

Double Jeopardy: Foreign and Female

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Introduction

Against the backdrop of the pervasive culture of violence in South Africa, 'it is ironic that xenophobia has been represented as something abnormal or pathological. Xenophobia is a form of violence and violence is the norm in South Africa. Violence is an integral part of the social fabric'.¹ Violence against foreigners and violence against women are two forms of violence that are viewed with horror by the general public and outside world but are, in fact, normalised ways in which South African society interacts with minority and vulnerable groups. The double jeopardy that faces foreign women is just that: they are at the intersection of these two groups that are so vulnerable to exploitation, abuse and violence.²

Although the term 'xenophobia' may conjure up images of the violent attacks against foreigners in May 2008, migrant women in South Africa have been experiencing more subtle and insidious forms of xenophobia on a daily basis for as long as they have been in the country. These forms include not only physical violence, but verbal and psychological abuse, structural and institutional violence, as

well as cultural and ethnic discrimination. While perpetrators of xenophobic attitudes and behaviours in South Africa do not differentiate on the basis of gender or age in their attacks on foreigners, there is a gendered perspective to xenophobia which can easily be overlooked in the midst of this ongoing intolerance. While there have been no further outbreaks of violence on the scale of the May 2008 attacks, xenophobia (and xenophobic violence) in South Africa has certainly not disappeared and must remain on the agenda of both government and civil society alike.

The Intersection between Xenophobia and Violence against Women

Foreign women in the townships were disproportionately affected by the May 2008 xenophobic violence, not only because the violence was played out on the site of their bodies (through beatings and rape), but also because the violence was directed towards their homes (through burning and looting), which in many cases is symbolic of a woman's family and is perceived as a place of safety and security. However, a study conducted by the Centre for the Study of Violence and Reconciliation (CSVR) before, during and after the xenophobic attacks in May 2008 found that migrant women saw that period of violence as an extreme example of what they experience as an unavoidable aspect of their daily lives; one which

¹ Harris, B. (2002). *Xenophobia: A New Pathology for a New South Africa?* In Hook, D. & Eagle, G. (eds) *Psychopathology and Social Prejudice*. Cape Town: University of Cape Town Press.

² Migrants and refugees are, by their very status as foreigners, vulnerable to xenophobia (the attitudes, prejudices 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).

merely highlighted their plight to the rest of South Africa and the outside world.³

While violence against women is mostly perceived to be domestic or private in nature, xenophobic violence is mostly perceived of as political, motivated as it is by the dynamics of inclusion and exclusion, access to resources and nationalistic identities. In South Africa, another element needs to be added: the violence of the May 2008 attacks – which left more than 50 people dead and hundreds injured, displaced thousands and resulted in widespread damage to property and theft, and in which the government had to deploy the army to reinforce a police force unable to cope with the magnitude of the violence and looting – created a space for opportunistic criminal violence to overlap and merge with political violence.

The violence against women that has formed such an integral part of the xenophobic violence in South Africa, both during the May 2008 attacks and on a more daily basis, has complex roots in both the political and criminal spheres. However, the domestic violence that may occur as a result of the heightened atmosphere of violence, or rape that occurs as a result of xenophobia, tends to be demarcated as happening within the domestic or private realm. This public/political vs. private/personal divide has implications not only for women's access to justice, framing the recourse that women seek following such violations, but also for processes of peace-building and reconciliation, from which women may be excluded if they do not see themselves as victims of politically motivated crimes.

Sexual Violence

Many migrant and refugee women in South Africa would have already experienced sexual violence, in their home country and/or during their journey to South Africa. Furthermore, some women would have been forced to exchange sexual favours with border officials for permission to enter the country. A Rwandan woman, who has lived in South Africa for 10 years, explained to researchers at CSVR that, 'I noticed that in Home Affairs ... when you are a woman they have a tendency of trying to take you to a situation where they would say that we would extend your paper, but you must accept to sleep with me, to be my friend'.⁴

3 Sigsworth, R., Pino, A., & Ngwane, C. (2008). *The Gendered Nature of Xenophobia in South Africa*. Centre for the Study of Violence and Reconciliation: Johannesburg.

4 Unpublished interview with a Rwandan refugee woman, 2008.

During the May 2008 xenophobia attacks there were reports of foreign women being raped as a result of anti-foreigner sentiment in the midst of the general perpetration of xenophobic violence. In a country where sexual violence is pervasive in everyday life, it is difficult to distinguish how many rapes would have been motivated by xenophobic attitudes and how many rapes were perpetrated because the general atmosphere of violence and lawlessness allowed for it. This speaks again to the double jeopardy of foreign women: rape can be used to punish and humiliate women from different nationalities and ethnic groups as a political tool of xenophobia; and rape can be perpetrated as an act of criminal violence against a woman because of her gender, under the guise of xenophobia. Unfortunately, probably most of the xenophobia-related rapes are unreported because foreign women are fearful of the police: firstly, as foreigners in an environment where the police have a reputation for complicity in corruption, intimidation and abuse of foreigners; and secondly, as women in a society where the victims of sexual violence are often treated with scepticism and suffer secondary victimisation at the hands of police officials.

Findings from the CSVR study show that migrant women experience some form of sexual violence – on a continuum that extends from sexual harassment to rape – frequently at the hands of South African men. Migrant women seemed to have some difficulty accepting what they see as a permissive and promiscuous sexual culture in South Africa. Many migrant women saw South African men as sexual predators, explaining that they force themselves onto women sexually, that they feel entitled to sex, and that they freely sexually harass women:

'... they would [rub] you in public and they would laugh, even if you do not like it. But they would consider it as a joke; to grab you and to want to touch you'; 'Like me when I was working there, they liked saying, when would you come to my place? And I say for what? You would be my wife. And I say I am married already. No you must leave that man because he does not have any farm, I have a farm. you must come! I say no. he says ey; if you continue to say no I will kill your husband'.⁵

One migrant woman explained that foreign women are often not in a position to say 'no' to these sexually forceful men: *'A foreign woman, and you think*

5 Sigsworth et al, *op. cit.* note 3, p. 21.

you have to get everything from a man just because you do not have a choice while you are in a foreign land. So they treat you as a...you have to accept it because you do not know – you can't go anywhere, you are stuck here. So you have to accept everything. It is demeaning'.⁶

It has to be said that many South African women are also the victims of sexual harassment and worse by their male counterparts, which begs the question: is the sexual harassment of foreign women by South African men xenophobic? The fact that migrant women are not expecting these kinds of violent sexual advances from unknown men and that they have less recourse and protection than South African women make them especially vulnerable, and this vulnerability makes them easy prey for South African men: this aggressive sexual behaviour towards one who is both female and foreign can, therefore, be called xenophobic.

The Burden of Care

'Woman' (and the associated categories of wife, mother and daughter) is a social position that comes with a range of expectations and investments: women are the traditional carers of their families, with the responsibility to feed, clothe and provide shelter for their children. As such, xenophobia targets women and children because they are central to making settlement happen: while migrant men may be seen by a host population as transitory, women and children denote a more permanent move and the laying down of roots. Women migrants in South Africa tend to carry the burden of caring for their families, which entails not only economic support – especially difficult in a context where migrant women struggle to find work amidst widespread discriminatory attitudes and practices – but also psychological and emotional support for those members of their families who have also experienced xenophobia. Women migrants also have to contend with the financial, emotional and physical stressors of living as migrants in South Africa, which often take a toll on familial relationships.

In many societies, womanhood is seen as inseparable from motherhood, and motherhood becomes a central part of a woman's identity. Ingrid Palmary explains that, 'as a result of the social meaning of motherhood, [a woman] has a particular experience of violence, trauma, loss and social belonging ... her distress at being unable to provide

meaningfully for her child is acute'⁷. During the May 2008 attacks, many foreign women were responsible for protecting their young children from the violence, which often entailed displacement to temporary shelters or places of safety where there was insufficient access to food, blankets and sanitation. UNHCR reported how one migrant woman was found sitting against a wall cradling her three-month old baby: she told them that '*she fled her shack on the outskirts of Germiston last Saturday when her neighbour shouted that a crowd whipped up by xenophobia was approaching. 'I was terrified! My husband was at work and I was alone with the baby. What was I to take from our shack? The warnings were drawing closer and I was in a panic. I had to get out there before my baby and I were attacked', Mbanza recalled. Strapping the baby to her back, Mbanza followed other fleeing families to the nearest police station.*'⁸

Migrant mothers often feel unable to protect their children from the fear and trauma of daily xenophobic attacks, which makes them feel derelict in their duties as mothers and powerless to save their children from harm. Moreover, children pick up on the attitudes and attacks directed at their parents and families, and feel the weight and threat of this discrimination. A respondent in the CSVR study spoke of coming home during the xenophobic attacks in May 2008 to be greeted by her son with the words, 'mummy you are not dead'.⁹

'They're Taking Our Jobs and Our Women'

A common justification for xenophobic attitudes and behaviour perpetrated by South African nationals is that the migrants are 'taking our jobs and our women'.

Harris refers to Tshitereke's psychological interpretation of scapegoating in conjunction with the socio-economic realities of contemporary South Africa as one framework through which to understand the xenophobia evident in many spheres of South African society. She reminds us that 'the psychological process of relative deprivation rests on social comparison. This takes place at the level of jobs, houses, education and even women, such that foreigners are scapegoated for taking our jobs, taking our houses and stealing our women. Politics, economics and patriarchy impact on the scapegoating process.'¹⁰

7 Palmary, I. (2005). *Engendering Wartime Conflict: Women and War Trauma*. Violence and Transition Series, December.

8 UNHCR distributes aid to South Africa's xenophobia victims, Date: 21 May 2008: UNHCR News Stories

9 Sigsworth et al, *op. cit.* note 3, p. 20.

10 Harris, B. (2001). *A Foreign Experience: Violence, Crime and Xenophobia During South Africa's Transition*. Violence and Transition Series, Vol. 5, August.

6 Ibid.

Migrants are increasingly targeted as the scapegoats for all manner of domestic problems facing societies today, particularly unemployment, crime, and limited access to services. In reality, many migrant and refugee women in South Africa have limited employment opportunities and are often at the bottom of the labour market. Many of these women hold jobs in free trade zones, the informal economy or unregulated sectors. As such, their access to state services such as health, education and justice is also limited, especially if they are undocumented migrants or illegal immigrants. Women migrants in South Africa stated that they were often met with xenophobic attitudes, received substandard medical treatment, were overcharged for services, or were directly turned away from hospitals and clinics.¹¹ Women often will have moved to South Africa because of political repression or economic hardships in their home country and, rather than being a burden on the state, are entrepreneurial and resourceful people who want to improve their own lives and the lives of their families.

However, it is not only foreign women who have been vulnerable to the xenophobic violence. South African women have been cited as a site of conflict between South African nationals and foreign nationals. Black South African men have accused foreigners of 'taking our women'. This speaks directly to the pervasive ideology of patriarchy in South Africa, which is so entrenched that women are broadly perceived as possessions that can be 'owned' by different groups of men. Sexual violence is well documented in South African research as a means to control and punish women: rape is therefore used against South African women as a means of controlling or curbing their agency in choosing foreign men and as a punishment for their waywardness. Many writers have commented on the ways that women's bodies and sexuality are central to the construction of ethnic and national identity: as such, refusing such gendered norms by preferring a foreign man can disrupt the project of nationalism and therefore be the basis of violent assault. This means that South African women marrying foreigners are vulnerable to attack and to sexual violence.

Gender relations between South Africans are often marked by physical violence. Research conducted by CSVr suggests that because of high levels of

violence operating between South African men and women in the domestic sphere, South African men are represented by foreign men as 'brutes' who do not respect the rights of women.¹² Foreign nationals argued that it is largely for this reason that South African women prefer foreign men. The underlying suggestion is that foreign men respect women and are not violent towards them. However, migrant women are vulnerable to experiencing violence perpetrated by their intimate partners, these self-same 'foreign men'. The migrant women interviewed for the CSVr study explained that, on the one hand, their male counterparts are bestowed with 'natural' authority in their countries of origin – women have little or no rights. On the other hand, in their country of origin women are protected by cultural laws – men cannot have openly adulterous relationships or perpetrate domestic violence because the family or community will punish him. The converse is true of both these situations in South Africa, with a negative impact on migrant women. Migrant women often start working and have their own money for the first time when they migrate to South Africa: this results in them beginning to exercise their rights, which their husbands can find unfamiliar and threatening, resulting in domestic violence and/or separation. In addition, there is no community or family protection for migrant women in South Africa and, because of the inaccessibility of the police (as a result of xenophobic attitudes and practices by the police), there is no system to report domestic violence, making them vulnerable to ongoing intimate partner violence.¹³

The Trauma of Foreign Women

*After being threatened with rape and losing her home on May 19, Ntokozo Msebele, a Zimbabwean national, told Human Rights Watch that she now fears local residents, but is equally fearful of returning to Zimbabwe: 'It is hell there. There is no food, no work. At least in South Africa I had work. But what our future is here now, I do not know. The mobs took everything I have. We know now that we are hated in Alex'.*¹⁴

The xenophobic attitudes and behaviour experienced daily by foreign women in South Africa and the violence they endured during the May 2008 attacks compounds the trauma that many migrant

11 Crush, J. (2007). *Voices from the Margins: migrant Women's Experiences in Southern Africa*. SAMP; Sigsworth et al, *op. cit.* note 3.

12 Harris, *op. cit.* note 10.

13 Sigsworth, *op. cit.* Note 3, p. 21.

14 Human Rights Watch (2008). *South Africa: Punish Attackers in Xenophobic Violence*. Available at: http://hrw.org/english/docs/2008/05/23/safric18935_txt.htm

women had experienced in their country of origin, which was often the motivating factor in their decision to leave their home country in the first place.

Interestingly, Palmary points out that women often do not see the violence they experience as political but instead tend to view these violations as personal or domestic. The fact that women see their violations as domestic rather than political means there is a very real possibility that women may be left out of reconciliation and justice mechanisms in their home and host countries. In addition, this means that the resistance and resilience that women do show in response to the violence perpetrated against them in both conflict and 'normal' settings is seldom acknowledged and often played down as 'private' or 'domestic' violence.¹⁵

It is also important to note that compounded and/or buried trauma does not disappear, and can dramatically affect the functioning of an individual, causing dissociative episodes, uncontrollable emotions, self destructive behaviour and an altered view the world, among other symptoms. As such, the experience of trauma is an everyday reality for migrant women living in South Africa because it not only exists in the past, but old and new forms of trauma still persist as a part of their daily lives in South Africa, as one migrant woman expressed thus: *'... that's when I realized this thing is like genocide because it reminds me a lot of things in my mind. How can I run away from this life and find another one like this ... the time I saw those things I was thinking maybe this country is going to be like our country also'*.¹⁶

Migrant Women: their Resilience and Agency

Despite the extreme vulnerability of migrant women in South Africa and their exposure to xenophobic attitudes, behaviour and violence, the migrant women interviewed by CSVr demonstrated high levels of resilience and agency in a context that does not provide them with many opportunities.

Their agency was evident in the efforts they make to earn an honest living, educate their children, and provide for their families. Many relatively well-educated migrant women were working in menial jobs in order to make ends meet: some of them had used this opportunity to earn enough money to acquire South African qualifications or to start their own business. In addition, migrant women have a variety of coping mechanisms that they use to make life bearable in South Africa. These include religious groups, family and friends, and support groups accessed through migrant organisations; very few of them relied on the South African government to make a difference in their lives.¹⁷

Conclusion

Despite the fact that the May 2008 wave of xenophobic violence in South Africa is long over, migrant women continue to face xenophobic attitudes and behaviours from South African nationals on a daily basis. With the immediate crisis having passed, the attention of many international and local organisations has turned to other issues. However, in order for there not to be a repeat of the terrible violence that erupted in May 2008 and in order that the daily lived experience of migrant women in South Africa improves to the extent that their safety and physical/psychological health can be ensured, a lot more work still needs to be done to educate migrants and South African nationals about migrant and human rights, and to raise awareness about the issues facing migrant women in particular. In addition, much more work needs to be done to ensure that the true integration – the inclusion of individuals in a society, the result of a conscious and motivated interaction and co-operation of individuals and groups¹⁸ – of migrants into host communities is striven for and achieved, in order to protect both migrants and South African nationals from ignorance, mistrust, anger, hatred and the inevitable violence that must follow.

¹⁵ Palmary, *op. cit.* note 4.

¹⁶ Sigsworth, *op. cit.* note 3, p. 17.

¹⁷ *Ibid* p. 35.

¹⁸ Bosswick, W. & Heckmann, F. (2006). *Integration of Migrants: Contribution of Local and Regional Authorities*. European Foundation for the Improvement of Living and Working Conditions, p. 2.

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Biography

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