the various areas of study.

### **3.4 DATA COLLECTION STRATEGIES**

Case study practices have the advantage of collecting data from a multiple range of sources. Creswell et al (2007, p. 247) recommends six types of information, which include “documents, archival records, interviews, direct observations, participant observations, and physical artefacts”. Jack and Baxter (2008) argue that the use of multiple data sources is also a way of enhancing data credibility. Merriam (2002) states that; there is often a primary data collection method which is supported by another. Creswell (2009) suggests identifying purposefully selected sites when deciding on a data collection strategy. This means that the selected collection method is chosen to be the most suitable to help the researcher understand the problem and questions.

This single case utilised two data collection strategies. The main collection method was through the collection of official and unofficial documents which addresses the two selected areas within the City of Cape Town Municipality, enabling the researcher to get a clearer understanding with regards to not only the mandates of the two departments; but also their lines of function with regards to staff and finances. In addition to participants from NGO's and five black foreign national traders, the second collection strategy was initially aimed to include key informant interviews in the Metro Police and the Business Areas Management in the City of Cape Town Municipality, but unfortunately no informants could be secured any within the Metro Police. Interviews were done using a purposive technique and for convenience, the number of participants was kept to a minimum. Participants were carefully selected based on the role that they play in the topic of discussion. Participants included two key officials from the Informal Trading Unit in the Business Areas Management and two key informants from two different NGOs. Additionally, five black foreign national traders - two in the Wynberg area and three in the Cape Town CBD – were interviewed.

### **3.5 ETHICAL CONSIDERATION**

When collecting data, especially those related to interviews, it is important to consider the ethical aspects. Creswell (2009, p. 87) vividly points out that “researchers need to protect their research participants; develop a trust with them, promote the integrity of research, guard against misconduct and impropriety that might reflect on their organisations or institutions; and cope with the new challenging problems”. In collecting the data for this research, a number of ethical aspects were taken into consideration. In conducting the key informant interviews for this study, it was ensured that all the participants were correctly informed regarding the aim of this study and participants, after an explanation was provided, were allowed to choose whether they still wanted to participate in the study. Conducting the study in this way allows the researcher to state that participants participated on the basis of informed consent, defined by Berg (2001, p. 56) as “the knowing consent of individuals to participate as an exercise of their choice, free from any element of fraud, deceit, duress or similar unfair inducement or manipulation”.

Participants, to ensure their safety, were allowed to choose the venue for the interviews and at a time of their convenience. Participants were consulted on their level of comfort regarding the use of a tape recorder, and, if they did not feel comfortable, the recorder was not used. Participants were assured that their names would not be mentioned, and that the research

would not be used against them in any way whatsoever. Participants were also assured that all recordings and documents would be kept safe in encrypted files to which only the researcher had access. All the participants were assigned a pseudo name during the analysis, to ensure their anonymity.

### **3.6 DOCUMENTATION AS A DATA COLLECTION TECHNIQUE**

The collection of documents is seen as one of the major data collection techniques when analyzing case study data and entire studies can be built around documents (Merriam; 2002). Merriam (2002, p. 13) states that these documents can be “written, oral, visual (such as photographs) or cultural artifacts”. Flick (2009, p. 284) argues that “documents are standardized artifacts, in so far as they typically occur in particular formats – as notes, case reports, contracts, drafts, death certificates, remarks, diaries, statistics, annual reports, certificates, judgments, and letters or expert opinions”.

For the purpose of this study, the collection of official and unofficial documents was identified as the primary collection strategy. Firstly, the official documents relating to the roles of both the Metro Police and the Business Areas Management were analysed. These provided a basis on which the researcher was able to determine these entities’ focus areas and the type of contact they, by mandate, are supposed to have with foreign nationals. Secondly, a textual analysis of policy documents which addresses the role of the two identified areas was conducted, in order to compare this to the mandate under which they operate. This was done to determine whether the mandate given to the different areas corresponds to their constitutional functionality. Thirdly, I consulted the digital media’s coverage on these two areas in relation to African foreign Nationals. In this case, the digital media included *The Cape Times; The Argus; The Sunday Times; News24 and IOL*. The use of these types of data was to provide a platform for the main analysis in which I evaluated the policies and programmes as used by the two identified areas in the city of Cape Town Municipality to reduce xenophobic violence.

#### **3.6.1 ADVANTAGES OF USING THE COLLECTION OF DOCUMENTATION AS DATA SOURCES**

There are many advantages to using the collection of documents as a data sources. Creswell (2009; p. 180) states that documents “can be accessed at any time convenient to the researcher, and is an unconstructive source of information”. This means that the researcher does not have to rely on someone for information. Also, since the data is written, the

researcher is spared the time and expense of transcribing data (Creswell; 2009). Merriam (2002, p. 13) further enhances the argument regarding the strength of documents as data source when she states that documents “already exist in the situation, they do not intrude upon or alter the setting in ways that the presence of the investigator might”. Merriam (2002) further extends that document sources are not dependent upon the whims of those who are essential for data collection through observations.

### **3.6.2 DISADVANTAGES OF USING THE COLLECTION OF DOCUMENTATION AS DATA SOURCES**

The use of documents as a data source also has a number of disadvantages. An important disadvantage is highlighted by Creswell (2009, p. 180) who points out that “Documents may be protected and information may be unavailable to the public”. He also argues that the documents may be inaccurate or not be authentic in their nature (Creswell; 2009). To minimize these risks, a preliminary search was done which found that most of the documents required for this study were available for public consumption. Other disadvantages of documentation as data sources are highlighted by Flick (2009, p. 259), who states that “practical problems may be that you have problems of understanding the content of the documents, because you cannot decipher the words, abbreviations, codes, or references that are used...”. To address these challenges, the researcher consulted staff Members within the City of Cape Town to explain terms and documents which were not easy to understand.

### **3.7 KEY INFORMANT INTERVIEWS AS DATA SOURCES**

The initial idea was to conduct key informant interviews as a second means of data collection. As previously stated, the researcher was unable to secure interviews with key informants within the Metro Police, as well as the City of Cape Town Municipality’s Mayco Member for Safety and Security. To counter the absence of this information, black African foreign nationals involved in informal trade in Wynberg and the Central Business District (CBD), were interviewed instead. A questionnaire was used as a guide during the interview processes (**See Appendix A**). The questionnaire contains four sections. Participants from government departments were presented with Sections A and B and the section relevant to their area of work, while participants from NGO’s were presented only with section E. In addition to this, the researcher developed Section F, which was directed at black African foreign national participants.

Marshall (1996, p. 92). highlights five characteristics of an ideal key informant as *role in the community* (exposing them to the type of information sought); *knowledge* (apart from having access to the information sought, they should know it), *willingness* (willing to share the knowledge with the interviewer), *communicability* (they should be able to communicate in a way that can be understood) and *impartiality* (they should be objective and unbiased).

The value of key informant interviews is thus derived from the fact that “key informants are selected for their knowledge and role in a setting and their willingness and ability to serve as translators, teachers, mentors and / or commentators for the researcher” (Dicicco-bloom and Crabtree; 2006, p. 315). For this specific reason, top level management in the two selected areas of the Cape Town Municipality were identified as key informants, as such individuals would best be able to convey information regarding this research. Further interviews were conducted with two people from two NGOs that work with refugees and asylum seekers.

Dicicco-bloom and Crabtree (2006, p. 315) provide a clear explanation of the way in which these interviews are to be done, “the interviewer elicits information about the meaning of observed behaviours, interactions, artifacts and rituals, with questions emerging over time as the investigator learns about the setting”. Thus, while key informants with both the Business Areas Management staff, as well as the Metro Police staff would have been able to provide better insights because of the positions that they hold within the CCT Municipality, the substitution of the Metro Police interviews with the interviews held with African foreign nationals provided as much valuable data.

### **3.7.1 ADVANTAGES OF KEY INFORMANT INTERVIEWS**

The main advantage of key informant interviews is highlighted as the quality of data that can be obtained in a short period of time (Marshall; 1996). The USAID Center for Development Information and Evaluation (1996) points out that key informant interviews produce data directly received from knowledgeable people. This is a major advantage for the purpose of this study, since the main focus is to generate data that speaks directly to the policies and programmes employed in the City of Cape Town municipality. USAID (1996) further point out that key informant interviews provide a platform to explore new ideas not initially planned for, and are neither expensive nor difficult to conduct.

### **3.7.2 DISADVANTAGES OF KEY INFORMANT INTERVIEWS**

Key informant interviews also have their potential disadvantages. One such disadvantage is pointed out by Marshall (1996, p. 93) when he states that “Informants are unlikely to represent, or even understand, the majority view of those individuals in their community and any difference in status between informant and researcher can result in an uncomfortable interaction”. This was highly noted for this study, where junior staff members within the Business Areas Management could have been more knowledgeable on policies and programmes within this area, but would not fall in line with the concept of key informants. Another disadvantage is highlighted by Marshall (1996, p. 93) who points out that “Key informants might only divulge information that is politically acceptable and social rules could discourage the researcher from publishing potentially sensitive data which may be ascribed to a particular informant”. These challenges and obstacles were overcome by reviewing annual reports and policies regarding the two selected areas, to either support or not support what the informants reveal and other interviewees revealed.

### **3.8 DATA ANALYSIS METHOD**

Data analysis forms perhaps the most important part of any study. Kothari (2004, p. 122) refers to the analysis of data as “the computation of certain measures along with searching for patterns of relationship that exist among data-groups”. Kothari (2004, p. 22) is of the opinion that “analysis of data in a general way involves a number of closely related operations which are performed with the purpose of summarising the collected data and organising these in such a manner that they answer the research question(s)”. The importance of stating one’s data analysis method is pointed out by Ambert and Adler (1995, p. 884) who states that “It is imperative that qualitative research be explicit and detailed about strategies so that the rigor is evident”. Yin (2011, 177) too argues that the most important scenario about analysing data is rigour.

Cohen, Manion and Morrison (2007) argues that there is no single way of analysing and presenting qualitative data, that the method of analysing and presenting is dependent on the purpose of the study. Creswell (2009, p. 183) states that the process of data analysis “involved preparing the data for analysis, conducting different analysis, moving deeper and deeper into understanding the data, representing the data and making an interpretation of the

larger meaning of data” . In the process of analysing the data in this study, the researcher followed the six steps as outlined by Creswell (2009), as follows:

Step 1: *Organise and prepare the data for analysis* (Cresswell, 2009, p. 185). The researcher read through all the documents collected for the documents study and divided this according to the different ideas. Furthermore, the researcher transcribed the interview data collected during the interviews, and summarised any additional notes made directly after the interview; and arranged these by data type.

Step 2: *Read through all the data* (Cresswell, 2009, p. 185). During this step the researcher read through all the data to get a general idea of the emerging themes, and to get a sense of emerging ideas from both the documents study as well as the interviews.

Step 3: *Begin detailed analysis with a coding process* (Cresswell, 2009, p. 186). At this step, the researcher separated the data into different segments of text and categories and assigned basic terms to each segment for easy reference.

Step 4: *Using the coding process to generate a description of the setting or people as well as categories or themes for analysis* (Cresswell, 2009, p. 189). Creswell (2009, p. 189) states that “this analysis is useful in designing detailed descriptions for case studies, ethnographies or research projects”. The researcher thus used descriptions to render information about the people, places and events in this study; as recommended by Creswell. The researcher then used a coding process to generate themes that were used in the general description of this study. As recommended by Creswell (2009), a number of quotations and specific evidence collected during the interviews were included.

Step 5: *Advance how the description and themes will be represented in the qualitative narrative* (Cresswell, 2009, p. 189). During this step, the researcher used the major themes that emerged from the coding process to provide a narrative passage. This was combined with the perspectives gained from the interview participants in order to find any correlations.

Step 6: *Making an interpretation or meaning of the data* (Cresswell, 2009, p. 189). During this step the researcher looked at the lessons learned and presented a personal interpretation of the data collected. Finally, a comparison of the data collected through the study of the documentation and those collected through the key informant interviews is provided.

### 3.9 STUDY LIMITATIONS

While this study was conducted successfully, it has limitations. The biggest challenge faced during this study was the inability to secure interviews with neither the Chief of Metro Police nor his two Deputies. After failing to secure interviews with them, the researcher requested to interview the Chief Executive, as well as the Mayco Member for Safety and Security. Both requests were not granted. The researcher then changed the scope of the interviews to include black African foreign nationals involved in informal trade, in order to keep the idea of evaluating the policies and programmes employed by the Metro Police.

During the interviews conducted with the key informants from the Business Areas Management, the interviews were interrupted a number of times as officials had to answer their phones. Interviews with the NGO's were also not without any interruption since staff do not have their own offices, but rather share an open space. Interviews with informal traders proved to be the most difficult since there were constant interruptions from customers who wanted to purchase goods and other distractions from the area. Interviews with black African foreign national traders could also not be recorded since they did not feel comfortable using a recorder. All these interruption and distractions were managed by writing down all notes to ensure that essential data did not get lost during these interruptions.

A further challenge faced during this study was that research conducted in the field of xenophobic violence with regard to local government is somewhat limited and scarce. This can often be attributed to the fact that not much attention has been paid to the role of local government in curbing xenophobic violence in South Africa, with much of the focus in the past having been on the reaction of national government. Therefore much of the literature used in this research has been based on data collected on a nationwide study and not on data specifically focused on local government. This literature, however, has provided a basis for understanding government as a whole and assisted in understanding this one entity of government.

In doing a case study based on document analysis and key informant interviews, the researcher acknowledges that collecting data from other staff within the City of Cape Town Municipality could possibly have enhanced the study. It should be note however that this would have been more time consuming.

This research is not without limitation, but the results of this study are interesting enough to warrant an extension of research on the role of local government structures like municipalities in curbing xenophobia. It would be interesting to directly get the views of key informants within the Metro Police, or other staff employed by the City of Cape Town.

### **3.10 CONCLUDING REMARKS**

This chapter provides a detailed explanation of the methodological framework that was used to conduct this study. The reasons behind the selection of a case study design were outlined, as were the advantages and disadvantages of the data collection methods. Furthermore, a view of the data collection process was provided, and the reasons underpinning its selection.

Since this case study research was to be based on document analysis and key informant interviews only, the deviation in the research was highlighted to include black African foreign national traders and the reasons behind this. Finally, this chapter acknowledged the limitation of this study and the challenges experienced while conducting the research.

The following chapter will provide a statement of findings and the analysis of data with regard to the document data collected during the key informant interviews with the Business Areas Management and NGOs in the City of Cape Town Municipality; and the interviews conducted with black African foreign national traders.

## CHAPTER FOUR

### DISCUSSION OF FINDINGS RELATED TO MUNICIPAL DOCUMENTS

#### 4.1 INTRODUCTION

Chapter one provided an overview of the purpose of this study. Chapter two provided an overview of current literature relevant to the study area, as well as the current hypotheses and common understandings of xenophobia. One of the main arguments that emerged here was that xenophobia should be viewed as a symptom and not a cause of violence. Hassim, Kupe and Worby (2008, p.6) argue that “once xenophobia is accepted to be a secondary symptom rather than a primary cause of violence, responsibility and accountability must necessarily be more widely distributed”. Chapter three discussed the methodological approach used to gather and analyse the data in this study.

This chapter, along with Chapter five, examines the data collected in the study. Sited in the argument that responsibility and accountability for outbreaks of xenophobic violence must be more widely distributed, this chapter is guided by three main sections. Section one provides an overview of the City of Cape Town Municipality, describing its constitutional role, policies and responsibilities. Section two is focused on the City of Cape Town’s Metro Police, and examines their specific role in the promotion of safety and security as it relates to foreign nationals but not excluding South Africans. Section three is centered on the functions of the Business Areas Management (BAM) in the whole of the City of Cape Town Municipality, specific policies and by-laws that regulate the behaviour of citizens; and the programmes employed by BAM to reduce or curb xenophobic violence directed at black foreign nationals who make use of informal trading. Ultimately, this chapter attempts to answer the questions introduced in Chapter One, which read as follows:

1. What are the CCT policies relating to trading and policing that directly and indirectly affect black foreign nationals in the city of Cape Town?
2. What financial resources, human resources and tools are available in the City of Cape Town (CCT) Municipality in respect of the Metro Police and the Business Areas Management?

## 4.2 DOCUMENTS STUDY

The documents used in this study focused on policy documents, by-laws and various other official documents that define the roles and responsibilities of the Metro Police and Business Areas Management in the City of Cape Town Municipality. The documents that were studied also depicted the category of municipality of the City of Cape Town. For this study, it was deemed important to provide an accurate view of the City of Cape Town Municipality in order to understand its role in curbing xenophobia. The following documents were thus consulted:

- The White Paper on Local Government (1998)
- Municipal Property Rates Act 2004
- Municipal Systems Act 2002
- Municipal Finance Act 2003
- City of Cape Town Integrated Annual Report 2013/14

The documents that were used to analyse the City of Cape Town Metro Police included:

- South African Police Services Act 68 of 1995
- Annual Police Plan 2013/14
- By-Law for the promotion of safe and secure environment 2002
- Crime Statistics 2009/10 and 2012/13
- City of Cape Town Capital Budget 2009/10 – 2011/12

The documents that were used to analyse the City of Cape Town Business Area Management included:

- City of Cape Town Website, informal trading 2015
- Informal Trading Policy and Management Framework 2003
- Informal Trading Policy 2013
- Informal Trading By-Law 2009
- Informal Trading Amendment By-Law 2013
- City of Cape Town Budget 2012/13 to 2014/15

#### 4.2.1 AN OVERVIEW OF THE CITY OF CAPE TOWN MUNICIPALITY

**The research question(s) that was addressed by analysing the documents relating to the City of Cape Town Municipality included:**

- *What are the CCT policies relating to trading and policing that directly and indirectly affect black African foreign nationals in the city of Cape Town?*

The City of Cape Town Municipality is one of eight Metropolitan Municipalities in South Africa, and is classified as a category A Municipality, according to the South African Constitution. Metropolitan Municipalities were established with the aim of administering South Africa's most urbanized areas and have exclusive municipal executive and legislative authorities (Broumels, 2015, p. 24). The White Paper on Local Government (1998) stipulates that "Metropolitan areas are large urban settlements with high population densities, complex and diversified economies, and a high degree of functional integration across a larger geographical area than the normal jurisdiction of a municipality" (Republic of South Africa, 1998b, p. 51). The objectives of a Municipality, as listed in the White Paper on Local Government (1998) are as follows:

- Provide democratic and accountable government for local communities
- Ensure the provision of services to communities in a sustainable manner
- Promote a safe and healthy environment
- Encourage the involvement of communities and community organizations in matters of local government

(Republic of South Africa, 1998b)

The Vision of the City of Cape Town Municipality is mentioned in the City of Cape Town's Integrated Annual Report 2013/14 as follows:

- To be an opportunity city that creates an enabling environment for economic growth and job creation, and to provide help to those who need it most
- To deliver quality services to all residents
- To serve the citizens of Cape Town as a well-governed and corruption-free administration

*In striving to achieve this vision, the City's mission is to:*

- contribute actively to the development of its environmental, human and social capital;
- offer high-quality services to all who live in, do business in or visit Cape Town as tourists, and
- be known for its efficient, effective and caring government.

(City of Cape Town Integrated Annual Report 2013/14)

What is important to note in these two areas is the promotion of a safe and healthy environment for the citizens in the community; and the vision stipulated by the City “to be an opportunity city that creates an enabling environment for economic growth and job creation” (City of Cape Town Annual Report 2013/14). This is applicable to both South Africans and foreigners who have settled within the communities of Cape Town.

In trying to achieve these objectives and its vision, the City, as stated above, has a mission to actively contribute to the development of its environmental, human and social capital. This means that the City aims to create opportunities of growth for all the people of the City. Furthermore, The City of Cape Town Municipality also seeks to achieve these objectives and vision by providing high quality services to all who live in it. These services include services of trade and policing as recognized in this study. These are the contractual agreements as stipulated by the City – that which they have to bring in accordance with the agreement made with the people.

The City of Cape Town Municipality covers an area of two-thousand, two hundred and forty thousand square kilometers (2 240 km) in the Western Cape Province. Often described by commentators to be situated in one of the one of the most beautiful cities in South Africa, the City of Cape Town Municipality covers the area from Atlantis to Gordon's bay, including the suburbs of Khayelitsha and Mitchell's Plain (Figure 1) (Broumels, 2015). The City is also believed to be the second largest economic centre and second populous City in South Africa.

The City has a population of 3 740 026 with the annual population growth set at 2.57 %.(Broumels, 2015). These population statistics includes documented African Foreign Nationals. While the focus of this study is not on national Acts but rather on policies within the City of Cape Town Municipality, it is important to note that that The City of Cape Town Municipality, like other municipalities, is guided by a number of national Acts in its

fulfillment of its constitutional mandate. Some of these, with brief explanations, are listed below:

- The Municipal Government Systems Act 2002, amended in 2011

*To provide for the core principles, mechanisms and processes that are necessary to enable municipalities to move progressively towards the social and economic upliftment of local communities, and ensure universal access to essential services that are affordable to all; to define the legal nature of a municipality as including the local community within the municipal area, working in partnership with the municipality's political and administrative structures; to provide for the manner in which municipal powers and functions are exercised and performed; to provide for community participation; to establish a simple and enabling framework for the core processes of planning, performance management, resource mobilisation and organisational change which underpin the notion of developmental local government...*"(Republic of South Africa, 2000, p. 2).

- The Municipal Finance Management Act 2003

*To secure sound and sustainable management of the financial affairs of municipalities and other institutions in the local sphere of government; to establish treasury norms and standards for the local sphere of government; and to provide for matters connected therewith.* (Republic of South Africa, 2003, p. 2).

- The Local Government Municipal property Rates Act 2004, amended in 2009

*To regulate the power of a municipality to impose rates on property; to exclude certain properties from rating in the national interest; to make provision for municipalities to implement a transparent and fair system of exemptions, reductions and rebates through their rating policies; to make provision for fair and equitable valuation methods of properties; to make provision for an objections and appeals process; to amend the Local Government: Municipal Systems Act, 2002, so as to make further provision for the serving of documents by municipalities to amend or repeal certain legislation; and to provide for matters connected therewith* (Republic of South Africa, 2004, p. 2).

Municipalities are guided by these three regulatory Acts, amongst others, in their fulfillment of their municipal duties. Thus, by virtue of the above, the City of Cape Town has to make provision for the following:

- The property rates Act bestows upon a municipality the right to determine the ratings of a property, offer reductions and rebates and allows for exemption. This is applicable to both residential and business properties.
- The Finance Management Act highlights the importance of financial management within municipalities, stating that municipalities are to manage their financial affairs in a sustainable manner and establish standards of financial management.
- According to the Municipal Government Systems Act, the City has to make provision for mechanisms and processes that enable social and economic upliftment of a community and ensure that such a community has access to essential services that are affordable to all.

Thus, while a municipality may ultimately be guided by its own policies, it is firstly directed by these legislative Acts. The White Paper on Local Government highlights some of the key roles of Metropolitan Municipalities as follows: creating city-wide spatial integration and socially inclusive development; promoting equity, social justice and economic prosperity; providing affordable and efficient services; and promoting local democracy (South Africa, 1998). From this, it can be deduced that the City, in light of the political past, should have a system in which the integration of those previously disadvantaged should be a one of the key roles. Equity and economic prosperity should be encouraged across the board and for peoples in the City to address the existing inequality and create a stable environment for capital investment. It can also be deduced that the City should have a focus on delivering efficient and affordable services to all those, including foreign nationals, who live in the City.

In addition to the guidance provided by the above mentioned Acts, the City of Cape Town Municipality, like all municipalities, creates policies and by-laws which guide and regulate the functioning of each department and the behaviour of citizens living within the municipality. Again, this is applicable to all those who live in the city, including foreign nationals.

Within the two areas of study, the following policies have been found to affect foreign nationals:

- By-Law for the promotion of safe and secure environment, 2002.
- Informal Trading Policy and Management Framework, 2003
- Informal Trading Policy, 2013
- Informal Trading By-Law 2009
- Informal Trading Amendment By-Law 2013

In summary, The City of Cape Town Municipality is a Metropolitan municipality, established with the aim of administrating one of South Africa's most urbanized areas with the objectives of ensuring the provision of services to communities in a sustainable manner, promoting a safe and healthy environment, and encouraging the involvement of communities and community organizations in matters of local government. Informed by the vision of creating an all-inclusive city that is responsive to the needs of its population of 3, 7 million people, the City of Cape Town Municipality is commissioned to contribute actively to the development of its environmental, human and social capital, offer high-quality services to all who live in, do business in or visit Cape Town as tourists, and, to be known for its efficient, effective and caring government. Guided by national Acts such as the Municipal Systems Act and the Municipal Finance Act, the City is required to act in the best interest of the people who live within its borders. The City is also guided and regulated by its own policies and by-laws, as the White Paper on Local government allows them. Of particular interest to this research paper were the policies and by-laws that relate to the provision of safety and security under the City of Cape Town Metro Police, and the regulation of informal trade under the Informal Trading Unit in the Business Areas Management, which directly and indirectly affects black African foreign nationals.

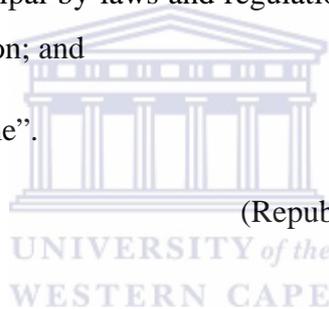
#### 4.2.2 CITY OF CAPE TOWN METRO POLICE

**The research question/s that was/were addressed through analysing the documents relating to the City of Cape Town Metro Police included:**

- *What financial resources, human resources and tools are available to the City of Cape Town (CCT) Municipality in the areas of Metro Police and Business Areas Management?*

The City of Cape Town Metro police is a local policing department set up in the City of Cape Town, and has a threefold mandate as stipulated in the South African Police Services Act (68 of 1995) as follows:

- “(a) Traffic policing, subject to any legislation relating to road traffic;
- (b) The policing of municipal by-laws and regulations which are the responsibility of the municipality in question; and
- (c) The prevention of crime”.



(Republic of South Africa, 1995, 64F)

The mandate as given to the City of Cape Town Metro Police brings them in direct contact with foreign nationals in the City due to the enforcement of by-laws relating to trading, safety and security, and most importantly, the prevention of crime. This study acknowledges the existence of the City’s law enforcement department specifically aimed at enforcing the City’s by-laws, but the aim here is not only to determine the extent of the enforcement of those laws, but also the provision of safety. The main mission of the City of Cape Town Metro Police is to render equitable, accessible and sustainable policing services to the communities of Cape Town, in conjunction with the South African Police Services (SAPS) (Annual Police Plan, 2013, p. 8). This is guided firstly, by the City of Cape Town’s proposed By-Law for the promotion of a Safe and Secure Urban Environment 2002. This by-law centres on the creation of a safe and secure urban environment and contains regulations on parking, informs behaviour in public and contains definitions of what constitute public nuisance, to mention but a few.

Of particular interest in the by-law is the section that prescribes that–

No person shall, without a valid licence issued by the City, which shall not be unreasonably withheld, in exchange for money or some other thing of value or in anticipation thereof:

3.1.1 direct the operator or occupant of a motor vehicle to a public parking space; or...

(City of Cape Town, 2002, p. 3)

There are two reasons for the importance of this section of the by-law. Firstly, informal parking attendants are a big part of the City of Cape Town. Many South Africans earn their daily living in this way. Through this by-law, the City of Cape Town is taking away the income of the South African citizens. Miraftab (2007, p. 611) supports this by stating that “every few feet of the busy downtown street curbs are a valuable resource for feeding their families, and their behaviour was strongly territorial”. She furthermore states that “The effort to impose “legality” on parking attendants goes hand in hand with new surveillance in the CIDs to improve the perceived safety for central city visitors, tourists and affluent consumers.” (Miraftab, 2007, p. 611). Secondly, many parking attendants in the City of Cape Town are refugees/asylum seekers who are either awaiting on their documents from Home Affairs or who do not engage in informal trade or any other income-generating activity. This is supported by the UCT Centre for Social Research which indicates that “At night, virtually all car guards are refugees and asylum-seekers from central Africa” (Bernstein, 2003, p. 3). In 2003, the City proposed amendments to this by-law in response to receiving complaints about harassments from parking attendants, and the high rates of car break-ins. A report released by Bernstein (2003) indicates that these proposed amendments listed irregular restrictions on foreign nationals involved in the parking environment.

The report by Bernstein (2003, p. 1) questions whether “a complex administrative system of regulation is warranted”; especially since the proposed amendments would include requirements such as IDs, which refugees, who make up most of the car guard population, do not have. Bernstein (2003, p. 1) further states that the proposed by-laws include the “clause 3.4, which limits to 30% the proportion of car guards who are refugees”. This clause is a clear form of discrimination against foreign nationals who form part of the City of Cape Town community. The mere consideration of such policies, never mind their application is a clear example of institutional xenophobia in the City of Cape Town Municipality. Car guards are often harassed and arrested by police and private security officers without any

justification (Carew, 2003). The Committee member for Safety and Security, who is now the Mayco Member, Mr JP Smith, was of the opinion that “In Sea Point there are between 300 and 500 cases a month where car guards are locked up overnight (by the police) and then released...” (Carew, 2003).

The documents used in the study of the City of Cape Town’s Metro Police provided valuable insight into the resources and tools allocated to the Metro Police to fulfil its threefold mandate as stated above.

For the purpose of this study, I have selected two financial years within the time period of 2008-2013. This includes the period of 2009/10 as this was the year directly after the first major xenophobic attacks in 2008. The other is the year 2012/13 as it was after the 2011 local government elections where a change in leadership usually brings about a number of changes in not only management style but the way issues are addressed. In order to understand the resource allocations and the arguments to follow, I have elected to firstly provide an overview of the crime statistics within a few areas in the City of Cape Town Municipality. I did this as the crime statistics are relevant contextual matters in relation the distribution of policing resources across the city. Whilst these have been reported to SAPS, Metro Police too, as stipulated in their mandate, have a role to play in preventing these crimes.

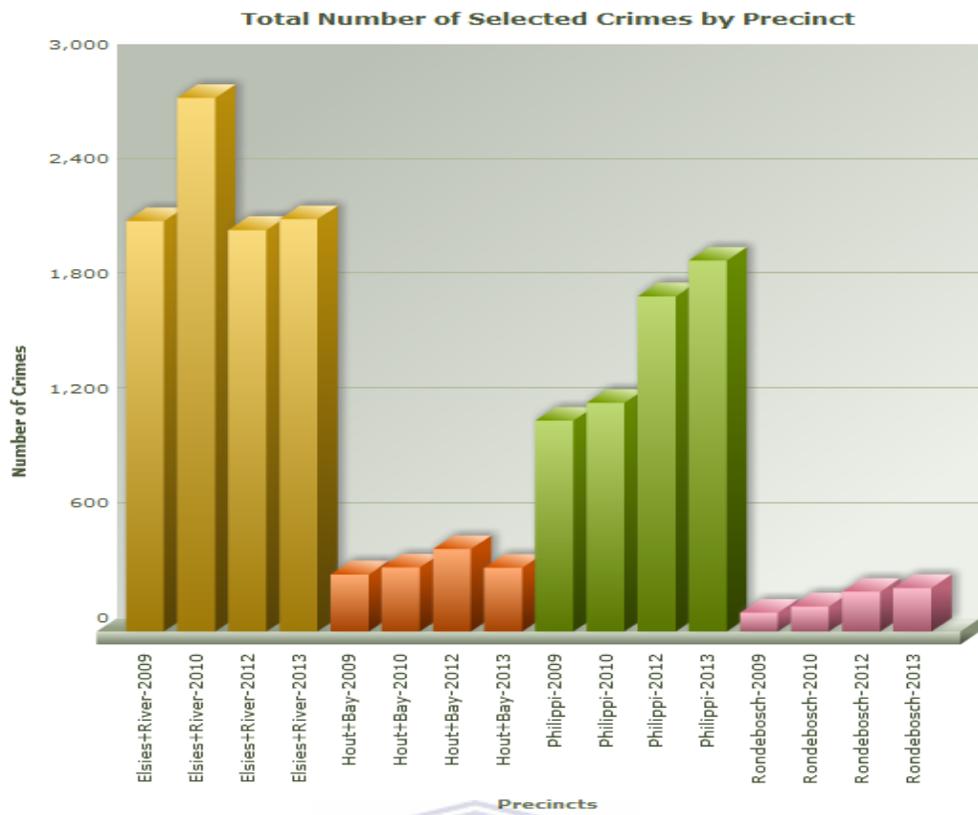
## Crime statistics

**Table 4.1: Crime Statistics for the periods of 2009/2010 and 2012/2013**

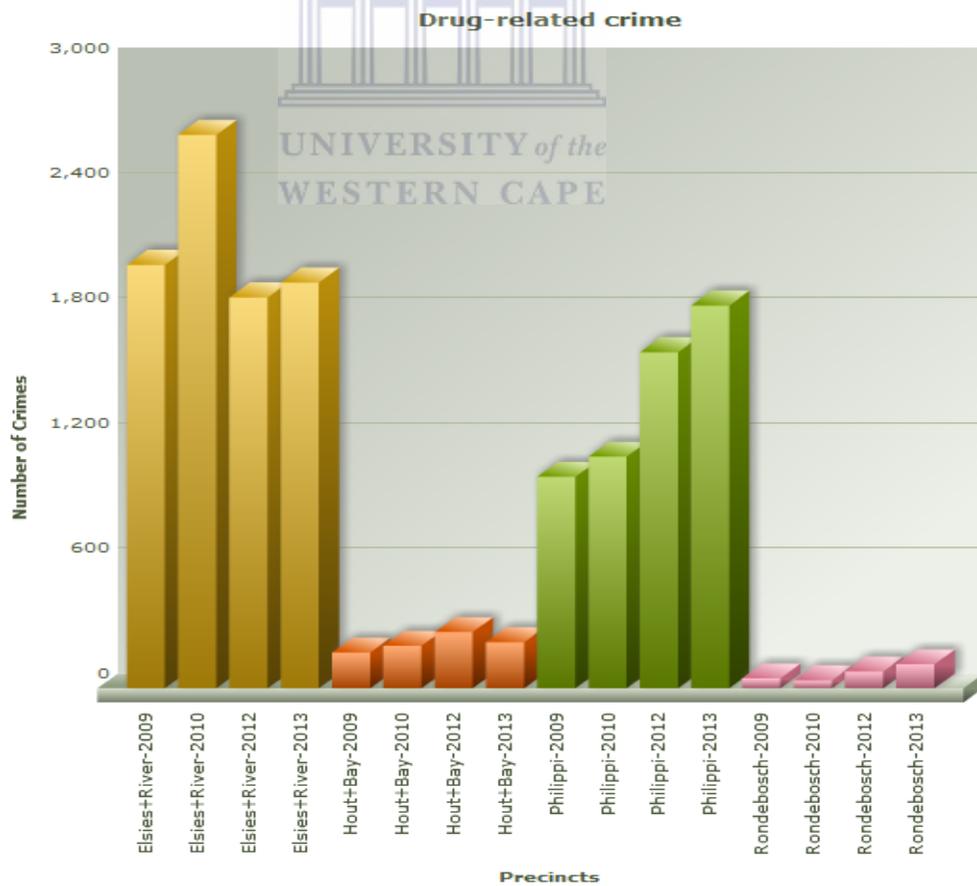
SAPS Crime Statistics												
<u>Precinct</u>	<u>Drug-related crime</u>				<u>Driving under the influence of alcohol or drugs</u>				<u>Public violence</u>			
	<u>2009</u>	<u>2010</u>	<u>2012</u>	<u>2013</u>	<u>2009</u>	<u>2010</u>	<u>2012</u>	<u>2013</u>	<u>2009</u>	<u>2010</u>	<u>2012</u>	<u>2013</u>
<u>Elsies River</u>	2030	2653	1874	1945	110	136	224	204	6	2	2	7
<u>Hout Bay</u>	171	203	269	221	122	131	157	111	5	1	5	1
<u>Philippi</u>	1014	1110	1611	1835	86	85	136	91	3	1	6	14
<u>Rondebosch</u>	47	38	80	115	51	91	128	112	0	2	0	0

Source: Crimestatssa 2009-2013

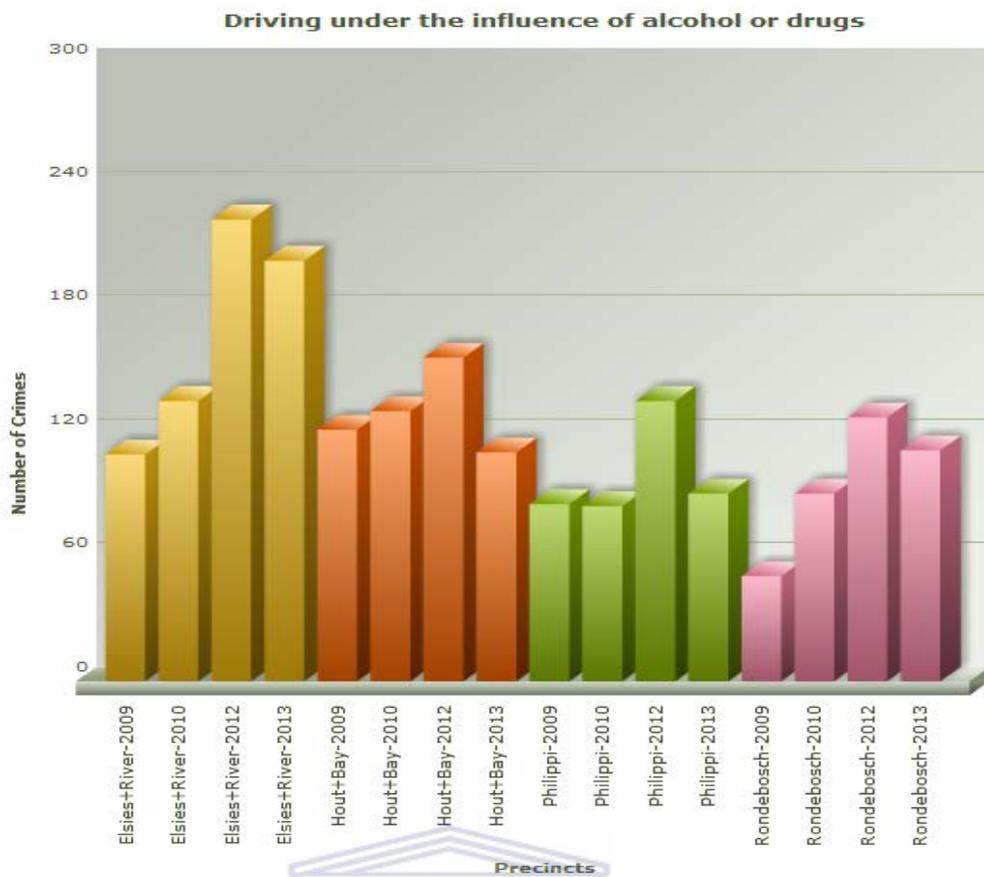
The crime statistics as recorded by the South African Police Services for the period under review, and in the absence of statistics from Metro Police, are shown in Table 4.1. This indicates that the most drug-related crimes for the period 2009-2013 took place in Elsies River, and the least in Rondebosch. It also indicates that the most offences for driving under the influence of a substance took place in Elsies River, and the least in Rondebosch. Furthermore, the highest total of offences related to public violence took place in Elsies River, the second highest total in Philippi and the least amount of offences took place in Rondebosch. The overall totals would thus indicate that the areas most prone to offences in line with the mandate of the Metro Police are Elsies River, which is in the North, and Philippi, which is situated in the Southern Areas of the City of Cape Town Municipality. While these crime statistics do not necessarily indicate offences against black African foreign nationals, they do address violations related to the broader Cape Town Community and highlights the need for policing services in the respective areas of the City. Miraftab (2007, p. 611) states that “The distribution of forces is unrelated to need, as the urban areas with the highest crime rates receive no remotely comparable share of the City’s security enforcement” and that “Its rationale is economic: displacing crime from affluent areas with lucrative consumption to less lucrative and so less privileged areas, where property owners cannot afford to purchase additional safety”. The Graphs 4.1- 4.4 below provides a graphical overview of the offences listed above.



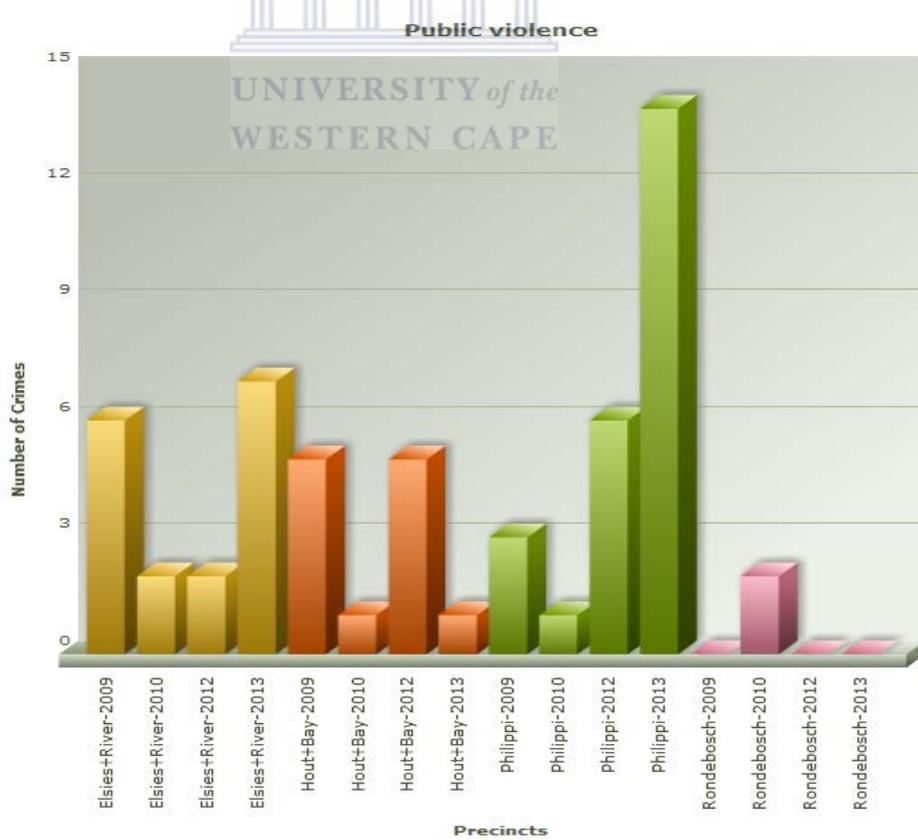
Graph 4.1: Total number of selected crimes by precinct



Graph 4.2: Drug-relates crimes



Graph 4.3: Driving under the influence of alcohol



Graph 4.4: Public Violence or drugs

## **CCT Safety and Security Cluster**

When it comes to safety and security, the CCT is well known for its strong application of the law, especially against the poor. One such member of the Security cluster who is well known for his hard tactics is Mayco member for Safety and Security, Alderman JP Smith. While some view Smith's 'hands-on' approach as admirable, many also argue that these are tactics to target the poor and keep them away from CCID affluent areas. Below are some examples of his statements:

On drag racing he stated that “We are therefore calling on the provincial government to make sure that these ... are tough enough to allow us to have these peoples' vehicles removed permanently, for them to forfeit their vehicles or at least have very severe impoundment fees as that we look at serious penalties” (Kekana, 2015).

On the implementation of stricter methods of ensuring that traffic fines are paid, he stated that “It is important to hold motorists accountable, because when people think that they can get away with their transgressions and mock or ridicule the law in that way it makes the roads more dangerous for all concerned” (Ana, 2015).

In another incident when a blind busker in the CBD was harshly removed by Metro Police officials, JP Smith stated that “he repeatedly disregarded regulations and was verbally abusive to our officials for months, thus resulting in multiple warnings being issued to him” (Cronje and Koyana, 2013).

These are but a few examples of occasions where the strict application of the City's by-laws, by Municipality officials could be revealed. The statements released by JP Smith would always be phrased to suggest that the actions are undertaken in the interest of the people, but many, especially poor Capetonians, are often targeted and accused of criminal behaviour because they linger around affluent communities and the CBD.

Evaluating the resources in the CCT Metro Police will provide us with a view of where most of the resources for the timeline were allocated to, what it is spent on, whether it was beneficial to African foreign nationals; and whether as stipulated in the City’s vision, it helps those who need it most. In evaluating the resources in the City of Cape Town Metro Police, the City of Cape Town Municipality's budget documents for a ten-year period from 2006-2016 were consulted, and the following found:

**Table 4.2: Metro Police Budget for the period 2006-2016**

	2006/ 2007	2007/ 2008	2008 / 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016
Budget allocation to safety and security	R79 665, 363	R69,464, 155	R71,510, 58	R85,105, 782	R33,893, 239	R41,100, 528	R52,433, 267	R67,926, 725	R70,558, 713	R99, 272, 613
Budget allocation to Metro Police	R10,752, 961	R7,493, 760	R6,262, 000.	R11, 190, 098	R6 792, 400	R6,973, 400	R17,369, 525	R9,563, 400	R10,380, 200	R13 803 400

Source: CCT Capital Budgets 2006/07-2015/16

Table 4.2 present the proposed budget allocations for both the overall Safety and Security Division and for Metro Police itself, for the period of 2006 to 2016. The first noticeable amount allocated to Metro Police was allocated in 2012/13, the financial year following the municipal elections in 2011 that saw a change in Mayoral leadership from Dan Plato to Patricia De Lille. One could perhaps then argue that, while the proposed budget for Metro Police under Safety and Security saw an increase for that year, this did not last very long, since the proposed budget for the financial year to follow was a mere R9 563 400. Comparing the proposed allocation to the overall Safety and Security Directorate, it is clear that the Metro Police Department is not allocated many funds to begin with. This begs the question of how the Metro Police goes about allocating these funds to the different areas within the municipality. Further scrutiny of the above

table would indicate that, while the Safety and Security Directorate has seen a steady increase in the proposed budget allocations, Metro Police has not been awarded the same.

To get a more in depth view of the proposed spending, I consulted the City of Cape Town Municipality’s capital budget documents of 2009/10 and 2012/13. In analysing the strategic spending patterns, the proposed budget was used as this explicitly indicates the planned allocation of resources by the City of Cape Town Municipality in accordance with the CCT strategic plans. Furthermore, the adjusted estimates per budget year were scrutinised, perused and compared to the proposed budget and it was found that immaterial shifts and provision for ad-hoc expenditure are usually initiated during the adjusted estimates. As the nature of these changes during the adjusted estimates does not directly speak to the strategic plans and allocation of resources, it is not included in the analysis made of Metro Police Budgetary allocations. The following was found to be true:

2009/10 Budgetary allocations:

For the 2009/10 financial year, it was proposed that an amount of R85 105 782 be allocated to the Safety and Security Directorate. Of this, it was proposed R11 190 098 be allocated to Metro Police, which would be spent on upgrades, equipment and other necessities. Some of the proposed provisions made during for this budget were as follows:

**Table 4.3: Metro Police major budget allocations 2009/2010**

<b>Budget Allocation</b>	<b>Commodity</b>	<b>Area</b>
R 1 0000 000	CCTV Cameras	Wynberg and Claremont
R6 000 000	Smartcop System	Headquarters
R1 000 000	Dashboard Cameras	Headquarters
R 2 000 000	CCTV Cameras	Bellville and Athlone

Source: City of Cape Town 2009/2010 - 2011/2012 Capital Budget, p 64-65

As an example of some of the major proposed expenditures, R1 000 000 was to be spent on CCTV-Control Room Security upgrades, R 827 500 was to be spent on CCTV upgrades in the CBD alone, whilst the Khyalitssha and Mitchell’s Plain areas would receive only R100 000. The horse and stable equipment in the City was to be allocated R196 000. This means that more is spent on horses than the allocations to areas most in need of these funds. R1 000 000 was to be spent on CTV: radio and related equipment, a further R2 214 000 was to be spent on radio and related equipment and R1 900 000 was to be spent on firearms and related equipment. Provision was also made for R150 000 to be spent on a new carport in Milnerton and R800 000 for a sprinkler replacement in the area. In view of these proposed allocations, it would appear that not much funds were to be allocated to previously disadvantaged areas. There is no mention of funds to be allocated to programmes aimed at informing citizens – this includes both South Africans and black African Foreign Nationals – on safety and security.

(City of Cape Town Capital Budget, 2009/2010-2011/2012, p. 64-65)

2012/2013 Budgetary allocations:

In the 2012/2013 financial year, the City of Cape Town Municipality proposed that the amount of around R52 000 000 be allocated to Safety and Security; of which R17 369 525 was to be allocated to Metro Police. Whilst the overall budget for Safety and Security was less, Metro Police was to be allocated a bigger amount than during the 2009/2010 financial year. Some of the proposed provisions made during for this budget were as follows:

**Table 4.4: Metro Police major budget allocations 2012/2013**

Budget Allocation	Commodity	Area
R 1 000 000	CCTV Cameras	Wynberg and Claremont
R6 000 000	Smartcop System	Headquarters
R1 000 000	Dashboard Cameras	Headquarters
R 2 400 000	CCTV Cameras	Bellville and Athlone

Source: City of Cape Town Capital Budget, 2012/13-2014/15, p. 99-100

The above table indicates that R1 000 000 was to be spent on CCTV cameras for Wynberg and Claremont, R6 000 000 to be spent on a smart cop system to track metro vehicles, One Million rand (R1000 000) was spent on the supply and installation of dashboard cameras; and Two Million four hundred thousand rand (R2 400 000) was spent on CCTV roll out in Bellville and Athlone respectively. From the figures given in the table above, it is clear that R10 000 000 was to be spent on upgrades and installation of CCTV cameras in areas which would not necessarily be classified as previously disadvantaged. Again it would appear that no major provisions had been made for areas such as Elsies River, Mitchell’s Plain or Manenberg which are more in need of this type of policing service. This is not to say that the City of Cape Town never installed any of these in these areas; just that the money spent on upgrading there was not as much. Furthermore, and perhaps more pertinently, no mention was made of the provision of funds to be spent on the creation of programmes that would address safety and security challenges faced by black African foreign nationals.

In order to understand the tables below, it is important to highlight the following:

**Table 4.5: Areas grouped as follows**

Area	Communities
North	Elsies River, Ravensmead, Netreg, Valhalla Park, Bishop Lavis, Bonteheuwel, Matroosfontein, Epping, Eerste River, Parow, Leonsdale, Ruitervacht, Goodwood, Parow, Belhar, Modderdam, Bellville, Stikland
South	Philippi, Weltevreden Valley, Brown’s Farm, Crossroads, Lenteguur, Westridge, Rocklands, Tafelsig, Portlands, Mitchell’s Plain CBD,
East	Kuilsriver, Wesbank, Kleinvele, Eerste River, Mfuleni, Blue Downs, Delft, Sarepta, Macassar, Somerset West
West	Retreat, Sea Winds, Strandfontein, Grassy Park, Lotus River, Hout Bay, Noordhoek, Sun Valley, Ocean View, Simon’s Town, Fishhoek, Muizenberg, Lakeside

Source: Annual Police Plan 2009/10

**Table 4.6: Staff in the Metro Police for the Period 2009/10**

Area	Director	Senior Superintendant	superintendent	Sergeants	Constables	Total Staff
North	1	2	1	6	74	84
South	1	2	0	10	102	115
East	1	2	4	4	95	106
West	1	2	3	14	112	132
Metro Wide	1	1	2	3	45	52

Source: Annual Police Plan 2009/10

**Table 4.7: Metro Police vehicles per area for the period 2009-2010**

Area	Quantum	Sedans	LD V	Trailer	Truck	Mcycles	Caravan	Quads	Condor	Venture	Total vehicles
North	7	41	11	2	1	4	1	0		0	67
South	10	51	14	2	0	0	0	0	1	0	78
East	4	32	16	2		3		3		0	60
West	6	79	15	3	0	9	0	0	0	0	112
Metro Wide	0	22	14	1	0	0		0	2	1	40

Source: Annual Police Plan 2009/10

The above table (table 4.6) shows that the City of Cape Town Metro Police had a total staff capacity of 489 officials for the period of 2009/10, with most staff (132) placed within the West area of the city, whilst the North area had a total staff capacity of 84 officials.

Table 4.7 indicates that the CCT Metro Police had a vehicle capacity of 357. It further indicates that the Western areas of Cape Town had 112 vehicles at their disposal, whilst the North had about 40 vehicles, less than half of this of the West. This indicates that areas classified as CCID areas as pointed out in the literature review, received the biggest allocation of staff and vehicles for the 2009/10 period.

As indicated in the literature review, xenophobic violence took place mainly in areas such as Valhalla Park, Fisante Kraal in the Northern Cape Town; and Samora Machel in the South, in 2008. In review of the crime statistics, it is also evident that the Northern parts of the City experiences more crime than the Western parts of the City. Given these figures, one would have

expected to see that more resources be allocated to these areas to respond to not only occurrences of xenophobic violence, but everyday crimes faced by all citizens within these areas.

2012-2013 Human resources and vehicle capacity:

**Table 4.8: Staff in the Metro Police for the Period 2009/10**

Area	Director	Senior Superintendant	superintendent	Sergeants	Constables	Total Staff
North	1	2	4	12	68	87
South	1	2	3	14	61	81
East	1	2	3	12	65	83
West	1	2	3	12	85	103
Metro Wide	1	2	2	9	51	65

Source: Annual Police Plan, 2012/13

**Table 4.9: Number of Metro Police vehicles per area for the period 2012/13**

Area	Sedans	LDV	Trailer	Mcycles	Caravan	Quads	dbl cab	condor	Total vehicles
North	41	12	2	0	0	0	0	7	62
South	51	14	2	1	1	0	0	7	76
East	68	15	3	4	0	0	0	7	97
West	33	14	2	0	0	3	2	4	58
Metro Wide	21	4	1	1	0	0	7	3	37

Source: Annual Police Plan, 2012/13

For the 2012/2013 period, tables 4.8 and 4.9 indicate that the total staff capacity in the City of Cape Town Metro Police was at 419 Officials, with a vehicle capacity of 330 vehicles. A breakdown of these figures indicates that the Western Areas of the City had a higher capacity of Metro police officials, a total staff of 103 officials compared to the 87 in the Northern part of Cape Town. Given the fact that local government elections took place in 2011, one would have expected to see an increase in the number of Metro Police officers and vehicles assigned to the northern areas especially, where criminal activity is highest.

Since the attacks in 2008, it cannot be said that attention had been shifted to ensuring that more provision is made for safety and security of foreign nationals; or that CCT Metro Police had made any provisions for programmes to address xenophobic violence. What was found was that the City of Cape Town, in 2008, released a number of statements condemning xenophobic violence. With regards to programme developments, the City of Cape Town Municipality (2008) states that its Metro Police had “developed a risk management plan in conjunction with the South African Police Services in preparation for any outbreaks of xenophobic violence”. This plan is not available for scrutiny. In addition to this plan, the City also identified flashpoints where units were placed to pre-emptively respond to outbreaks of violence. These were but some of the immediate responses reported during 2008, but, since then, there have been no programmes or policy adjustments within the City’s Metro Police to address the safety challenges faced by black African foreign nationals in the communities of Cape Town. There has also been no increase in the services to poorer communities which would perhaps address some of the challenges relating to high crime statistics in these communities.

In summary, the City of Cape Town Metro Police's mandate includes the prevention of crime, amongst others. Guided by the By-Law for the promotion of a Safe and Secure Urban Environment 2002, the City’s Metro Police has a mission to render equitable, accessible and sustainable policing services to the communities of Cape Town, in conjunction with the South African Police Services. Crime statistics for the period 2009 to 2013 indicates that the Northern area of the City, which includes areas such as Elsies River, experienced the most crimes and crime related instances. It would thus be expected that the allocations of resources to such areas would be higher than those experiencing less crime. This is in fact not the case. The budget allocations of the Metro police for the financial periods of 2009/2010 and 2012/13, both indicate that more resources were allocated to areas which do not really need that much of these resources. Perhaps one of the reasons for this, as was earlier established, is that CCID areas are often afforded more resources as they are able to pay more. The allocation of human resources and vehicles would reveal the same pattern. These were mostly allocated to areas where crime is less likely to be committed because residents of those areas are more able to pay for protection services. The city’s metro police have no policies that directly address the need for services for black African foreign nationals. Moreover, it has no processes specifically aimed at assisting them. What also emerged from this study is that the CCT Municipality has but one by-law that

addresses the provision of services, and this one by-law holds many negative repercussions for citizens from previously disadvantaged communities who try to make a living through services such as car guarding.

The major themes that emerged from this review include the following concerning the City of Cape Town. The City of Cape Town has:

- no policies that speak to the safety and security of foreign nationals;
- had no major policy or by-law amendments since 2008 attacks; and
- effected no changes in the services rendered to previously disadvantaged communities, even in the wake of the 2008 xenophobic attacks.

#### **4.2.3 CITY OF CAPE TOWN BUSINESS AREAS MANAGEMENT – INFORMAL TRADE**

**The research question/s that was address through analysing the documents relating to the City of Cape Town Business Areas Management included:**

- *What financial resources, human resources and tools are available to the City of Cape Town (CCT) Municipality in the areas of Metro Police and Business Areas Management?*

##### **Informal Trade in the City of Cape Town**

The CCT Municipality's Informal Trading Unit is situated within the Business Areas Management (BAM) and consists of stakeholders that manage all business activities. The Business Areas Management thus comes into contact with black African foreign nationals involved with informal trading. In the City of Cape Town, street trading and spaza shops in communities have become a significant means of survival for those who cannot find work in the formal job economy. This includes South Africans and black African foreign nationals.

The City of Cape Town Municipality has an informal trading policy, which spells out the regulations for informal trading. These regulations are applicable to all those involved in informal trading, including black African foreign nationals. There are two policy documents that are of significance to this study: the Informal Trading Policy Document of 2003, and the same of 2013. The 2003 policy document would have informed trading regulations during the time-frame

of this study, whilst the amended 2013 policy would have provided for changes. The first vivid difference between these two policies can be seen in their respective vision statements. The vision statement of the 2003 policy conceives of informal trading as “A well-managed informal trading sector that is fully integrated into the economic, spatial and social development objectives of the city (City of Cape Town, 2003, p.5). By way of contrast, the 2013 vision statement conceives of informal trading as “A thriving informal trading sector that is valued and integrated into the economic life, urban landscape and social activities within the City of Cape Town” (City of Cape Town, 2013, p. 8). It is worthy to note that the formation of these two policies took place under two different political administrations in the City of Cape Town.

Secondly, these two policies reveal the key principles that govern the city’s approach to informal trading. The economic principles that underpin the 2003 policy states that “economic growth in the informal trading sector will be facilitated through ensuring that buildings and property owned by the city are used for the maximum social and economic development of the community within which they are located (City of Cape Town, 2003, p.6). The 2013 policy states that “...Ensuring that the buildings and property owned by the City are leveraged for maximum economic return” (City of Cape Town, 2013, p. 12). It would thus appear that the focus of the City in 2003 was on maximum social and economic development of the community, while, in 2013, this had shifted to maximum economic return. By 2013, the city had become focused on making profit. This begs the question: profit and economic return for whom?

In the 2003 policy, the city highlights its social principles, referring to the promotion of equity within the city to create a dignified city by spreading public spending in an equitable manner throughout the city with an emphasis on the poorer parts of the city that have not historically benefited from public spending, and viewing the location of public sector investment as an opportunity to integrate communities that have historically been spatially separated” (City of Cape Town, 2003, p. 7). These social principles do not appear in the 2013 policy which begs the question as to whether the city has neglected these social principles in its quest to create a restricted informal trading environment.

Neither of these policies makes reference to foreign nationals and the impact or regulations of their informal trade. The only time that foreign nationals are mentioned in these policies is with regard to them showing a working permit during the application process. Given the 2008 xenophobic attacks on especially trading black African foreign nationals, it would appear obvious that the City could have addressed some of the issues in their 2013 Informal Trading Policy or at least have acknowledged the impact of foreign traders. Whilst the 2003 policy is highly focused on integrating previously disadvantaged communities into the informal trading sector, the 2013 does not pay as much attention to this. Furthermore, the previously disadvantaged individuals mentioned in these policies are restricted to South Africans. The City could perhaps have made provision or acknowledged that many African Foreign Nationals come from a place of disadvantage.

There are also additions to the criteria for the allocation of informal trading bays in the 2013 informal trading policy which includes:

- New applicants will be required to undergo an information session regarding the informal trading policy and by-law
- Applicants will be assessed to determine training and development needs, which may include registration with an industry development organization

(City of Cape Town, 2013, p. 20)

What is interesting to note about this new addition is that many informal traders, both black African foreign nationals and South Africans, are neither familiar with the trading policy or by-laws as they are often subjected to intimidation by City police officers. Furthermore, this new policy addition seeks to determine the training and development needs of applicants, but does not make provision for any training to take place in the event that training and development is needed.

The 2013 policy now also makes provision for the transfer of a permit if the principal trader is not available for up to six months, but this is not applied as it was indicated by BAM that a permit gets revoked after 3 months.

## **By-laws:**

The 2009 Informal trading by-law is aimed at governing informal trading within its area of jurisdiction, which is the entire City of Cape Town Municipality. In this by-law, the City

...acknowledges the need for a balanced relationship between the informal formal trading sectors in order to promote social and economic development within a well-managed municipal area

(City of Cape Town, 2009)

The by-law also allows for preference to be given to applicants that are historically disadvantaged. The problem with this is that it includes only historically South Africans and not foreign nationals. Furthermore, the by-law makes provision for the impounding of goods in the event of any violations of this law); many commentators believe that this is often abused by city officials who target foreign nationals (as pointed out in the literature review). The 2013 amendment of this by-law highlight, as in the policy, makes provision of an absence of 6 months. The by-law further states that informal trading may not be conducted where it “obstructs the visibility of display windows of premises, and if the person carrying on that business in that business premises objects thereto” (City of Cape Town, 2009, p. 17). Firstly this is contradictory if it is the City that creates trading plans which cause an informal trader to be placed in front of a business’s display window. Secondly, this is in violation of the policy that states that mutual relationships need to be found between formal and informal business. The informal trading by-law also states that no person shall “deliver or provide goods or equipment to an informal trader if that trader trades in contravention of this by-law” (City of Cape Town, 2009, p. 19). Black Africa foreign nationals are known for bulk buying and redistribution amongst themselves. This has been their way of cutting costs. Distribution amongst informal traders is prohibited by the City, thus the City could be argued to be cutting down on good business practices.

## ***Human resources***

The human resource implications of the Business Areas Management (BAM) was not as clearly available as those for Metro Police, but a document provided by the Informal Trading Unit would indicate that this unit consists of roughly 19 permanent employees and two interns, who are responsible for rendering services with regard to informal trading in the City of Cape Town Municipality. It was indicated that this structure has not changed much over the years.

Therefore, for the purposes of this study, I assumed that this was the same structure in effect during the period of this study.

**Table 4.10 Division of areas for the service of the Informal Trading Unit**

Cape Town Central & CBD, Oudekraal, Camps Bay, Sea Point, Gardens, Woodstock, Salt River and Observatory	Marina De Gama, Muizenberg West, Fish Hoek, Simons Town, Cape Point, Kommetjie, Ocean View, Noordhoek, Hout Bay, Mitchell’s Plain, Weltevreden Valley
Pinelands, Epping 1, Thornton, Facreton, Kensington and Maitland	Mowbray, Claremont, Wynberg, Plumstead, Mitchell’s Plain, Weltevreden Valley
Athlone, Gatesville, Heideveld, Hanover Park, Wetton, Ottery, Lavender Hill, Grassy Park, Lotus River, Strandfontein, Muizenberg East	Paarden Eiland, Milnerton, Summer Greens, Du Noon, Vissershok, Atlantis, Melkbostrand, Blouberg
Brackenfell, Bloekombos, Fisantekraal, Durbanville, Kraaifontein, Welgemoed	Nyanga, Langa, Crossroads, Gugulethu, Philippi
Goodwood, Parow, Elsies River, Ruitervacht, Epping 2, Platteklouf, Panorama, Edgemead, Bothasig, Bellville, Airport Industrial, Belhar and Stikland	Khayelitsha, Mfuleni
Delft, Bishop Lavis, Bonteheuwel, Valhalla Park, Montana, Charlesville	Strand, Gordons Bay, Sir Lowry’s Village, Somerset West, Maccassar, Driftsand, Kuilsriver, Eerste River, Meltonrose, Blue Downs, Wesbank, Happy Valley, Blackheath

Source: Informal Trading Unit Document-Hardcopy received from Unit. (Appendix B)

Table 4.10 indicates the division of areas in the City of Cape Town Municipality Informal Trading Unit, where each block of areas has one “professional officer” assigned to render services to each block. These “professional officers” are assigned to deal with applications and acts as the initial contact between the informal trader and the City of Cape Town. The table above shows that one professional officer has to deal with many areas at any given time.

This is quite a number of applications to process since the City of Cape Town has a waiting list for informal trading applications. This could be an indication that the Informal Trading Unit is perhaps understaffed and would better be able to respond to problems experienced by both South Africans and black African foreigners if its staff capacity was increased. Furthermore, the document provided shows that there are two people assigned to trading plans and special projects. Again, this number should be increased in order to deliver a more efficient service.

### Resource evaluation

Evaluation of resources within the Informal Trading Unit forms an important part of this study. These evaluations will give an indication of where the City of Cape Town spends its money, what it is spent on and whether the expenditure is beneficial to black African foreign nationals in terms of addressing the challenges of xenophobic violence. In attempting to evaluate the resources in the CCT Municipality's Informal Trading Unit, the City of Cape Town Municipality's budget documents for a ten-year period from 2006 to 2016 were consulted, and the following found:

**Table 4.11: Informal Trading Unit proposed budget allocations for the period of 2006 to 2016**

	2006/ 2007	2007/ 2008	2008/ 2009	2009/ 2010	2010/ 2011	2011/ 2012	2012/ 2013	2013/ 2014	2014/ 2015	2015/ 2016
	'000	'000	'000	'000	'000	'000	'000	'000	'000	'000
Budget allocation to Informal Trading	R27,099	R34,759	R13,926	R13 070	R7 940	R6,973	R280	R 2 459	R1,446	R3 080

Source: CCT Capital Budgets 2006/07-2015/16

Table 4.11 is a display of the budgetary provisions made for the Informal Trading Unit of the CCT municipality for a ten-year period. The first noticeable difference between the proposed allocations are the uneven provisions made for this unit with the highest provision set at R34 759 474, and the lowest at a mere R280 000. What is also noticeable is that, while other departments saw major increases in their allocations for the preparation of the Soccer World Cup during the 2009/10 financial year, the Informal Trading Unit received no such increase. This means that no special provisions were made to include informal traders in the business of the World Cup, in fact, this period saw a number of marches against the City of Cape Town for not including informal traders in the CCT Municipality's plans.

### **2009/2010 Budgetary resources**

In the 2009/10 financial year, it was proposed that R13 070 203 be allocated to Economic and Human Development, specifically informal trade. Major allocations included R2 500 000 for City-wide Business Support/SMME facilities; R9 050 000 for Business Support SMME across the City; and R730 000 for Nonkqubela Market Stalls.

**Table 4.12: Major budgetary allocations for the financial year 2009/10**

<b>Budget Allocation</b>	<b>Commodity</b>	<b>Area</b>
R 2 500 000	Business Support/SMME Facilities	City Wide
R9 050 000	Business Support/SMME	City Wide
R 730 000	Market Stalls	Nonkqubela
R 80 203	3 Containers	Asanda Village
R30 000	Renewal: Installation of trading Bay	Claremont-Mowbray-Rondebosch

Source: City of Cape Town 2009/2010 - 2011/2012 Capital Budget, p 76

It is worth noting that this was during the time that the City was engaged in preparations for the 2010 Soccer World Cup – billed as an African event. The City’s informal trading policy and by-law makes provision for the city to move informal traders from certain areas in case of events, such as the 2010 World Cup. In the period leading up to the World Cup, informal traders in the City faced numerous challenges. Firstly, “informal traders in Cape Town complained about the City’s clampdown on trading stalls which contravene the Land Use Planning Ordinance and city by-laws, which threatened to disrupt service delivery during the 2010 World Cup” (West, 2009). Secondly, traders noted that the City had sent numerous eviction letters to informal traders, both in the CBD and other areas. Informal traders threatened to make the city ungovernable as they felt that they had been left out of the decision making process. What was supposed to be a major business opportunity for informal traders thus became restricted because the City had other plans. This policy change affected not only South Africans, but black African foreign nationals involved in trade as well.

The amount of money spent on Business Support/SMME facilities thus become questionable since informal traders faced so many challenges during this year. In November 2009, numerous marches by informal trading associations took place. One such march was against ‘underhanded and illegal evictions’ (Cassim, 2009). In February 2010, a similar march took place against the media release by then Mayor Dan Plato, which declared that “This decision declared Mitchells Plain Town Centre a restricted informal trading area, where no informal trading is permitted without the trader being in a designated trading area with a valid permit/lease” (City of Cape Town, 2010). Informal traders in Mitchell’s Plain felt that they were not properly consulted on those decisions and that it would be forced upon them by the City of Cape Town. One such trader stated that “if you say public participation, I look at the traders as a whole, but not as a few members” (The informal trader is thus saying that not all informal traders were consulted, that public participation includes everyone and not only a selected few) (Adams, 2009).

What is also interesting to note is that the City would supply ‘containers’ to less privileged areas such as Asanda Village, but not in areas such as Rondebosch or Claremont - the latter were classified as “installation of trading bays”. Informal traders within the Claremont or Rondebosch areas would thus never be supplied with containers as containers do not fit in with the image of these areas.

## 2012-2013 Budgetary Resources

In the 2012/2013 financial year, the proposed allocation of funds for economic development was a mere R280 000, compared to the 2009/10 financial year. The major proposed areas of expenditure included a R130 000 for the upgrade of a meat trader in the Asanda area; and R100 000 for the replacement of a laboratory roof in the Woodstock area.

**Table 4.13: Major budgetary allocations for the financial year 2012/13**

Budget Allocation	Commodity	Area
R 130 000	Upgrade of meat trader	Asanda
R100 000	Replacement of roof	Woodstock Laboratory

Source: City of Cape Town 2012/13 - 2014/2015 Capital Budget, p 121-122

In 2009, the Mayor, Patricia De Lille stated that “The City of Cape Town wants to move from a “red-tape” to a “red-carpet” approach with the regulation of informal traders” (News24, 2013). This had to do with the method through which the city facilitated business planning and how opportunities could be increased for informal traders. Contrary to this, many informal traders did not feel that opportunities were increasing, and, while they raised their concerns with the City, plans to incorporate informal traders into a designated trading area built by the City were executed without addressing these issues first. In 2013, the City of Cape Town, led by the Mayor, had an informal trading summit aimed at consulting stakeholders. At this summit, Caroline Skinner (2013) from the Research African Centre for Cities stated the following points:

Cape Town has far fewer public space traders in general and inner city traders in particular than other South African cities and Cape Town had spent less on street trader infrastructure.

Traders report they are unsure of their rights – highlighting the importance of user-friendly versions of the by-laws

Research shows that confiscation of goods has devastating livelihood impacts – setting business activities back by many months and in some cases destroying them altogether

Skinner (2013) highlighted a number of important factors. As previously mentioned, the City of Cape Town continues to limit the space for informal traders, especially those in the CBD areas. This often pushes informal traders to areas such as Mitchell's Plain. Informal traders are often not aware of their rights and go along with whatever restrictions and penalties the City imposes on them, unless the trade unions get involved. One such penalty that informal traders accept because they have no alternative is the confiscation of their goods; (which is often not returned to them in a good condition.)

Other major issues raised at the summit by informal traders included:

Place handcrafted goods on sand, soil and dirt pavements for a lack of trading infrastructure

Battle wind, rain, sun, harassment, pick-pocketers and more

Physically exert themselves daily – packing up and pushing heavy trollies uphill and/or against the wind, in the rain only to set up again the following day.

Events traders are tired of being told to move when there are events; they would rather be partnered with to add an extra “vibe” to events and be able to benefit from the events economy.

(City of Cape Town Informal Trading Summit, 2013)

In summary, The City of Cape Town has an Informal Trading Unit in the Business Areas Management which regulates all informal trade in the City. The mandate of the Informal Trading Unit is informed by the City's 2003 Informal Trading Policy, which was changed in 2013; and the Informal Trading by-law of 2009 which was amended in 2013. The amendment in policy would thus have informed the amendment of the by-law. What was interesting to note is that neither the policies nor the by-laws make any reference to foreign nationals, nor do they provide for any special applications or procedures, even after the 2008 xenophobic attacks. The Informal Trading Policy of 2003 placed great emphasis on incorporating previously disadvantaged communities and individuals into the informal trading sector, but this changed in 2013 when the City became more focussed on creating overall economic prosperity for itself. Also, this focus on the disadvantaged individuals in 2003 did not include foreign nationals. With regard to the by-laws, advantage is given to historically disadvantage South Africans only. There is no control over the bullying from formal businesses irrespective of by-law stipulations, and the by-law also prohibits the distribution of goods from one trader to others, which is what foreign nationals use as good business practice.

In terms of resource allocations, what is interesting to note here is the small allocation of staff to service the needs of the entire Municipality. Furthermore, informal traders; both black African foreign nationals and South Africans face numerous challenges. During the 2009/10 financial year, in preparation for the World Cup, the informal trading budget stood at about R13 million. It would appear that disadvantaged areas were supplied with containers, perhaps to attract city traders to these areas. Huge amounts were budgeted for Business Support/SMME Facilities, but no support was given to areas such as Mitchell's Plain and traders in the CBD. In fact, traders in the CBD were given eviction notices.

Continuing this trend of withholding resources, it was proposed that a mere R280 000 be allocated to informal trading in the 2012/13 financial year. This is the same year in which the City hosted an informal trading summit, confirming the challenges of which they were already aware. Challenges of infrastructure, abuse by officials, unlawful evictions, and exclusion from the City during major events were just some of the issues raised. Irrespective of the outcomes of that summit, and the awareness created around the needs of informal traders; the City still did not address the creation of formal structures, or abuse of informal traders. In fact, it continued not setting aside funds in its proposed budget to address these issues. This is evident through the little funds allocated to informal trading as illustrated in figure 4.2.3.

The major themes that emerged here thus include:

- no clear distinction on the trading rights of foreigners;
- lack of policy and processes that speak directly to foreign nationals;
- selective spending habits of the City;
- no changes in policy or processes even in light of the 2008 xenophobic attacks; and
- a failure to address the needs of informal traders.

### **4.3 CONCLUDING REMARKS**

This chapter presented the findings of the data collected during the documents study of this research. The documents evaluated in this study indicated that the CCT Municipality does not have any policies that directly address the concerns of foreign nationals in the City. The City also does not have any programmes aimed at curbing xenophobic violence especially after the 2008 xenophobic attacks. The findings also revealed that the CCT Municipality not only neglects to address issues related to foreign nationals, but its policies and by-laws are often beneficial only to a few selected areas in the City of Cape Town. It was revealed that areas where people are able to pay more for services would receive more services, areas such as Athlone and CBD for example; which mean that there is an unequal allocation of resources. This is often one of the factors contributing to the frustrations felt by ordinary citizens in the communities of Cape Town. The following chapter will present the data collected during the interview processes.



## CHAPTER FIVE

### PRESENTATION AND DISCUSSION OF FINDINGS FROM THE INTERVIEWS

#### 5.1 INTRODUCTION

Chapter 5 presents the findings of the data collected during the interviews with black African foreign national traders, and the key informant interviews with the Business Areas Management and NGO staff. The aim of interviews as a secondary means of data collection was to triangulate the data collected in the documents study of this research. Put differently, this chapter; along with Chapter Six, will attempt to answer the questions introduced in chapter 1, which read as follows:

- *What, in real terms, has been done over the period 2008-2013 to curb attacks on black African foreign nationals?*
- *What difficulties are experienced by local municipalities in rendering services to black African foreign nationals and protecting them from xenophobic violence?*

#### 5.2 DESCRIPTION OF INTERVIEWS

For this research, two key officials from the Informal Trading Unit in the Business Areas Management and two key informants from two different NGOs were interviewed. Additionally, five black foreign national traders - two in the Wynberg area and three in the Cape Town CBD – were interviewed.

A brief biography of the interviewees is included:

***Business Area Management:*** The researcher interviewed, Mr A who was at senior management level and Mrs T at middle management level. The highest educational qualification of both participants is grade 12 and both have been employed in local government for more than 10 years and for more than 5 years in their current positions.

**NGOs:** Two NGOs were approached for interviews, and two participants from each NGO were interviewed. Of the four participants, one was at senior management level, one was at middle management level and two were at junior management level. Only one of the three NGO participants has a qualification below grade 12. The other three participants have either a degree or a post-graduate qualification. All four participants have been working with African foreign nationals for more than 5 years in their current positions.

**Black foreign national traders:** As presented in Table 5.1, of the five black foreign national participants, two were males trading in the Wynberg area; one was a male trading in the CBD and two females trading in the CBD. The participants interviewed were of Malawian, Somalian, Cameroonian and Zimbabwean nationalities. Four of the five participants were between the ages of 25-34 and one participant between the ages of 35-44.

**Table 5.1: Presentation of participant details**

Participant Name	Country of Origin	Trading Area	Age Category
Mr G	Malawi	Wynberg	25-34
Mr H	Somalia	Wynberg	25-34
Ms I	Cameroon	CBD	25-34
Mr J	Somalia	CBD	25-34
Ms K	Zimbabwe	CBD	35-44

### **5.3 HOW CITY OFFICIALS AND NGO STAFF UNDERSTAND THE STRUCTURE OF THE CCT MUNICIPALITY**

Officials employed by the City of Cape Town are expected to efficiently render services to both South Africans and black African foreign nationals. It is therefore important for officials to understand the structure and policies of the municipality.

NGOs who work with foreign nationals also need to understand this structure as they act as advisors to foreign nationals. Of the two City officials interviewed, only one correctly identified the City of Cape Town as a Metropolitan Municipality situated in an urban area, whilst all four

NGO participants were familiar with this. Only one of the NGO participants identified the CCT Municipality as one of the highest performing municipalities in South Africa. Of the six participants, only one of the NGO participants knew the population size of the municipality but all six participants agreed that the population size would include foreign nationals such as Zimbabweans, Somalians, Angolans and other nationalities. All of the participants have contact with black African foreign nationals, two through trade-related activities and four through NGO support.

The findings above indicate that NGO staff have a better understanding of the structure of the City of Cape Town Municipality than the City's own officials. This is a paradox. City officials are responsible for rendering services to the City's population on behalf of the City of Cape Town. The findings highlight that all the participants are fully aware that African foreign nationals are from all over Africa and not limited to the groups that mostly commonly referred to, which is Zimbabweans and Somalians.

#### **5.4 DIFFERENTIATING BETWEEN THE VARIOUS CATEGORIES OF FOREIGN NATIONALS**

Landau, Segatti and Misago (2011, p. 14), in their paper titled *Governing Migration & Urbanisation in South African Municipalities*; discusses the findings of the South African Local Government Agency's (SALGA) study which was dedicated to "understanding the nature, magnitude and implications of migration for municipal governance and planning". Some of the major findings in this report by Landau et al indicate that local government not only does not make provision for national and international migrants, but also makes no provision for domestic migration either. They also argue that "the level of understanding of migration dynamics among municipal officials is limited by the absence of high quality data, ignorance about the data that do exist, a lack of skills in analysing what is actually available and a range of negative stereotypes attached to transience and international migration" (Landau et al, 2011, p. 43). Data collected from four municipalities would also suggest that it is not only ordinary citizens who seem to have anti-immigrant sentiments, but also local government officials within all levels of the structure who often share the same sentiments. More importantly, Landau et al (2011) highlight the need for policy revisions based on an unbiased understanding off the population dynamics.

The responses to the question regarding the different categories of foreign nationals were rather concerning, since neither of the two City official participants were clear on what was meant by the term “category of foreigner”, and this had to be clarified to them. This is important since the type of category determines the type of services that African foreign nationals may be assisted with. Mr A indicated that he does not assess foreign nationals on the type of category they fall in to, that this is done by the junior staff. Mrs T indicated that she is not too familiar with the different categories, but those who apply for informal businesses licences are mostly asylum seekers.

By contrast, all four NGO participants were able, immediately and without an explanation of the question required, to distinguish between the different categories of foreigners. In the responses from NGOs, participant Ms C stated that:

Yes, very familiar. There are administrative categories in terms of documentation. The asylum seeker is the person who has made application to asylum. Recognized refugee whose asylum application was granted. Then there is a migrant which is a holder of a passport and visa that corresponds with their purpose for their visit to SA (e.g. work, study). Undocumented migrant, someone who has no document whatsoever to document at all to legalise their stay in SA. Then there are citizens and permanent resident. Visa is thus temporary resident and permanent resident is another category.

This could perhaps be linked to the findings highlighted by Landau et al (2011) as mentioned above, where City officials not only fail to understand the structure of the City of Cape Town Municipality, but also the migration and population dynamics of the City.

## **5.6 KNOWLEDGE OF THE RIGHTS OF FOREIGNERS**

The Two City officials both said that they are familiar with the rights of foreigners. Mrs T in the City of Cape Town Municipality indicated that:

We don't discriminate, its first come first served. Even above a local person. If you have been on the waiting list for a long time, then we will offer you the opportunity to trade, even if a local person has applied as well.

All four NGO participants indicated that they are familiar with the rights of foreigners, and fully elaborated on the rights of the different categories. Ms C indicted that:

Refugees and asylum seekers have the same rights as South African citizens, accept they do not have the right to vote or form a political party.

Mrs F, a participant from the second NGO had quite an interesting response when she stated that:

Refugees have the same rights as South Africans except that they cannot vote, but this is different to the rights of asylum seekers. But these rights are not applied.

This would indicate that City Officials fail to distinguish between the rights of foreigners, and that their knowledge of the rights of foreigners is limited to what they see on the permits of foreigners. The response from Mrs T also highlights the fact that policy does not inform the behaviour, that policy is often disregarded. It could thus be argued that NGO staff are more aware of the different categories of foreigners than City officials.

## **5.7 CHANGE IN POLICIES AND PROCESSES SINCE THE 2008 XENOPHOBIC ATTACKS**

It was established that up to 2 000 black African foreign nationals seek assistance from the two NGO's interviewed. These services include assistance with permits, assistance in accessing basic services such as housing and schooling; services in training and development and how and where to apply for jobs. From this, it is clear that foreign nationals have a great need for services. Mrs F indicated that many black African foreign nationals also seek assistance with applications for trading licenses and often do not know where to go for this.

Since the outbreak of xenophobia in 2008, the City of Cape Town has made no amendments to the policies that directly and indirectly affect African foreign nationals. There has also been no amendment to processes followed by foreign nationals. For example, when applying for a trading license, foreign nationals follow exactly the same procedures as South Africans. Mr A stated that:

The only difference is to ascertain that the person is legally in the Municipal Area

Both participants indicated that they are not aware of any policies that directly speak to foreign nationals and there is thus no need to implement any policies, other than what the city has at the moment.

All four NGO participants stated that foreign nationals do not receive enough support from local government and stated that there are no special or additional services to assist foreign nationals, even in light of the 2008 xenophobic attacks. Participants indicated that they are not aware of

any policy changes that are beneficial to foreigners but indicated those which are not beneficial, such as the new visa regulations and the City's amended trading by-law.

Mrs D indicated that the City offers no programmes to assist foreign nationals in dealing with their challenges. It was stated that:

I also think that they want to first save South Africans before foreigners. It's not supposed to be like that, you are supposed to treat everyone fairly. The City also discriminates against those who do not have documents and offers no assistance to rectify this. They also often think that you have received your documents illegally, especially the metro police

## **5.8 CHANGES NEEDED TO CURB XENOPHOBIC VIOLENCE**

NGO staff was requested to comment on the challenges faced by black foreign nationals in Cape Town. The challenges highlighted here include not only language barriers, but also issues around obtaining relevant documents. Participant A highlighted the impact of the closure of the Cape Town Refugee Office ("Foreign Office") on foreign nationals in the City of Cape Town as catastrophic. Ms C stated that:

The closure of the Cape Town refugee office would see foreigners having to travel to Durban or Musina to extend applications and these processes could take up to months.

This becomes an important aspect since it was highlighted by the Informal Trading Unit that trading bays could only be held for up to three months. This would thus mean that foreign nationals, who now have to travel for long periods of time in order to update their permits, are most likely to find that, upon their return, that they do not have an informal trading bay any more.

Mrs D highlighted that:

Many foreigners are also discriminated against when it comes to work. South Africans take advantage of the fact that foreigners are desperate and will work for lower wages. And in many cases, when the permit is about to expire, the bosses refuse to pay foreign nationals.

Mrs F highlighted that:

There's a lot of issues with documents, housing problems, xenophobia and discrimination, racism and problems applying for trading licenses as they often do not know where to go.

Since this NGO participant was previously an informal trader, it was interesting to get her views on this. She stated that:

During 2009, the City wanted to relocate us to the locations due to the World Cup, but we refused to go there as we feared for our safety. It's better to be safe than sorry. I then started working at this NGO in 2009.

City officials who have contact with foreign nationals are in the best position to influence not only them, but also the South Africans they work with everyday. Participants were asked what they think needs to change to prevent the outbreaks of xenophobia and the following was found.

Mr A stated that:

What we do need to be aware of is to fully understand the City of Cape Town's position on people wanting to trade as informal traders. To act as a City official and not to be swayed by one's own personal preferences or prejudices for or against foreign nationals

This may indicate that there are some officials who are influenced by their own opinions rather than acting as officials of the City. Staff may thus have to be a bit more vigilant in their approach to foreign nationals.

Mrs T, in reference to the commodities on Greenmarket square, believes that the City does not create enough inclusion for South African arts and crafts. The participant stated that there are too many foreign arts and crafts on this square, and that the city should perhaps consider creating a more localised space. This may indicate that the City needs to consider creating equal numbers of commodity stands which will not allow space for accusations of discrimination by local South African traders.

## **5.9 DIFFICULTIES IN RENDERING SERVICES TO AFRICAN FOREIGN NATIONALS**

Officials in the Informal Trading Unit reported a number of challenges in rendering services to African Foreign Nationals. One of the major challenges faced in this unit is perhaps the issue of language. Mrs T stated that:

The key challenge has been the language, understanding what the foreign national is trying to say. Sometimes their English is not great and sometimes their accent makes it difficult to understand

Another major challenge was the lack of information available to foreign nationals about where to seek assistance. Mr A indicated that:

Foreign nationals come into the Cape Town municipal area they don't necessarily know upfront that you have municipal officials who are available and who will treat you without fear or favour. They then go into the trading areas to enquire about trading spaces, and what then happens is that there might be a bias for or against them. There might also be extortion of money, pay us money and we will get you a trading space

NGO staff also raised a number of issues in rendering services to foreign nationals. One of the main challenges raised was being unable to render services to undocumented foreigners. Two of the four NGO participants stated that the City should play a bigger role in assisting foreign nationals to obtain the correct documents. It is also a struggle for foreign nationals to obtain welfare assistance as preference is given to South Africans.

## **5.10 OTHER ISSUES RAISED**

Participants were given the opportunity to raise any other issues which had not been addressed in the interviews. There were quite a number of issues raised here. Officials within the Informal Trading Unit highlighted the idea that South Africans are often jealous of foreign traders because it appears to them that it is easier for foreigners to accumulate resources to start up their own businesses, because they have better networking arrangements with each other compared to South Africans, and because foreigners seem to have a better work ethic than South African traders, often even trading on rainy days. This would indicate that there is perhaps a need for South African informal traders to be offered services in how to run their businesses and how to form better networks with both other South Africans and foreign nationals.

It was also mentioned that formal businesses often pose major challenges for informal traders as they often do not want the informal traders in front of their shops. It was further mentioned that the City sometimes favour formal businesses over informal traders. Mrs T stated that:

The Sea Point trading plan was reviewed 100 times over

This relates to the fact that many informal businesses had been removed from the Sea Point area. Those removed were not only black African foreign nationals, but many South African traders as well. So for both South African and black African foreign traders, the City offers no real protection against the bullying behaviour of formal businesses.

One of the City officials stated that local government is not consulted on policies relating to migration, and that decisions taken at national level are expected to be adhered to by local governments.

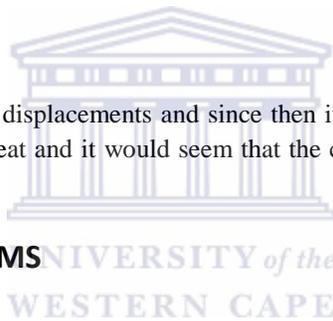
NGO participants raised some interesting points. Two of the four participants interviewed referred to the need to address institutional xenophobia. Ms C stated that:

I think that one of the ways to combat xenophobia that's really overlooked is looking at the institutionalised forms of discrimination against foreign people which fuels xenophobia. I think this is the basis of it all. Like really on the ground people, authorities and public officials working with foreigners and acting as gatekeepers to whether their able to exercise their rights. There's a lot of need for training and creating awareness on who is allowed certain services or not.

This comment refers to distinguishing between the various rights of foreigners who enter South Africa.

Mrs D interestingly stated that:

The City footed the bill for the 2008 displacements and since then it would seem that there is a change in attitude. Support has not been that great and it would seem that the city is a little frightened to address the problem.



## **5.11 THE VIEWS OF THE VICTIMS**

### **Employment and Income of black African foreign national traders**

Many commentators are of the opinion that black African foreign nationals are better educated and more driven than the South Africans who commit violent acts of crimes against them. The thinking is that these violent crimes stem from jealousy. To establish the basic settlement of black foreign national traders in South Africa, a number of questions were asked around income, their family and their experiences in the City (as per the questionnaire). What was raised during these interviews is that three (3) of the five (5) participants indicated that they had been employed in their home countries. Two (2) of the three who said that they were employed in their home countries earned a higher income there. Three (3) of the five have been in South Africa for more than 5 years, which means they were here when the attacks took place in 2008, whilst the other two have been in South for less than 4 years, which means they were not here; but came to South Africa nonetheless.

These numbers would indicate that black African foreign nationals do not necessarily come to South Africa for economic reasons, but other reasons which might pertain to war and violence. (This is pointed out in the literature review.) It would also indicate that black African foreign nationals, in spite of sporadic violent occurrences of late, still find it a better option to move to South Africa, many bringing their families with them. Four of the five respondents indicated that they have family in South Africa, specifically in Cape Town.

The three respondents that indicated that they were in Cape Town when the attacks occurred were all employed in informal trade. What particularly stood out for the researcher was that two had lost their stalls in Mfuleni and Dunoon where they were set up during the 2008 attacks.

It has often been argued that finding employment in South Africa proves to be a difficult challenge for black African foreign nationals in particular. Whilst the Refugee Act 1998 makes provision for the employment of refugees; and the Migration Act make provision for employment of the various categories, this is not always applied in the workforce. Asked whether they feel that special allowances should be made for the employment of foreign nationals in South Africa, all five indicated yes. Ms I indicated that:

There should be a law in place that allows foreigners easier access to Jobs. When South Africans come to my home country they get jobs, they are not left without jobs and we should be treated the same in their country

Ms K indicated that:

The law does state that refugees are allowed to be employed, but we don't get the jobs that we are qualified for in South Africa. South Africa does not see that we are teachers in our countries instead we must come here and look for other jobs that pay a little money

It would thus appear that whilst the policies make provision for employment, these are not necessarily focused on employing foreign nationals in their area of specialty. This is perhaps one of the areas to which the City of Cape Town could also give attention.

## **Black African foreign national trader experience with Metro Police**

In assessing whether CCT officials distinguish between the different categories of foreigners, all five respondents indicated that they make no distinction. This is not always a positive image, especially since it is widely believed (as indicated in the literature review) that officials often treat all foreigners as being in the country illegally.

It has previously been mentioned that both black African foreign nationals, as well as South Africans are not familiar with the by-laws of the City of Cape Town. Asked whether they are familiar with the by-laws of Cape Town, all five responded that they are. Further enquiry into these by-laws would indicate otherwise. The participants interviewed are only familiar with the trading law which restricts their movement and creates the boundary of their stalls. Enquiry into whether any of these laws are beneficial to foreign nationals, all five respondents indicated that the laws are not beneficial.

Mr G indicated that:

You get fined for everything; the police come here and tell you that you are off your mark

Ms K indicated:

We don't benefit from those laws, they only benefit South Africans

Modern day studies on xenophobic violence, such as those done by Botha (2012) would include questions on what foreigners view as the reasons behind the attacks on them, but not many have asked foreigners what they believe the authorities should be doing to assist them. Black Foreign national traders were asked about what they think the CCT Municipality could do to prevent the outbreak of xenophobia. Four of the five said that the city should improve security on the streets, especially the security of foreigners.

Mr J indicated that

the metro police, they will come here and I will show them even who stole from my stall but they will do nothing, but if you fight with the people then they blame you

Asked whether they feel protected by Metro Police, four of the participants said, yes. One of the participants in the Wynberg area said, no, and gave as reason his experience that the police never does anything when informal traders tell them that people stole from them. Asked whether Metro Police treat foreigners the same as South Africans, three of the participants said, no.

Mr G said that:

They always ask us for our documents

Ms I said that:

The way they speak is not the same; they always think we are here illegally

To examine whether Metro Police, as often reported, shows any hostility toward black African foreign national traders, participants were asked whether they have ever experienced hostility from Metro Police. Three of the four participants indicated that they have. Two of those participants operated in the CBD.

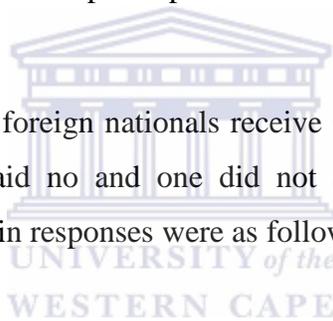
Asked whether they think African foreign nationals receive enough support from Metro Police, two indicated sometimes. Two said no and one did not answer. Asked whether they have anything else to add, two of the main responses were as follows

Ms K indicated that

The City should help foreigners, and they must treat us the same as South Africans. Here in Cape Town they favour the South Africans more. The Metro Police will target foreign stalls but will never say anything to the South Africans. Also, sometimes they speak Afrikaans and you can't understand them.

Mr G (Wynberg) indicated that

They must stop taking our stuff, when we do something wrong they take our stuff and you must pay to get it back



## 5.12 CONCLUDING REMARKS

This chapter presented the findings of the data collected during the interviews with black African foreign national traders, and the key informant interviews conducted with BAM and NGO staff. The findings highlighted that local government officials, even though they are employed by the City of Cape Town Municipality, often do not understand the structure of the Municipality. NGO staff had more knowledge of the CCT Municipality's structure, as well as the various categories of foreigners. These are quite important aspects to understand when rendering services to African foreign nationals. It was also found that municipal officials fail to distinguish between the different categories of foreign nationals which could impact on the type of services that foreign nationals receive. City officials seem to have limited knowledge of the rights of foreigners, basing their services solely on what is written on the permit of the foreign national. NGO staff are of the opinion that local government does not do enough to support foreign nationals. This can be seen in the fact that the City of Cape Town has not made any changes to its policies nor has it established any programmes that address the violence against African foreign nationals after the 2008 attacks.

Officials within the City of Cape Town Municipality face numerous challenges when rendering services to African foreign nationals. Language barriers have been mentioned as one of the biggest issues. They also feel that there are often not enough ways of getting information through to foreign nationals. Being able to do so would assist them. Officials within the Informal Trading Unit also face the challenge of bias and abuse by formal businesses that are often not accommodating.

Interviews with black foreign national traders yielded different perspectives. While there are those that feel protected by Metro Police, others feel that they are being discriminated against and seen as illegal aliens, despite the fact that they have the necessary documents to be in South Africa. It was pointed out that Metro Police officials are not always as accommodating of African foreign nationals as they would be of South Africans.

The following chapter reveals in more details, the implications of these findings.

## CHAPTER SIX

### SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

#### 6.1 INTRODUCTION

Chapters Four and Five presented the findings of this study and revealed a number of issues within the two selected areas of the City of Cape Town Municipality. Emerging patterns in the study of documents, as well as the key informant interviews revealed that there are no policies that directly address the needs of foreign nationals in either of the two areas of this study and that the needs of citizens in previously disadvantaged communities are often neglected in the absence of clear policy directives. This chapter will provide a discussion on the findings and the implications that this might have on black African foreign nationals in the city of Cape Town.

#### 6.2 SUMMARY OF FINDINGS

The data presented in Chapters Four and Five revealed that local government too has a role to play in addressing the phenomenon of xenophobic violence, since the omission of regulations that directly address the situation of foreign nationals and which address the exclusion of many previously disadvantaged communities from the broader development of the City often enhances xenophobic tendencies of the people. The findings in the study revealed the priorities of the City of Cape Town Municipality and presented two areas under which these priorities especially, to African foreign nationals are not made very clear. The findings revealed a number of issues that could be seen as creating an environment conducive for xenophobic violence. The findings are as follows:

##### **CCT policies relating to trading and policing that directly and indirectly affect foreign nationals in the city**

The findings revealed that the City of Cape Town Municipality, in the two areas of this study, have numerous policies and subsequent by-laws that indirectly affect black foreign nationals, but none that directly address their concerns. The policies and by-laws that affect black African foreign nationals indirectly include the following:

- *The By-Law for the promotion of safe and secure environment 2002*, which is concerned with the safety and security of the people in the city of Cape Town.
- *The Informal Trading Policy and Management Framework 2003*, which is concerned with informal trade regulations and has a great emphasis on the incorporation of previously disadvantaged individuals but is not inclusive of previously disadvantaged African foreign nationals.
- *The Informal Trading Policy 2013*, which is concerned with informal trade regulations, and is evident of a shift in focus from the previous informal trading policy.
- *The Informal Trading By-Law 2009*; which is concerned with the official legislation on trading
- *The Informal Trading Amendment By-Law 2013*, which amends certain areas of the 2009 Informal Trading by-law.



### **Uneven allocation of resources in the areas of the CCT Municipality**

Landau et al (2011, p. 50) argues that planning failures are not only to be attributed to the lack of data available on population statistics; but should also be viewed in terms of shortcomings within governing frameworks and participatory planning which are not conducive to outsiders' participation. It is also argued that tensions within municipalities are likely to remain in the absence of incorporating migration into local government plans. Landau et al (2011, p. 58) highlights the fact that municipalities “typically deny that their services and resource allocation systems may unintentionally result in discriminatory allocations”.

The findings in this study reveal that Metro Police resources are unequally allocated to the areas in the CCT Municipality. Areas which statistically are most in need of Metro Police resources often received less than areas that have been classified CCID areas. One of the major implications of this is that areas experiencing higher incidents of crime would have to rely only on the South African Police Services and that the City's Metro Police are not responsive to the needs of the people within those areas. There is also an indication that the City fails to plan for migrants and the expected issues thrown up by their presence in the City. Landau et al (2011, p.9) states that “Given negative public attitudes towards migrants, officials are unlikely to insist

that resources be dedicated to unwanted future residents, especially when they are equipped with only a limited knowledge of migration dynamics”.

It was furthermore revealed that informal traders are often neglected when major events such as the Soccer World Cup take place. Despite the great number of informal traders, the City’s Informal Trading Unit does not have the requisite staff capacity to deal with the different areas. Budgetary allocations reveal that the informal trading budget does make provision for previously disadvantaged areas to receive upgrades, but not necessarily to the standards that CCID areas would receive. An example of this is the supply of containers to areas such as Asanda, while containers would never be supplied to areas such as Camps Bay. Furthermore, the proposed budget allocation over a 10 year period reveals specifically targeted financial years, such as that of 2009/10 when the city deemed it necessary to make special provisions in preparation for the Soccer World Cup. The findings furthermore revealed that there is a clear need for interventions and programmes to educate not only black African foreign traders, but South Africans as well on the by-laws of the City of Cape Town.

#### **Lack of understanding regarding the structure of the City of Cape Town (CCT) Municipality**

The CCT Municipality is guided by numerous national Acts which dictate that the municipality has the right to determine the ratings of a property and offer reductions; that it should practice sound financial management standards that are beneficial to all who live in the City and that the City should make provision for the social and economic upliftment of communities. Since the CCT Municipality is established as a Metropolitan Municipality, one of its key roles is the creation of city-wide spatial integration and socially inclusive development. As revealed in this study, City officials do not have a clear understanding of the structure of the CCT Municipality. Officials are not familiar with the number of people the City needs to render services to, although they are aware that the population figure includes African nationals from all over the continent. The failure of City officials to understand the structure of the CCT Municipality holds implications for not only black African foreign nationals, but also for South Africans. As alluded to in Chapter Four, one of the key roles of Metropolitan Municipalities includes creating city-wide spatial integration and socially inclusive development. City officials would find value in understanding exactly the role of Metropolitan Municipalities and their responsibility towards

the people in the areas. It was found that NGO staff has a better understanding of to the structure of the City of Cape Town Municipality.

### **Unchanged policies and lack of programmes since the 2008 xenophobic attacks**

In evaluation of the documents relating to the City's Metro Police, it was found that there are no policies in this department that speak directly to the protection of foreign nationals and no clear programmes to address the safety challenges faced by black foreign nationals, even after the 2008 xenophobic attacks. The findings revealed that, even in light of the 2008 xenophobic attacks, the City of Cape Town did not amend any policies or create any programmes to address the challenges faced by black African foreign nationals in the City. Regulations in the by-law for the provision of a safe and secure urban environment proved to be restrictive to both South Africans and foreign nationals with specific reference to the provision of car guards, with the City creating its own system and restricting civil society from making money out of this service.

The documents relating to the City's Informal Trading Unit found that although there were amendments to the informal trading policy in 2013, neither the 2003 nor the 2013 policy documents make reference to foreign nationals. It was also discovered that the City had a shift in priorities, and became more focused on creating a profitable environment rather than an inclusive environment. This created a city-wide problem that affects both black African foreign nationals and South Africans.

There are numerous implications of not redressing policies and by-laws in the CCT Municipality. Firstly, South Africans from previously disadvantaged communities who seek to make a living from things such as car guarding will continue to face challenges from the City's Metro Police. Informal traders will continue facing challenges when the City has major events and decide to move them along. Black African foreign national traders, in particular, will continue to face challenges of getting permits. At the same time, South Africans will once again, in light of the failure of the CCT Municipality to address their challenges, take out their frustrations on the African foreign national informal traders.

## **No differentiation between the various categories of Foreign Nationals and no knowledge regarding their rights**

Landau, Segatti and Misago (2011, p. 8) argues that “one of the most fundamental challenges to local government in protecting the rights and welfare of migrants and other residents is how little municipalities know about the people living in their areas of jurisdiction”. They also argue that the success of municipalities “depends on authorities’ ability to develop and respond to a nuanced and dynamic understanding of their constituencies” (Landau et al, 2011). It is thus important to differentiate between the various categories of foreigners in South Africa; since not all categories are eligible to receive the same services. It will also assist to understand the various processes that foreigners go through to obtain the necessary documents and how long each of these processes will take. One such example would be a refugee having to renew their permit. Understanding the process of applying for this permit and the time it will take to have the permit renewed will assist officials to deliver more efficient services and perhaps be more accommodating of the struggles of black African foreign nationals in the City of Cape Town. The findings revealed that officials in the CCT Municipality do not differentiate between the various categories of foreigners. Services are rendered based on what is stipulated on the foreign national’s permit. This often causes black African foreign nationals to lose their trading bays when they travel for long periods of time, or cause them to be harassed by Metro Police for not having permits on them. The findings also revealed that NGO staff is well acquainted with the different categories of foreign nationals, more so than City officials. It would appear that, through their failure to differentiate between the various categories of foreign nationals, City Officials are not familiar with the rights of foreigners.

Failing to distinguish between the various categories of foreigners and having no knowledge of their rights means that City officials will never deliver effective services to African foreign nationals. If this failure is not addressed, black African foreign nationals will continue to face challenges of service delivery within the CCT Municipality.

## **Changes needed within the Metro Police and Informal Trading Unit to curb xenophobic violence**

Landau et al (2011, p 8) states that “Migrants are members of the community entitled to government resources, and are potential resources for communities, but in many cases, government officials see them as an illegitimate drain on public resources”. The findings revealed that black African foreign nationals face numerous challenges relating to language barriers, assistance in acquiring the necessary documents and discrimination from South Africans in general and state officials in particular. They also face the challenge of not knowing where to go for assistance on issues such as trading. It is clear that the closure of the Cape Town Refugee Office creates major issues for foreign nationals situated in the City. While this was not a cause of local government decisions, NGOs are of the opinion that the City could find some means of assisting foreign nationals to acquire these documents. The findings also revealed that City officials may be influenced by their own prejudice when rendering services to African foreign nationals. In light of this, it is evident that municipal departments need to make a number of changes to its policies as well as the day to day functions of certain departments in order to curb xenophobia. Landau et al (2011, p. 58) suggests that “rather than excluding new arrivals from broader deliberative structures, there is a need to shift incentives for police, community policing forums and other community structures to becomes more inclusive”.

The City should perhaps find ways to assist foreigners to acquire the necessary permits and documents needed. City officials need to be more vigilant when rendering services, and not allow personal views and prejudices to dictate the services rendered to black African foreign nationals. In order to avoid extortion from South Africans as mentioned in Chapter Four, African foreign nationals should be able to access City information without any challenges. The City should thus make information more easily available. This will also be beneficial to South Africans as it can help them to access assistance.

Black Foreign national traders are of the opinion that they could best be assisted by Metro Police officials adopting a more visible policing approach. Such an approach would not only reduce the chances of foreign national traders' goods being stolen, but would also reduce any discriminatory acts against them. Metro Police officials should also be more professional when rendering services to black African foreign nationals, and not allow personal opinions and biases to affect their conduct.

### **Difficulties in rendering services to African foreign nationals**

City of Cape Town officials as well as NGOs face numerous challenges when rendering services to black African foreign nationals. Examples of such challenges – according to officials in the Informal Trading Unit - are language barriers and a lack of information hubs that foreign nationals could access for assistance. The implications of leaving these challenges unaddressed are that African foreign nationals will continue to receive inadequate service from City officials. The failure to create information hubs would create opportunities for extortion and abuse from South Africans, as previously mentioned.

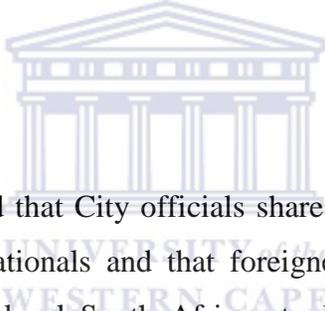
City officials are also of the opinion that local government is not consulted with regard to migration policies and often have to deal with the effects of decisions made at national government level. Landau et al (2011, p. 11) too acknowledges this challenges, but then argues that “there appear to be few leadership initiatives in terms of lobbying for either an individual or a collective rethink of the LGES or other policy issues directly affecting municipality’s ability to address population dynamics”.

NGO staff revealed that they encounter obstacles when rendering services to black African foreign nationals as many such foreigners are undocumented and the city offers no assistance in that regard. They also face challenges as welfare assistance gives preference to South Africans.

## **Ongoing challenges faced by black African foreign nationals**

Despite the sporadic attacks on them, many black foreign nationals still feel that they would rather come to South Africa and build a life here, as they have to face worse challenges in their own countries. Bringing with them their families, black African foreign nationals - often highly qualified in their own countries – have to settle for a life of trading, as their skills and qualifications, according to them, are not recognised in South Africa. While the law makes provision for refugees and other categories of foreign nationals to access jobs, the mainstream application of this seems to be different. Black Foreign national traders in particular, continue to face resistance from ordinary South Africans and often officials of the state as well. The data revealed that many foreign national traders do not fully understand the policies and by-laws of the City of Cape Town. An understanding of such would perhaps make life easier for them.

## **Other issues**



The findings of this study revealed that City officials share the common perception that South Africans are jealous of foreign nationals and that foreigners have a better work ethic. This indicates that there is a need for local South African traders to undergo skills development training. It was also revealed that major businesses pose a threat to informal traders since trading plans are often reviewed to accommodate the preferences of formal businesses.

NGO staff are of the view that institutional xenophobia is one of the main reasons for attacks on foreign nationals and that public officials need to be trained on the various categories of foreigners and how to render services to each group. The findings further revealed that since the 2008 xenophobic attacks, the City of Cape Town has taken a back seat and not addressed any of their concerns of the issues related to xenophobic violence.

### 6.3 CONCLUDING REMARKS

This study, in Chapter Two, discussed the numerous hypotheses surrounding xenophobic violence: The scapegoat hypothesis suggests that South Africans are frustrated with the lack of service delivery and direct their frustration at black African foreign nationals who have incorporated into the communities. The isolation hypothesis argues that South Africans are not used to “foreigners” and that xenophobia is product of futile isolation policies, whilst the biocultural hypothesis argues that xenophobia is unequally applied to foreigners.

Neocosmos (2006) argued that these explanations are in fact inadequate when considered within the context of the state’s contribution towards the creation of an environment that is conducive to xenophobic violence. In light of the inadequacies of these hypotheses; this study instead focused on the argument that policy omissions on the part of the state are conducive to creating a chaotic social environment. Such policy omissions can be seen in the City of Cape Town’s failure to respond to the needs of all the city’s inhabitants and directly address the concerns of foreign nationals in its budgets, resource allocations and by-laws. While the City of Cape Town has numerous policies and by-laws to regulate the behaviour of citizens, and does seek to create a protective environment where citizens thrive on an equal basis; there are however numerous omissions in these policies, while their implementation is not always effective or evenly applied in the various areas of the CCT Municipality. This supports the argument highlighted by Miraftab (2007) who states that CCID areas receive more services on the basis that they are able to afford them. The findings in this study revealed that the CCT Municipality fails to fulfill its vision of being an equal city that creates an enabling environment for economic growth, job creation and helps those who need it most. The findings also show that the City does not deliver quality services to all residents; it rather provides quality services to those who can afford it. In failing to fulfill its vision, it can be argued that the City is failing to keep its promise to protect its citizens in terms of property, safety and security, and that these failures contribute towards the creation of an environment that is prone to chaos and violence. As Hassim, Kupe and Worby (2008, p. 7) state, “despite considerable effort, the post-apartheid state has been unable to provide even the basic entitlements of safety, health and the right to secure the means of life”.

## 6.4 RECOMMENDATIONS

South Africa continues to be faced with the challenge of xenophobic violence against African foreign nationals, black African foreign nationals in particular. The outbreak of violence in Durban this year is evidence of this continuing challenge. While the findings of this study cannot be generalized, it is worthy to note that the omissions by the state, as revealed in this study, might create an environment conducive to xenophobic violence. In order to address these omissions, the following recommendations are made to the City of Cape Town Municipality:

- The findings show that City officials are often not clear about the structure of the municipality. It might be valuable to educate staff on the Acts that inform the business of the municipality and its structure so that they are empowered to render services more effectively.
- A significant omission in the City of Cape Town's legislative framework for service delivery is clear policy guidelines which address the needs and plight of foreign nationals. It will be valuable to review policies that deal with the needs and plights of foreign nationals. Doing so will be beneficial to both officials as well as ordinary citizens in the City.
- Citizens' frustration is often fueled by poor delivery of services. Besides failing to render efficient services to African foreign nationals, the City often neglects residential and commercial areas which need the most attention. It would thus be beneficial to the CCT Municipality to review its budgetary decision to allocate resources based on which areas are able to afford extra services, and choose rather to allocate resources to areas where they are needed most.
- It is evident that the CCT Municipality does not have any programmes that address xenophobic violence in the City of Cape Town. It would be beneficial to both African foreign nationals, as well as South Africans, if the City were to create programmes that address xenophobic violence, and thereby create space for mutual understanding and education.

- In light of the challenges faced by black African foreign nationals, the CCT Municipality should perhaps consider employing African foreign nationals that would be able to assist in areas where the City currently faces language barriers.
- It might be beneficial to the CCT Municipality and its staff to understand the various categories of foreigners and the rights of each of these. It would be valuable to educate staff on this.
- While the CCT Municipality does not have control over the influence of national policies on some of the services rendered to black African foreign nationals, the CCT Municipality might want to evaluate where it may be of assistance or try to influence policies which directly affect the services it provides.
- NGOs have proven to be of major assistance to African foreign nationals. The CCT Municipality might find that NGOs are able to assist foreign nationals in areas where they cannot, and it would thus be beneficial to partner with NGOs in such areas of expertise.
- Educate both foreign nationals, as well as South Africans, on the City's policies and by-laws.



## REFERENCES

- Adams, N. 2009. Informal Traders upset over revamp. (online). EWN. Available: <http://ewn.co.za/2009/05/28/Informal-traders-upset-over-revamp> [(Accessed 23 September 2015)].
- Adjai, C. & Lazaridis, G. 2013, "Migration, Xenophobia and New Racism in Post-Apartheid South Africa", *International Journal of Social Science Studies*, vol. 1, no. 1, pp. p192-205.
- Ambert, A., Adler, P.A., Adler, P. & Detzner, D.F. 1995, "Understanding and Evaluating Qualitative Research", *Journal of Marriage and Family*, vol. 57, no. 4, pp. 879-893.
- Ana, A. 2015. City of Cape Town speeds up recovery of traffic fine income. (online). Citizen. Available: <http://citizen.co.za/439977/city-of-cape-town-speeds-up-recovery-of-traffic-fine-income/>; [(Accessed 23 September 2015)].
- Baxter, P. & Jack, S. 2008, "Qualitative case study methodology: Study design and implementation for novice researchers", *The qualitative report*, vol. 13, no. 4, pp. 544-559.
- Bekker, S., Eigelaar-Meets, I., Eva, G. & Poole, C. 2008, "Xenophobia and Violence in South Africa: a desktop study of the trends and a scan of explanations offered", *University of Stellenbosch*, .
- Berg, B. 2004, "Qualitative Research Methods for the Social Sciences Pearson", .
- Berg, B.L. 2001, *Qualitative Research Methods for the Social Sciences*, 4th Edition edn, Allyn and Bacon, California State University, Long Beach.
- Bernstein, J. 2003, *Car watch: Clocking informal parking attendants in Cape Town*, Centre for Social Science Research, University of Cape Town.
- Botha, J.R. 2012, *Xenophobia conflict in De Doorns; a development communication challenge for developmental local government*, .
- Breen, D. 2013, *CORMSA Database of violence against foreign nationals in 2013*, CORMSA, Johannesburg.
- Breen, D. 2010, *Incidents of violence against Foreign Nationals*, CORMSA, Johannesburg.
- Broumels, M. (ed) 2015, *The Local Government Handbook: South Africa 2015*, Fifth Edition edn, Yes! Media, Cape Town.

- Cape Town Metropolitan Police Department. 2014. *Annual Police Plan 2013/2014*. (online). City of Cape Town. Available <http://www.capetown.gov.za/en/IDP/Documents/Statutory%20plans%202014-15/Annexure%20I%20-%20Annual%20Police%20Plan%202013%20-%202014.pdf>. (Accessed 15 September 2015).
- Carew, D. 2003. Now Cape Town may legalise car guards. (online). Iol. Available: <http://www.iol.co.za/news/south-africa/now-cape-town-may-legalise-car-guards-1.111112>; [(Accessed 23 September 2015)].
- Cassiem, M. 2009. *Western Cape Informal Traders picket in front of Dan Plato's office tomorrow morning*. (online). Western Cape Anti Eviction. Available: <https://westerncapeantieviction.wordpress.com/2009/11/23/western-cape-informal-traders-picket-in-front-of-dan-platos-office-tomorrow-morning/#more-3780> [(Accessed 5 October 2015)].
- City Improvement District. 2015 *The Art of Rebuilding Our Communities*. (online) City of Cape Town. Available: <http://cityimprovement.co.za/wordpress/> [(Accessed 10 July 2015)].
- City of Cape Town. 2002. *By-law for the Promotion of a Safe and Secure Urban Environment*. Cape Town.
- City of Cape Town. 2003. *Informal Trading Policy and Management Framework*. Cape Town.
- City of Cape Town. 2009. *Informal Trading By-law*. Cape Town.
- City of Cape Town. 2010. City of Cape Town Annual Report 2009/10. (online). City of Cape Town. Available [https://www.capetown.gov.za/en/IDP/Statutory%20plans%202011%20%202012/AnnexureM1\\_AnnualReport\\_0910.pdf](https://www.capetown.gov.za/en/IDP/Statutory%20plans%202011%20%202012/AnnexureM1_AnnualReport_0910.pdf) [(Accessed 10 July 2015)].
- City of Cape Town. 2013. *Informal Trading Policy*. Cape Town.
- City of Cape Town. 2013. *Informal Trading Amendment By-law*. Cape Town.
- City of Cape Town. 2014. *Integrated Annual Report 2013/14*. Cape Town
- City of Cape Town. 2012. City of Cape Town Budget For the financial period 2009/10 to 2015/16. (online). City of Cape Town. Available: <https://www.capetown.gov.za/en/Budget/Pages/OriginalBudgetMay2009.aspx> [(Accessed 10 July 2015)].

- Cohen, L. "Manion. L. and Morrison, K.2007. Research Methods in Education".
- Creswell, J.W. 2013, *Research design: Qualitative, quantitative, and mixed methods approaches*, Sage publications.
- Creswell, J.W. 2009, *Research design: Qualitative, quantitative, and mixed methods approaches*, Sage publications.
- Creswell, J.W., Hanson, W.E., Plano, V.L.C. & Morales, A. 2007, "Qualitative research designs selection and implementation", *The Counseling Psychologist*, vol. 35, no. 2, pp. 236-264.
- Cronje, J. & Koyana, X. 2013. Metro Police bust blind busker.online. IOL. Available: <http://www.iol.co.za/capetimes/metro-police-bust-blind-busker-1.1543993>; [(Accessed 23 September 2015)].
- Crush, J. 2008, *The perfect storm: the realities of xenophobia in contemporary South Africa*, Southern African Migration Programme (SAMP).
- David, R. 2015. Cape Town's change of tack: New campaign hopes to fight racism. (online). Daily Maverick. Available: <http://www.dailymaverick.co.za/article/2015-03-24-cape-towns-change-of-tack-new-campaign-hopes-to-tackle-racism/> [(Accessed 27 October 2015)].
- De Coning, C. & Cloete, F. 2000, "Theories and models for analysing public policy", *Improving Public Policy*, eds F.Cloete and H.Wissink.Pretoria: Van Schaik,
- Desai, A. 2010, "After the rainbow: following the footprints of the May 2008 xenophobic violence in South Africa", .
- DiCicco-Bloom, B. & Crabtree, B.F. 2006, "The qualitative research interview", *Medical education*, vol. 40, no. 4, pp. 314-321.
- Dodson, B. 2010, "Locating xenophobia: debate, discourse, and everyday experience in Cape Town, South Africa", *Africa Today*, vol. 56, no. 3, pp. 2-22.
- Dodson, B. & Oelofse, C. 2000, "Shades of Xenophobia: In-Migrants and Immigrants in Mizamoyethu, Cape Town", *Canadian Journal of African Studies / Revue Canadienne des Études Africaines*, vol. 34, no. 1, Special Issue: Transnationalism, African Immigration, and New Migrant Spaces in South Africa, pp. 124-148.
- Dooley, L.M. 2002, "Case study research and theory building", *Advances in developing human resources*, vol. 4, no. 3, pp. 335-354.

- Dunderdale, L. 2013. Xenophobia in SA: Six years on. Online. Available [http://us-cdn.creamermedia.co.za/assets/articles/attachments/48048\\_cplo\\_xenophobia\\_in\\_sa\\_six\\_years\\_on\\_dec\\_2013.pdf](http://us-cdn.creamermedia.co.za/assets/articles/attachments/48048_cplo_xenophobia_in_sa_six_years_on_dec_2013.pdf) (Accessed 12 June 2015).
- Du Plessis, C. 2015. Zuma denies Xenophobia in AU discussion. Online. NEWS24. Available: <http://www.news24.com/SouthAfrica/News/Zuma-denies-xenophobia-in-AU-discussion-20150614>; [Accessed 23 September 2015)].
- Flick, U. 2009, *An introduction to qualitative research*, Sage.
- Hancock, B., Ockleford, E. & Windridge, K. 1998, *An introduction to qualitative research*, Trent focus group Nottingham.
- Handmaker, J. & Parsley, J. 2001, "Migration, refugees, and racism in South Africa", *Refuge: Canada's Journal on Refugees*, vol. 20, no. 1.
- Harris, B. 2002, "Xenophobia: A new pathology for a new South Africa", *Psychopathology and social prejudice*, , pp. 169-184.
- Harris, B. 2001, *A foreign experience: violence, crime and xenophobia during South Africa's transition*, CSVR Johannesburg.
- Hassim, S., Kupe, T. & Worby, E. 2008, "Go Home or Die Here", .
- Hendrickse, R. 2009, *Xenophobia in South Africa: A domestic dilemma or global discontent?*.
- Jensen, S.Q. 2011, "Othering, identity formation and agency.", *Qualitative studies*, vol. 2, no. 2.
- Kamwimbi, T., Banaszak, K., Khan, S., Morgan, J., Nadori, A. & Ives, A. 2010, "Violation of human rights of disadvantaged and vulnerable refugees", .
- Kekana, M. 2015, February 2015-last update, *CT wants stricter penalties for drag racers*. Available: <http://ewn.co.za/2015/01/19/City-of-CT-wants-stricter-penalties-for-drag-racers>; [2015, September 2015].
- Klotz, A. 2000, "Migration after apartheid: deracialising South African foreign policy", *Third World Quarterly*, vol. 21, no. 5, pp. 831-847.
- Kothari, C. 2004, *Research methodology: Methods and techniques*, New Age International.
- Kraft, M.E. & Furlong, S.R. 2012, *Public policy: Politics, analysis, and alternatives*, Sage.
- Krug, E. G., Mercy, J. A., Dahlberg, L. L., & Zwi, A. B. (2002). The world report on violence and health. *The lancet*, 360(9339), 1083-1088.

Landau, L.B., Segatti, A. & Misago, J.P. 2011, "Governing Migration and Urbanisation in South African Municipalities: Developing Approaches to Counter Poverty and Social Fragmentation", *South African Local Government Association: Pretoria*, .

Landau, L., Ramjathan-Keogh, K. & Singh, G. 2005, "Xenophobia in South Africa and problems related to it", *Forced Migration Studies Programme, University of the Witwatersrand, Working Paper Series*, , no. 13.

Mail&Gaurdian Africa 2015. Again! Over 1,000 foreigners in South Africa flee homes in outbreak of xenophobic attacks. (online). Available: <http://mgafrica.com/article/2015-04-09-over-1000-foreigners-in-south-africa-flee-homes-after-outbreak-of-xenophobic-attacks> [(Accessed 23 September 2015)].

Marshall, M.N. 1996, "The key informant technique", *Family practice*, vol. 13, no. 1, pp. 92-97.

Maseko, N. 2015. South Africa's Johannesburg marches against xenophobia. (online). BBC. Available: <http://www.bbc.com/news/world-africa-32432205>; [(Accessed 12 September 2015)].

Mattes, R., Taylor, D., McDonald, D., Poore, A. & Richmond, W. 1999, "Still Waiting for the Barbarians: SA Attitudes to Emigration and Immigration", *Southern African Migration Project*, .

Mattes, R.B. 1999, *Still waiting for the barbarians: SA attitudes to immigrants & immigration*, Southern African Migration Project.

McConnell, C. 2009, "Migration and xenophobia in South Africa", *conflict trends*, , no. 1, pp. 34-40.

Merriam, S.B. 2002, "Introduction to qualitative research", *Qualitative research in practice: Examples for discussion and analysis*, , pp. 3-17.

Miraftab, F. 2007, "Governing post apartheid spatiality: implementing city improvement districts in Cape Town", *Antipode*, vol. 39, no. 4, pp. 602-626.

Misago, J.P., Landau, L.B. & Monson, T. 2009, *Towards tolerance, law, and dignity: Addressing violence against foreign nationals in South Africa*, Regional Office for Southern Africa, International Organization for Migration (IOM).

Misago, J. & Monson, T. 2010, "Non-nationals displaced in South Africa", *Forced Migration Review*, vol. 34, pp. 62-64.

- Misago, J., Monson, T., Polzer, T. & Landau, L. 2009, "May 2008 violence against foreign nationals in South Africa: Understanding causes and evaluating responses, Johannesburg: CoRMSA, 2010", *There have also been numerous cases where residents have correctly or incorrectly suspected a foreign national of a particular crime and then formed vigilante groups to evict all foreign nationals from the area. This was the case in Imizamo Yethu (TRUNCATED)*, .
- Moatshe, R. 2014. Foreigners brave an uneasy refuge in SA. (Online). Mail & Guardian. Available: <http://mg.co.za/article/2014-04-24-foreigners-brave-an-uneasy-refuge-in-sa> [Accessed 4 June 2015)].
- Morris, A. 1998, "Our fellow Africans make our lives hell': the lives of Congolese and Nigerians living in Johannesburg", *Ethnic and Racial studies*, vol. 21, no. 6, pp. 1116-1136.
- Mukwena, D. 2012, *Types of explanations given by foreign African women for xenophobic violence: a De-Doorns case study*, .
- Neocosmos, M. 2006, "From 'Foreign Natives' to 'Native Foreigners'", .
- News24 2013, *De Lille: Informal Traders important*.
- Nhlapo, T. 2015. Cape Town's 'inclusive city' campaign: just PR?. (online). The Daily Maverick. Available: <http://www.dailymaverick.co.za/opinionista/2015-04-13-cape-towns-inclusive-city-campaign-just-pr/> [(Accessed 27 October 2015)].
- Noor, K.B. 2008, "Case study: A strategic research methodology", *American journal of applied sciences*, vol. 5, no. 11, pp. 1602-1604.
- Nord, A.K. & Assubuji, P. "Xenophobia in South Africa", .
- Paasche, T.F., Yarwood, R. & Sidaway, J.D. 2013, "Territorial tactics: The socio-spatial significance of private policing strategies in Cape Town", *Urban Studies*, , pp. 0042098013499084.
- Palmary, I. 2002, "Refugees, safety and xenophobia in South African cities: The role of local government", *Johannesburg: Centre for the Study of Violence and Reconciliation*, .
- Pather, R. 2015 Cape Town's "Inclusive City" anti-racism campaign, aka #NotAllCapetonians. (online). The Daily Vox. Available: <http://www.thedailyvox.co.za/cape-towns-inclusive-city-anti-racism-campaign-aka-notallcapetonians/> [(Accessed 27 October 2015)].
- Plato, D. 2010, *Statement by Executive Mayor Dan Plato: Informal Trading at Mitchell's Plain Town Centre*, City of Cape Town Communications Department, Cape Town.

- Republic of South Africa. 1996. *The Constitution of the Republic of South Africa*. Pretoria.
- Republic of South Africa. 1998a. *The Refugee Act*, No. 1558 of 1998. Pretoria. Government Printers (Acts).
- Republic of South Africa. 1998b. *The White Paper on Local Government*. Pretoria. Government Printers. (Acts).
- Republic of South Africa. 2002. *The Immigration Act*, No. 13 of 2002. Pretoria. Government Printers (Acts).
- Republic of South Africa. 2002a. *The Municipal Systems Act*, No. 32 of 2002. Pretoria. Government Printers (Acts).
- Republic of South Africa. 2002b. *The South African Police Services Act*, No. 68 of 1995. Pretoria. Government Printers (Acts).
- Republic of South Africa. 2003. *The Municipal Finance Management Act*, No. 56 of 2003. Pretoria. Government Printers (Acts).
- Republic of South Africa. 2004. *Municipal Property Rates Act*, No. 6 of 2004. Pretoria. Government Printers (Acts).
- Sinwell, L. & Podi, N. 2010. *Towards Addressing the Root Causes of Social Tensions: Evaluating Civil Society and local government Responses to Xenophobic violence in Alexandra*.
- Skinner, C. 1999, *Local government in transition: a gendered analysis of trends in urban policy and practice regarding street trading in five South African cities*, School of Development Studies (incorporating CSDS), University of Natal.
- Solomon, H. & Kosaka, H. 2013, "Xenophobia in South Africa: Reflections, Narratives and Recommendations", *Southern African*, , pp. 5.
- Stake, R.E. 1978, "The case study method in social inquiry", *Educational researcher*, , pp. 5-8.
- Sundstrom, R.R. 2013, "Sheltering Xenophobia", *Critical Philosophy of Race*, vol. 1, no. 1, pp. 68-85.
- Turok, I. 2001, "Persistent polarisation post-apartheid? Progress towards urban integration in Cape Town", *Urban Studies*, vol. 38, no. 13, pp. 2349-2377.

USAID 1996. Performance Monitoring and Evaluation Tips: Conducting key informant interviews. (online). Available: [http://pdf.usaid.gov/pdf\\_docs/pnabs541.pdf](http://pdf.usaid.gov/pdf_docs/pnabs541.pdf) [Accessed 23 September 2015)].

West, S.P. 2009, *Cape Town's informal traders threaten to disrupt 2010*.

Yin, R.K. 2011, *Qualitative Research from Start to Finish*, Guilford Press.



## APPENDIX A- INTERVIEW GUIDE

UNIVERSITY WESTERN CAPE

FACULTY OF ECONOMIC AND MANAGEMENT SCIENCE

SCHOOL OF GOVERNMENT

---

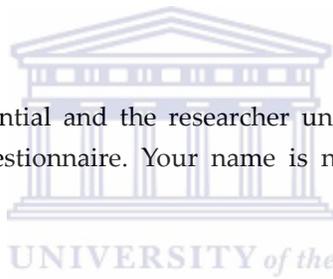
---

**Confidential**

### SURVEY QUESTIONNAIRE

Thank you for agreeing to participate in this survey about *xenophobic violence against African Foreign Nationals in Cape Town*. Your information is of important for the success of this study.

All information is treated as confidential and the researcher undertakes not to reveal any individual information that appears in this questionnaire. Your name is not asked anywhere and we are only interested in your honest answers.



This questionnaire forms part of a research study for the qualification of a Masters Degree in Public Administration drafted by Ms F Lombard from the Department of Economic and Management Science, University of Western Cape. The results from this questionnaire will not be used in any form of analysis beyond this exercise nor will any further conclusions be drawn from it. In addition, the researcher guarantees complete confidentiality of the answers provided by the respondents.

INSTRUCTIONS

Mark, with an X, the block next to the response category that corresponds best with your answer, or where there is a dotted line, please write the appropriate answer.

**Section A – Demographic detail**

**1. What category is your municipality designated as?**

	1		2		3
Metropolitan municipality	<input type="checkbox"/>	District Municipality	<input type="checkbox"/>	Local Municipality	<input type="checkbox"/>

**2. How would you classify the area your municipality is located in?**

	1		2		3
Urban	<input type="checkbox"/>	Peri-Urban	<input type="checkbox"/>	Rural	<input type="checkbox"/>

**3. The Department of Co-Operate Government and Traditional Affairs (COGTA) classifies municipalities in four classes based on their vulnerability. What classification is assigned to your municipality?**

	1		2		3		4
Most vulnerable	<input type="checkbox"/>	2 <sup>nd</sup> most vulnerable	<input type="checkbox"/>	2 <sup>nd</sup> highest performing	<input type="checkbox"/>	Highest performing	<input type="checkbox"/>

**4. What is the population size of your municipality?**

-----

**5. Does this population size include African Foreign Nationals?**

	1		2
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

**5.1 If you answered “yes” in the previous question, please indicate Nationalities can be found in your municipal area**

	1		2		3		4
--	---	--	---	--	---	--	---

Zimbabweans		Somalians		Angolans		Other	
-------------	--	-----------	--	----------	--	-------	--

**5.2 Do you have contact with these African Foreign National groups in any way?**

	1		2
Yes		No	

**5.3 If you answered "yes" in the previous question, please indicate the area of contact**

	1		2		3		4
Trade		Resources (Housing, water, etc)		Policing		Other	



## Section B – Respondent’s information

1. What post level do you occupy?

	1		2		3		4
Junior		Middle Level		Senior Management		Other	

2. What is your highest educational qualification?

	1		2		3		4
Post graduate		Degree/Diploma		Grade 12		Below Grade 12	



4. How many years have you worked in local government?

	1		2		3		4
More than 10 years		5-10 years		3-5 years		Less than 3 years	

5. How long have you been in your current position?

	1		2		3		4
More than 5 years		3-5 years		1-3 years		Less than 1 year	

## Section C – Trading

1. Are you familiar with the different categories of foreigners? If yes, please name the different categories?

.....  
 .....  
 .....

2. Are you familiar with trading rights of foreigners? If yes, please elaborate?

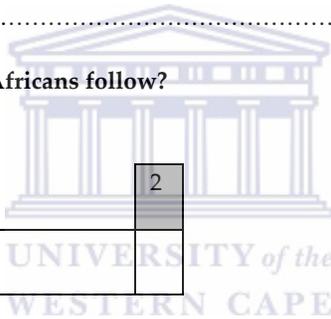
.....  
 .....  
 .....

3. What process needs to be followed when a foreigner wants to apply for a trading license?

.....  
 .....  
 .....

4. Is this different to the process South Africans follow?

	1			2
Yes		No		



4.1 If Yes, How?

.....  
 .....  
 .....

5. Are you aware of any policies that directly speak to the trading rights of foreigners?

	1			2
Yes		No		

5.1 If yes, Please elaborate?

.....  
 .....  
 .....

5.2 If you answered question 5.1, please advise on how your department goes about implementing these policies?

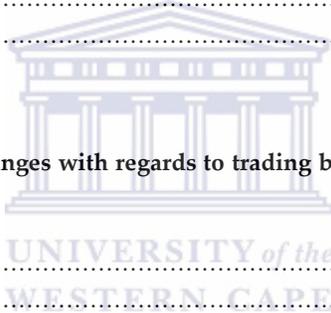
.....  
.....  
.....

6 What, in your opinion, needs to change in the Business Area Management system to prevent the outbreak of xenophobic violence?

.....  
.....  
.....

7. Since the xenophobic outbreaks in 2008, have there been any changes to the manner in which trading licenses for African foreign nationals are issues? If yes, please elaborate?

.....  
.....  
.....



7.1 Have there been any major policy changes with regards to trading by African foreign nationals since 2008? If yes, please elaborate?

.....  
.....  
.....

8 What are some of the difficulties experience by your department in rendering services to African foreign nationals?

.....  
.....  
.....

10 Do you have anything else you would like to add which has not been addressed in this questionnaire?

.....  
.....  
.....

## Section D – Policing

1. Are you familiar with the different categories of foreigners? If yes, please name the different categories?

.....  
.....  
.....

2. Are you familiar with the rights of foreigners? If yes, please elaborate?

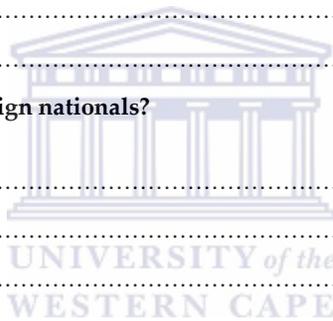
.....  
.....  
.....

3. Are there any strategies employed by the Metro Police in protecting foreigners? If yes, please elaborate?

.....  
.....  
.....

4. How do you address conflict between South Africans and foreign nationals?

.....  
.....  
.....



5. Is this different to how you would deal with conflict between South Africans? If yes, elaborate?

.....  
.....  
.....

6. What, in your opinion, needs to change in the City of Cape Town Policing system to prevent the outbreak of xenophobic violence

.....  
.....  
.....

8. Since the xenophobic outbreaks in 2008, have there been any changes to the manner in which the Metro Police render services to African Foreign Nationals? If yes, please elaborate?

.....  
.....  
.....

9. Have there been any major policy changes with regards to policing and security for foreign nationals since 2008? If yes, please elaborate?

.....  
.....  
.....

10 What are some of the difficulties experience by your department in rendering services to African foreign nationals?

.....  
.....  
.....

10 Do you have anything else you would like to add which has not been addressed in this questionnaire?

.....  
.....  
.....



## Section E – NGO's

1. How long have you been involved in working with African Foreign Nationals?

.....  
.....

2. Are you familiar with the different categories of foreigners? If yes, please name the different categories?

.....  
.....  
.....

3. Are you familiar with the rights of foreigners? If yes, please elaborate?

.....  
.....  
.....

4. How many African foreign nationals per month seek help from your NGO?

.....  
.....  
.....

5. Does your NGO get any support from any of the City of Cape Town Municipality? If yes, please elaborate?

.....  
.....

6. Are you aware of any recent policy changes that are beneficial to Foreign Nationals? If yes, Please elaborate?

.....  
.....  
.....

7. What type of problems do African foreign nationals experience in Cape Town?

.....  
.....  
.....

8. Do you think that African foreign nationals receive enough support from Local government? If yes, please elaborate? If no, why not?

.....  
.....  
.....

9. What are some of the difficulties experience by your NGO in rendering services to African foreign nationals?

.....  
.....  
.....

10 Do you have anything else you would like to add which has not been addressed in this questionnaire?

.....  
.....  
.....



## Section F – African foreign nationals

1. What is your gender?

1	Male	
2	Female	

2. What is your country of origin

.....  
 .....

3. Were you employed in your home country?

Yes	1
No	2



UNIVERSITY of the  
WESTERN CAPE

3.1 If yes, was your income higher in your home country than South Africa.

Yes	1
No	2

4. In which of the following age categories do you fall?

Age	...
18-24	1
25-34	2
35-44	3
45-54	4
55-65	5
66+	6

5. How long have you been in South Africa?

Years	
- 1	1
1 - 2	2
3 - 4	3
5 +	4

6. Do you have any family members here in South Africa?

Yes	1
No	2

6.1 If yes, where do they stay?



Cape Town	1
Other: Specify .....	2

7. What type of work do you do?

.....

.....

.....

8. What employment did you have when the attacks occurred in CCT in 2008?

.....

.....

9. Do you feel special allowances should be made for employment of foreign Nationals in South African commercial laws?

.....  
.....

10. Do you think that CCT Officials distinguish between the different categories of foreign nationals?

.....  
.....

11. Do you think that CCT Municipality official treat all foreign nationals equally?

.....  
.....

12. Are you familiar with the by-laws and policies in CCT?

.....  
.....

13. If yes, are any of these beneficial to foreign nationals?

.....  
.....

14. What in your opinion needs to change in the CCT Municipality to prevent the outbreak of xenophobia?

.....  
.....

15. Since the xenophobic outbreaks in 2008, has there been any change in the manner in which foreigners are treated by Metro Police Officials?

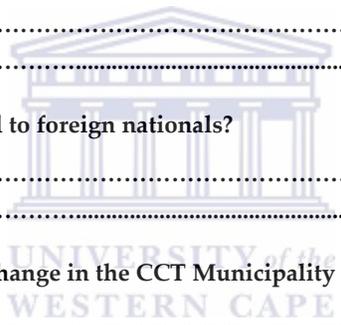
.....  
.....

16. Do you feel protected by Metro Police officials? If no, why not?

.....  
.....

17. Do you think that Metro Police Officials treat foreign nationals the same as they do South African citizens?

.....  
.....



18. What, in your opinion, are some of the things that Metro Police can do to protect foreign nationals?

.....  
.....

19. Have you ever experienced hostility from the CCT Metro Police? If yes, please elaborate.

.....  
.....

20. Do you think that the CCT Municipality offers enough support to foreign nationals in Cape Town?

.....  
.....

21. Do you have anything else you would like to add which has not been addressed in this questionnaire?

.....  
.....



## APPENDIX B- STAFF LOCATED WITHIN THE CCT MUNICIPALITY BUSINESS AREAS MANAGEMENT

CITY OF CAPE TOWN

07 MAY 2015

DIRECTORATE: TOURISM, EVENTS AND ECONOMIC DEVELOPMENT  
DEPARTMENT: ECONOMIC DEVELOPMENT  
BRANCH: BUSINESS AREAS MANAGEMENT

AREA	NAME	TEL NO.
Cape Town Central & CBD, Oudekraal, Camps Bay, Sea Point, Green Point, Gardens, Woodstock, Salt River, Observatory	[REDACTED]	[REDACTED]
Pinelands, Epping 1, Thornton, Facreton, Kensington,, Maitland	[REDACTED]	
Athlone, Gatesville, Heideveld, Hanover Park, Wetton, Ottery, Lavender Hill, Grassy Park, Lotus River, Strandfontein, Muizenberg East	[REDACTED]	
Brackenfell, Bloekompos, Fisantkraal, Durbanville, Kraaifontein, Welgemoed	[REDACTED]	
Goodwood, Parow, Elsies River, Ryterwacht, Epping 2, Platteklouf, Panorama, Richwood, Edgemoed, Bothasig, Bellville, Airport Industria, Belhar, Stikland	[REDACTED]	
Delft, Bishop Lavis, Bonteheuwel, Valhalla Park, Montana, Charlesville	[REDACTED]	
Strand, Gordons Bay, Sir Lowry's Village, Somerset West, Macassar, Driftsands, Kuilsriver, Eerste River, Meltonrose, Blue Downs, Wesbank, Happy Valley, Blackheath	[REDACTED] (Intern)	
Khayelitsha, Mfuleni	[REDACTED]	
Nyanga, Langa, Crossroads, Gugulethu, Philippi	[REDACTED]	
Paarden Eiland, Milnerton, Summer Greens, Du Noon, Vissershok, Atlantis, Melkbosstrand, Bloubergstrand	[REDACTED]	
Mowbray, Claremont, Wynberg, Plumstead, Mitchell's Plain, Weltevreden Valley	[REDACTED]	
Marina Da Gama, Muizenberg West, Fish Hoek, Simon's Town, Cape Point, Kommetjie, Ocean View, Noordhoek, Hout Bay, Llandudno, Mitchell's Plain, Weltevreden Valley	[REDACTED]	

**Trading Plans and Special Projects**

Tel: [REDACTED]	Tel: [REDACTED]
Fax: [REDACTED]	Fax: [REDACTED]
Cell: [REDACTED]	Cell: [REDACTED]

**Service Coordinator's office**

Tel: [REDACTED]	Tel: [REDACTED]	Tel: [REDACTED]	Tel: [REDACTED]
Fax: [REDACTED]	Fax: [REDACTED]	Fax: [REDACTED]	Fax: [REDACTED]
Cell: [REDACTED]	Cell: [REDACTED]	Cell: [REDACTED]	Cell: [REDACTED]

Tel: [REDACTED]	Tel: [REDACTED] (Intern)
Mur: [REDACTED]	
Goc: [REDACTED]	

## APPENDIX C- LIST OF INTERVIEWS

Interviewee (pseudo name)	Area of Expertise	Place Interviewed	Date Interviewed
<b>CCT Business Areas Management</b>			
Mr A	(CCT Business Areas Management)	Cape Town CBD	30 July 2015
Mrs T	(CCT Business Areas Management)	Cape Town CBD	30 July 2015
<b>CCT NGO's working with refugees</b>			
Ms C	NGO (1)	Cape Town CBD	7 July 2015
Mrs D	NGO (1)	Cape Town CBD	12 August 2015
Mrs F	NGO (2)	Cape Town CBD	12 August 2015
Mrs	NGO (2)	Cape Town CBD	20 August 2015
<b>Informal Traders in the CCT Municipality</b>			
Mr G	Malawian trader	Wynberg	18 August 2015
Mr H	Somalian trader	Wynberg	18 August 2015
Ms I	Cameroonian trader	Cape Town CBD	26 August 2015
Mr J	Somalian trader	Cape Town CBD	27 August 2015
Ms K	Zimbabwean trader	Cape Town CBD	27 August 2015
Mr G	Malawian trader	Wynberg	31 August 2015
Mr H	Somalian trader	Wynberg	31 August 2015
Ms I	Cameroonian trader	Cape Town CBD	25 August 2015