

**XENOPHOBIA AS A RESPONSE TO FOREIGNERS IN POST-APARTHEID  
SOUTH AFRICA AND POST-EXILIC ISRAEL: A COMPARATIVE CRITIQUE  
IN THE LIGHT OF THE GOSPEL AND UBUNTU ETHICAL PRINCIPLES**

**By**

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I gratefully acknowledge the use of Zapiro's cartoon which has been reprinted with his permission.

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## DECLARATION

Student number: **3317-283-8**

I declare that XENOPHOBIA AS A RESPONSE TO FOREIGNERS IN POST-APARTHEID SOUTH AFRICA AND POST-EXILIC ISRAEL: A COMPARATIVE CRITIQUE IN THE LIGHT OF GOSPEL AND UBUNTU ETHICAL PRINCIPLES is my own work and that all the sources I have used or quoted have been indicated and acknowledged by means of complete references.

.....  
(MR M M N MNYAKA)

.....  
DATE

## SUMMARY

Blaming those who are different from us because of skin colour, nationality and language when things do not go right during the process of reconstruction is common among those who are faced with such a task. This assertion is confirmed by our examination and evaluation of xenophobia in post-apartheid South Africa and post-exilic Israel. In South Africa socio-economic and political reasons are cited for the rejection of African immigrants by some South Africans. The Jews in the post exilic period understood their religious, social and economic problems to be caused by others. What is more disturbing is that the Jews understood their xenophobia to be demanded or legitimised by God. These reasons for them necessitated hatred, isolation, stigmatisation and sometimes negative actions against foreigners.

When we compare xenophobia in both post-apartheid South Africa and post-exilic Israel in this study, we find that factors such as identity, notion of superiority, negative perception of those who are different and use of power, play a major role in the exacerbation of xenophobia. In evaluating both situations, using the African principle of *Ubuntu* and Christian moral values, we are able to demonstrate that xenophobia as found in both situations is morally wrong since it is inhuman, selfish, racist/ethnocentric, discriminatory and often violent. *Ubuntu* and Christian values and principles such as human dignity, human rights, reciprocity, love, compassion, forgiveness, hospitality and community were sacrificed by South Africans and Jews in their dealings with foreigners in their respective situations.

It is argued here that among other things in the case of South Africa, the reduction of inflammatory statements by government representatives and the media, education of the unemployed, the youth and workers; and the meeting of spiritual, material, humanitarian and moral needs by the Church, will help sensitise South Africans to the plight of African immigrants and migrants and will further deepen the *ubuntu* and Christian values.

## KEY TERMS

African immigrants and migrants, racism, government, Jews, chosen people, Jesus, *Ubuntu/Botho*, strangers, Human rights, hospitality, compassion.

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## INTRODUCTION

### The Problem

The South African media has since 1994 reported on some of the negative attitudes displayed by some South Africans towards African immigrants and migrants, attitudes which often lead to confrontations. One of the newspaper articles that made me think and ponder on xenophobia in South Africa concerned the killing on a train of three foreigners, two from Senegal and one from Mozambique, who were accused of stealing jobs from South Africans (*The Eastern Province Herald*, September 4, 1998). This report and others similar to it clearly demonstrate that African foreigners, because of political, social, economic and cultural reasons, are often not welcomed here and some South Africans find it rather difficult to tolerate them. Unemployment, the scramble for access to scarce resources, crime and legislation have also contributed significantly towards the exacerbation of the problem. These concerns have led many South Africans to hold certain stereotypes about African immigrants, such as that they are illegal, poor, criminals, immoral, job snatchers and plunderers of resources. This intolerance has found expression in the manner in which some South Africans have intimidated, threatened, denigrated and even maimed and killed some of these foreigners.

I was also prompted to investigate this problem of xenophobia by an observation and a call made in the National Action Plan For the Promotion and Protection of Human Rights (NAP 1998:1). The NAP<sup>1</sup> observed that xenophobia,

as a deep dislike of non-nationals by nationals, is a dangerous trend that must be condemned unequivocally. We cannot foster a culture of human rights in South Africa, when our treatment of those who happen to be different to us is unforgiving, uncaring and sometimes even brutal with deadly consequences. There are growing calls for immediate actions. However, tackling xenophobia and all its

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<sup>1</sup> This is the South African government's response to the recommendation of The Vienna Declaration and Programme of Action of 1993 which requested that 'each State consider the desirability of drawing up a national action plan identifying steps whereby the State would improve the protection and promotion of human rights' (NAP 1998:18).

manifestations is an enormous task that requires the combined, co-ordinated and persistent effort of all individuals and parts of South African society.

Various bodies, such the South African Human Rights Commission, the Centre for Policy Studies, the Southern African Migration Project (SAMP), individuals like Maxine Reitzes and Jonathan Crush, and the media, among others, have researched and discussed xenophobia as manifested in South Africa. Most of what has been discussed by these bodies and individuals seeks to prove that many allegations against African immigrants and migrants are false. They also tend to address xenophobia as a human rights issue, an issue that violates international law and the South African Constitution, all of which intend to uphold the dignity and rights of everyone irrespective of race, creed, colour or gender.

The Post-exilic situation of the Jews and the xenophobia of that time will be analysed and compared with South African xenophobia. The post-exilic period will reveal to us what happened to people who had regained their land and were faced with the task of transformation and reconstruction. It will be informative to unearth and look at their attitudes, struggles and actions against the those who are different from them as they were influenced by the new situation. We shall further realise the role played by religion in shaping the actions and attitudes of Jewish people, which militated against the acceptance of those who were different.

By use of many sources and investigation of several disciplines, I hope to examine and give a coherent, comprehensive and holistic overview of xenophobia in both situations and explore how it manifest(ed) itself in these periods.

When foreigners are treated as they are or were in these situations, a need for theology to provide meaning becomes imperative, a theology that helps in giving vision and hope, nation-building and social renewal. Jesus' teachings (as found in the New Testament), together with the African principles of *ubuntu*, will be used to critique the actions and attitudes of the Jews and South Africans towards those who are or were different from them. Their common appeal is that they complement and reinforce the message of tolerance which finds

expression in values such as respect, compassion, love, forgiveness and hospitality, among others.

The section dealing with the Gospel will help us to understand Jesus first as a Jew, to trace and paint the world which Jesus had to deal with and confront, and to understand his attitudes and actions towards other nations. His teachings and healing ministry will reveal the values that Jesus had as a person. The Gospels and other relevant literature will play a pivotal role in our understanding of Jesus as a model and how he grappled and addressed the problem of xenophobia. The findings of this section will later be appropriated for evaluating post-apartheid South Africa and post-exilic Israel, for especially challenging the attitudes and actions of South Africans and providing a model for the South African situation.

In the creation of social values, culture has also a significant role to play. *Ubuntu* as part of the South African way of life and an encompassing moral principle that is about respect for persons, community, solidarity and other moral values will also help us to critique the prevailing situation of xenophobia in South Africa. As a cultural weapon, it must enable South Africans to drink from their own wells and discern God's will from their own culture. Both *ubuntu* principles and Christian values will be examined and discussed before being used to evaluate the situations under review. The main aim in this examination is to sensitise South Africans into accepting and integrating foreigners, who are in their midst, into their communities. It is further intended to discourage and disassociate South Africans from practises which currently have negative consequences on the African migrants and immigrants themselves as well as on South African society at large.

### **Importance of the study**

Although Fontana (1997:15) has observed that in the case of xenophobia in South Africa very little empirical study has been undertaken to establish all the reasons for it, a lot of valuable material, from journals, newspapers and other sources, has been written. The material written focuses mainly on exposing xenophobia and also seeks to prove that most

of the allegations or perceptions by South Africans about African immigrants are unfounded. This material however, does not provide an in-depth analysis of the problem from an ethical, cultural or theological point of view.

The present study intends to show that the important values espoused by the Gospel and African culture have an important role to play in shaping and challenging attitudes and actions of South Africans in this regard. Theology and culture have always played an important role in South Africa, both in the colonial and apartheid eras. It has also been used to give meaning to the identity and resistance of African people in their struggle against oppression and exploitation.

The study aims to investigate, understand, explain and expose xenophobia in South Africa. It also aims to educate the public about it and to provide, in a systematic manner, a cultural and theological response to the problem. The hope is that this will help in transforming our society, its attitudes and structures. Both culture and theology – specifically ethics- are used as resources for interpreting and giving meaning to human existence that finds itself in difficult and oppressive situations. A cultural and theological response will provide an opportunity and challenge to participate in building a just society upon the very values that South Africans have longed and fought for. This will provide a theological framework out of which the Church can understand herself and her mission; a mission to provide a ‘moral base to the development of a truly humane society’ (Muller 1999:69).

I have not yet come across any comparative study with regards to South African xenophobia. The comparison undertaken here is an important one because it seeks to highlight the negative attitudes and actions of those who are faced with the task of reconstructing and transforming their society against those who are perceived to be different.

## **The method**

The method of presentation will be firstly historical since it will, first, record what has happened and is still happening right now in this country since 1994 with regards to the treatment of African immigrants and migrants. The study will also describe and analyse the prejudice against, and ill treatment of, foreigners by providing details of incidents in which South Africans (both government and citizens) have expressed this behaviour. Secondly, historical material from the Bible and other sources, especially of the post-exilic period, will also be used to further help us understand the struggle experienced by the Israelites in relating to others when they regained their land. Periods subsequent to the post-exilic situation up to the time of Jesus will be analysed as well, with the aim of drawing out the values Jesus sought to impart to his disciples with regards to relating to and treating people who were not Jews. The Gospels and other literature will help in understanding Jesus' attitude and actions towards people who were not Jews.

This study is also meant to be comparative, comparing the xenophobia of the current post-apartheid South Africa with the xenophobia of the post-exilic Period. The Post Exilic period and the post-apartheid South African situations were/are times of hope, transformation and reconstruction, and yet are (were) experienced by other nations as times of humiliation, restriction and isolation for them. Though these are two different periods, we shall look at some of the common elements in them that gave rise to xenophobia.

The common values which *ubuntu* and the Gospel have, will be used to evaluate and critique xenophobia in the two periods and contexts studied. In all the chapters the material used will not just be a narration of events and collection of facts, but it will also be critically looked at and analysed.

It has not been found necessary to conduct any field research in this study since various people, such as Reitzes and others, and organisations like the South African Human Rights Commission and SAMP have done so and their work is sufficient to provide the necessary

field data and experience. This study will, therefore, be confined to library and literature research. Relevant available literature (legal, philosophical, sociological, theological etc.) will also be used and analysed for the purpose of evaluation.

### **Limitations**

This study does not claim to address the condition of immigrants and migrants, in the case of South Africa, in general. It deals specifically with the reception and treatment of African foreigners. The preferential treatment of non-African nationals is not directly addressed here. The study's focus is limited to the treatment of African immigrants. Even though African foreigners do not constitute a single group, but are diverse, they will be treated as though they were one group since South Africans treat them as such. South Africans make no distinction among refugees, legal and illegal immigrants; to them they are all the same and are seen as responsible for their problems. It is their influx, presence and visibility that has prompted certain negative reactions from South Africans.

This is a comparative study, comparing xenophobia in post-apartheid South Africa and post-exilic Israel. The second focus on post-exilic Israel does not pretend or aspire to be a work of Old Testament scholarship. Its significance for ethics is based on biblical narrative and its interpretation by scholars in the fields of Old Testament and ethics. This comparison is done to demonstrate similar and different factors used to justify xenophobia. The theological and cultural material that will be used for evaluation does not directly address the question of xenophobia, since very little has been done to relate it to this issue. Rather it will be on related subjects such as human rights, compassion, love, forgiveness among others.

### **Procedure**



The study will proceed as follows: After the introduction, chapters one and two will deal with the way African foreigners are viewed and received in South Africa. They will include issues such as the causes for migration, and allegations and actions taken against the immigrants. The government's response to the presence of immigrants and the latter's survival tactics will also form part of these chapters. This is to survey the various ways in which xenophobia manifests itself and its effects on African immigrants and migrants.

In chapter three the negative Jewish attitudes towards other nations in the context of the post-exilic period will be surveyed. The post-exilic situation has been chosen because it is the period of the return of the Israelites to their land. They had a task of rebuilding their nation. We shall use that period to illustrate how specific demands on the community influence attitudes of people and how religion was evoked to exacerbate xenophobia and to restrict the Jews from mixing and relating freely with non-Jews.

A comparison of xenophobia in post exilic-Israel with that of post-apartheid South Africans will be dealt with in chapter four. The aim of this is to show the similarities and dissimilarities. We shall further discover how common issues such as identity, superiority, and power play a role in exacerbating xenophobia. This comparison will also help us to see how issues such as identity, feeling of superiority, and power come to the fore and play an important role in the spreading of xenophobia. Religious, cultural, economic and political matters also tend to be intertwined with the se.

Chapter five deals with Jesus' relationship with non-Jews. The Gospels and other sources will be perused to examine the changes that were intended by Jesus, the strategies that he applied to encourage the Jews and Christians to begin thinking and acting inclusively. We shall show that Jesus –according to the Gospel - did not allow socio-economic issues, history and religion to determine how He should relate to foreigners or non-Jews. Instead, in his teaching and healing ministry he allowed love, compassion, and respect for persons to be the determining factors.

In chapter six we shall look at the social significance of *ubuntu* and *ubuntu* principles will be explained, analysed and elaborated on. The purpose will be to discover the values which it offers with regards to respect to human beings, in particular towards strangers, the role of community, and the importance of forgiveness, compassion, and hospitality, among others.

The principles identified from the discussion on *ubuntu* and the Gospel will be used in chapter seven to evaluate and critique xenophobia as described in post-apartheid South Africa and post-exilic Israel. It will be shown that South Africans and the Jews ignore(d) their religion and the wisdom of their culture in relating to African immigrants and Gentiles, who were not made beneficiaries of Christian and *ubuntu* values.

The last chapter will be devoted to conclusions and recommendations.

## **CHAPTER ONE**

### **MANIFESTATIONS OF XENOPHOBIA IN SOUTH AFRICA**

## 1.1. INTRODUCTION

Since 1994 South Africa has moved away from being a generator of refugees to become a receiver of immigrants and migrants.<sup>2</sup> There has been an increase in the number of foreigners (both legal and undocumented)<sup>3</sup> entering South Africa and this has led to a rise in xenophobia, especially among black South Africans. As an example, Rebecca, who is a nurse in Newcastle, exaggerates the presence of foreigners in *Pace* magazine (April 1999:4). According to her it seems that every second person in South Africa is a *kwerekwere*.<sup>4</sup> This derogatory name will be further explained and analysed when we deal with actions against African immigrants.

In this chapter we examine the reception of immigrants and migrants by looking at the causes for migration to South Africa, the reception they receive and perceptions South African have of them. The government's response to the presence of African immigrants and their survival tactics will also be looked at.

'No one knows how many illegal immigrants live in South Africa, but estimates run as high as 4 million, a striking figure in a country with a population of 43 million' (Murphy 2001:1). These figures have been challenged by Reitzes (1995:4) and Danso & McDonald (2000:2). They urge us to be critical about where these numbers come from, how they are obtained since people who are entering are illegal and therefore undocumented. Besides, since some immigrants who have been deported sometimes re-enter, it is possible that they may be counted twice. The Department of Home Affairs also states that it is difficult and impossible to estimate the number of illegal immigrants entering South Africa since there 'are just too many ways for people to find their way into South Africa' (*Pace*, March 2003:52). It might be difficult to verify and misleading to rely on these statistics, but whether they are correct or

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<sup>2</sup> An immigrant is a person who intends to settle permanently, for the rest of his/her life, in a given country. A migrant, on the other hand, is a person who leaves his/her country of origin for a mid term period with the intention of returning home (Unit on apartheid:April 1975:2).

<sup>3</sup> Danso and McDonald (2000:1-2) believe that the criminalization of migrants from other parts of Africa is made worse by the more subtle use of terms like "illegal and alien". These terms, according them, should be dropped completely and replaced with more neutral terms like "undocumented" or irregular migrants. Undocumented refers therefore to all those who enter South Africa without going through border control procedures.

not, the fact of the matter is that there is an influx and visibility of African foreigners in South Africa.

## **1.2. CAUSES OF MIGRATION TO SOUTH AFRICA**

Kovacks and Cropley (1975:29) distinguish two types of factors involved in causes of migration,

and these may usefully be thought of as push versus pull. The pull factors tend to derive from the attractions of the receiving society as perceived by the would-be immigrants while they are still in the homeland. The push factors are generated in the personal everyday life of the future emigrants, and in their socio-economic surroundings in the homeland.

There are a number of reasons why there is a rise in the number of foreigners, especially African immigrants, entering South Africa. One is the fall of apartheid and the celebrated establishment of democracy. The following are some of the other reasons for the influx of foreigners:

### **1.2.1. Migrant labour system**

African people from Malawi, Zambia, Lesotho and other African countries have been migrating to South Africa for many years to work mainly in the mining industry for a defined period of time (Muller 1999:68). The mining industry, according to the government White Paper on International Immigration (section 6:4.4.6) in South Africa relies on migrant foreign labour. Because African migrants had an assured employment, they had valid working permits but could not qualify for permanent status because they were black. Their presence in this country was controlled, though in a discriminatory manner, and was tolerated because of their cheap labour. Public policy denied them permanent residence, they became temporary sojourners. Through their labour they have not only helped in building the economy of this country but have also benefited countries such as Mozambique, Lesotho, Swaziland and Botswana. This was done through financial remittance in the form

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<sup>4</sup> *Kwerekwere* is a derogatory name for an African foreigner

of voluntary or compulsory deferred pay. In other words migratory labour has been a contributing factor to regional economic interdependency. But the international community, according to Fontana (1997:4), 'has long condemned this form of migration ...since it reinforces the dependency of neighbouring states on remittances from migrants who are suppliers of labour to South Africa'.

### **1.2.2. War**

According to Nicholas Bwakira, regional director of the UN High Commission For Refugees (UNHCR), 'Africa has seven million of the world's 22 million refugees' (*Sowetan*, December 10, 1999). This is the second largest number after Asia (*City Press*, June 16, 2002). The reasons for so many refugees is that there are or were many hot spots in Africa, such as Angola, Lesotho, Democratic Republic of Congo, Sudan, Nigeria, Sierra Leone, the list is endless. Africa seems to be a place of revolution and revolt, of coups and counter coups and, therefore, a place of instability. Kwesi Kwaa Prah (in Makgoba 1999:2) is convinced that none 'of the coups [and wars] that have taken place in Africa can in any serious sense be said to be emancipatory as far as the broader sections of the population are concerned'.

Many foreigners come from these critical areas, where there has been internal and regional conflicts. Some of them do not want to leave their countries but because they are threatened, persecuted and their lives are in danger, they leave their homelands out of fear and they come to South Africa as refugees. Many of them have lost everything. According to Busi Moloele, National co-ordinator for the Roll Back Xenophobia Campaign, refugees and asylum-seekers in South Africa come mainly from The Democratic Republic of Congo (DRC), Angola, Burundi, Ethiopia, Somalia, Senegal and Nigeria (*City Press*, June 16, 2002). They come to South Africa looking for protection. Of course they have the right in international law to seek asylum from persecution. Flight from persecution to protection is usually fraught with difficulties, such as lack of food, shelter and protection.

A consolation for refugees is that they can return home if conditions back home improve. When they come to South Africa some apply for refugee status and others do not bother. Even though there are asylum seekers and refugees in South Africa, South Africa is not so much flooded as many people would think. This position was confirmed by Mr Brunno Giddo of UNHCR on the *SABC Two Way Programme* (January 29, 2001). He said that there are only about 62000 Asylum seekers in this country out of whom 26 000 are refugees.

### **1.2.3. Economic hardship**

When some African countries are not plagued by disruption, corruption or civil war, some continue to suffer from drought and famine. According to the *Evening Post* (June 29, 1995) the harsh realities of economic chaos, poverty and starvation often force people to leave their homelands and start looking for greener pastures. Many Africans are crossing the borders with the hope of finding some work and relief. They see South Africa as a land of milk and honey. These people are called economic refugees. This group of people usually come into the country without using appropriate administrative channels. We shall see later on, when we deal with the government's response, that they are generally not welcome in South Africa.

### **1.2.4. Trading**

Not all foreigners who come to South Africa are looking for employment; others come here to buy food and clothing. They find these commodities cheaper in South Africa. These commodities are either resold or used by their family members back home. Others come to sell handicrafts. Reitzes (1998:1) argues aptly and convincingly that attempts such as these do not threaten the South African economy but benefit both it and that of the Southern African Development Community (SADC).<sup>5</sup> Because these 'migrants make a significant contribution as consumers ... [t]hey thus make minimum demands on social services but

contribute significantly to market economy, increasing demands for goods and services; far from killing jobs, as purchasers they indirectly create employment opportunities' (Reitzes 1998:1). Murphy (2001:2) also observes that 'foreign street traders in Johannesburg and Cape Town often hire South African help' and this is directly and indirectly creating a job. Yet those who sell, tend to be viewed in a hostile manner by South African hawkers since they compete with them in the selling of goods.

#### **1.2.5. Following of jobs**

Some African immigrants often claim that because the companies they had worked for came to South Africa, they are following them. A Zimbabwean claimed that about 60 companies of Zimbabwean origin are operating in South Africa. According to him, when Zimbabweans come to South Africa, they are therefore following the flow of capital and goods (Reitzes 1996:46). He sees 'South Africa [as] economically better off because some bosses started leaving countries in the region, due to war, for South Africa. Therefore job seekers had to follow job providers' (Reitzes 1997:51). Others who come here in this category are those Kovacks and Cropley (1975:4) call 'transilient [sic] immigrants. Transilients [sic] are people possessing high professional or technical qualifications who are willing to live for a time in any relatively congenial society which rewards their qualifications adequately. When better opportunities appear in other countries, or the need for them diminishes in the present country, they move on'.

#### **1.2.6. Historical and cultural reasons**

Many Ndebele speaking Zimbabweans (Reitzes 1996:39;1997:51) claim to have their roots here in South Africa because of the historical ties that exist between the Ndebeles in Zimbabwe and the Xhosa people in South Africa. When they come to South Africa they see themselves as visiting or coming to settle in their homeland of origin. Because they view South Africa as their homeland, they are likely or they tend to see themselves as having the

<sup>5</sup> SADC is made up of 14 countries. Its vision is to have an integrated development for the Southern African region. This can be achieved by the highest degree of economic co-operation and by providing

same rights and privileges as South Africans and other nationalities who have linguistic and cultural ties with South Africans. The difficulty the Ndebeles and groups such as the Shangaan have in being accepted by South Africans, though they have linguistic and cultural links with other South Africans, will be dealt with later.

#### **1.2.6. Study and visits**

There are students who come here in pursuit of knowledge. Mamphela Ramphele in *Immigration and education: International students at South African Universities and Technikons* (March 1999), feels strongly that 'international students are an integral part of any internationally recognized institution' and that their presence can benefit South African institutions academically, culturally and financially. This position was further reiterated by Minister of Education, Prof Kader Asmal, who felt, according to SAPA (March 13, 2001), that about 10 percent of students at South African universities and technikons should originate from SADC countries. He is of the opinion that 'these will help cultivate an interest in universities. It was vital for peace and prosperity in many of those countries for these students to share South Africa's aspiration. Universities also thrived with the presence on campus of different cultures'.

Other people come as tourists or to visit friends and relatives. According to the 1998 *South Africa Yearbook* (p.147), 'tourism in South Africa contributes 4,6 per cent to the gross domestic product (GDP) while the industry employs 550 000 people... [E]very nine tourists to South Africa create one direct and two indirect jobs'. For these reasons, African foreigners do not hesitate to trek down to South Africa in spite of the difficulties they are likely to encounter. They contend they have the right to migrate either to settle permanently or temporarily. The social, political, economic and cultural conditions have forced them to migrate.

#### **1.2.7. General**

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regional peace and security.



From the above one can see that South Africa has become a host to an influx of displaced and other people from Africa who are rushing for better lives, safety, protection and other advantages. Many of these people are desperately in need of help and understanding. They are often anxious, insecure, frustrated; they have been alienated from their lands, families and cultures. South Africa as a host country, because of 'its regional strength in terms of much greater productive forces and infrastructural resources, acts as a strong attractor' (Cochrane 1998:408).

Various ways, both legal and illegal, are used by immigrants to come to South Africa. They come on working or study permits, others on temporary visitors' visas. Some have used means which are illegal and dangerous to enter into this country. Some temporary visitors' visas have at a later stage been converted into working or study permits while others remain without valid residence permits. These actions contravene their study or residence permit status and thus contravene the Aliens Act of 1991 (amended in 1995). Some of those who have used these methods have been arrested for contravening the Act (*Eastern Province Herald*, March 6, 1998, March 23, 1998). Another method used for entering the country illegally is to bribe the police. Through this practice police are tempted to be corrupt and they, in turn, also encourage other aliens to come to South Africa illegally. We shall deal again with this aspect of bribing of police later under various topics.

In their attempts to come to South Africa many aliens who enter illegally risk their lives. They meet all sorts of difficulties. For instance, 18 people from Botswana suffocated in the back of a truck while trying to come into South Africa illegally (*Tribute*, December 1998). According to Murphy (2001:1) tragedies do occur when immigrants try to cross South African borders. For example, some immigrants try to cross the crocodile infested Limpopo River and they are grabbed and eaten by ravenous crocodiles. Others get drowned and most of these drownings are undetected because they happen at night and often when the river is in flood. When attempting to cross through Kruger National Park, they are eaten by lions.

Harsh realities, such as war and natural disasters have even forced pregnant women to come to South Africa. Because of advanced pregnancy in some instances they often give birth on the way and, according to Colonel Steyn, there have been 'three occasions when my soldiers had to act as midwives and deliver babies' (*Evening Post*, August 27, 1998). The need to get to the "land of milk and honey" is so great and all these difficulties do not deter them at all.

When immigrants come to South Africa, many of them find themselves 'in a bewildering state of strangeness and ignorance with regard to language, traditions and other ways of the [South African] society' (Kovacks and Cropley 1975:5). In spite of that, they have to contend with South Africans, especially black South Africans, some of whom have a hardened and unaccommodating attitude towards African immigrants and make life unbearable for many of them. Why do these South Africans have this noticeable hardening of hearts towards other Africans? What is it that African foreigners are doing to make themselves so disliked, discriminated against and ill-treated by South Africans?

### **1.3. ALLEGATIONS AGAINST AFRICAN IMMIGRANTS**

Even though immigrants have to adjust to a new and complex social order, South Africans have certain perceptions about them. They are seen not only as violating 'a territorially bounded entity, defined in terms of being on the wrong side of a border and responded to as a disruption of the state' (Reitzes 1996:30), but are blamed for some South African ills.

#### **1.3.1. Involvement in crime**

Since crime has risen to unacceptable levels, African immigrants are blamed for some of it. Some people claim that they are not safe in their own streets and even in their homes, because when some foreigners cannot find work, they start resorting to crime (*Pace*, April 1999:4, Reitzes 1977:44-45). The former Director-General of Home Affairs, Mr Billy Matsetlha, supported this view when he said,

[T]he incidence of serious criminal activities amongst them is obvious. For one, few South Africans would dare to walk the streets of Hillbrow in Johannesburg. The risk to their personal safety is just too great and it is known that a fair majority of residents in that neighbourhood are now of foreign origin. What is more, the illegal entry and sojourn in South Africa is prohibited by law and therefore an offence similar to all other crimes. Turning a blind eye to this dimension of law enforcement solely because foreigners are involved, would make a mockery of the criminal system (Matsetha 2000:5).

Police figures indicate that some African immigrants do commit crime, but these statistics disprove that African immigrants are the ones who are exacerbating it (see below). The crimes they are accused of include smuggling guns, drugs, car theft and conning people in scams involving money. Insufficient patrolling personnel is cited by Fontana (1997:13) as being exploited by crime syndicates.

Other incidents of crime immigrants are alleged to be committing involve deceiving the state. They devise strategies of avoiding or outwitting the state – through lying about their status, forging identity documents and obtaining them by illegal means. Suzan Moeng (*Drum*, October 7, 1999:6) claims that because of such incidents the country is falling apart and the crime rate is going up. She further claims that certain nationalities are primarily involved in particular types of a crime, for example, the ‘Zimbabweans specialise in housebreaking and rape, the Nigerians in drugs, the Zaireans in forged cheques and Mozambicans in cheap labour [and in arms smuggling]’. The Senegalese and Ghanaians are also seen as being involved in fraud. Angolans are seen as arms smugglers. It may be true that some of these nationals may have been caught committing such crimes, but to make claims and generalisations based on a few observations is dangerous. This can only reinforce myths, stereotypes and prejudice about these people. African immigrants are of the opinion that ‘South Africans are too judgmental! They take every financially stable foreigner to be a drug dealer’ (*Pace*, March 2003:52).

The myth that immigrants, especially African ones, are responsible for the high level of crime in this country was challenged by the Human Rights Commission’s

Mr Jody Kolapen (*Sowetan*, Wednesday 11, 1999), when he presented the statistics of 1998 at a conference on Xenophobia at the University of Venda. The facts that he presented were as follows:

<b>type of crime</b>	<b>no of arrests</b>	<b>%SA</b>	<b>% Zim</b>	<b>% Mozam</b>	<b>% Unknown</b>
Rape	20 480	98,8	0,1	0,3	0,5
Burglary	37949	98,6	0,1	0,4	0,6
Theft of vehicles	8 486	97,4	0,1	0,6	
Other thefts	70 712	97,2	0,2	0,6	1,2
Commercial Crime	11 308	91,0	1,0	1,1	4,8
Illegal firearms	9 162	97,3	0,2	0, 2	1,2
Drug-related	37 104	96, 2	0,1	0, 2	1,5

Source:SAPS

These statistics show that African immigrants do commit crime. By doing so, they also contribute in giving this negative impression of themselves in a very hostile and prejudiced environment. Also, when immigrants involve themselves in crime, (just as South Africans do), they are a threat to the security and well being of the nation. They are violating the law of the country and they stand the risk of being arrested and deported. The statistics, however, show that their committing of crime is not as high as it is often portrayed. South Africans are, in fact, the ones who have infected their country with crime because they are the ones who are mostly involved in criminal activities in this country.

### **1.3.2. Putting strain on schools, hospitals and social services**

To support the allegation that African immigrants are also putting strain on schools and hospitals, Reitzes (1995:10) claims that R2, 2 million was spent on foreigners in Johannesburg hospital in 1994. The arrival of foreigners has undoubtedly placed strain on scarce resources and social services that seem to be inadequate to meet the needs of all

South Africans, and black South Africans in particular, who are now looking to improve their lives after the deprivations of the past. There is a feeling both from government and the people that the economy and infrastructure cannot cope with these people. The Minister of Home Affairs, Dr M. Buthelezi, giving a keynote address at the Southern African Migration Projects Conference, actually expressed the government's feeling in this regard when he said,

With an illegal alien 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. The cost implication becomes even clearer when one makes a calculation suggesting that if every illegal costs our infrastructure, say R1 000 per annum, then multiplied with whatever you wish, it becomes obvious that the cost becomes billions of rand per year (Buthelezi 1997).

He went on further to say

The ramifications of the presence of illegal aliens impact on housing, health services, education, crime, drugs, transmittable diseases –need I go on!

### **1.3.3. Exacerbating an already high level of unemployment**

African immigrants are seen to be exacerbating unemployment<sup>6</sup> by taking jobs away from South Africans. African immigrants are said to compete over the same pool of jobs with South Africans. Fatima, a refugee from Somalia refuted this claim on *SABC Two Way Programme* (November 16, 1999), saying that she had been in South Africa for five years and she had not taken any job since she had never worked. African immigrants find this accusation of taking jobs to be unfair and anti-African. South Africans claim that they have

come to fill “vacancies”, and take up opportunities. Interestingly, white people who come into South Africa are not seen as taking locals' jobs. Australians, Americans or even white Zimbabweans or Kenyans are welcomed with open arms, because they are seen as business people bringing in so-called investments' (*Mail & Guardian*, October 29 to November 4, 1999).

Some African immigrants believe 'that South Africans have no-one but themselves to blame for being unemployed. "They are lazy both men and women"' (*Pace*, March 2003:50). Len, a 22 year old from Uganda, said that he was also more concerned about African immigrants flooding into South Africa. He had this to say, 'I still had to bring my brother and sister siblings here. Seeing so many foreigners pouring in only made me fear for my siblings' future employment - nothing else' (*Pace*, March 2003:52).

Mr Muionga, who is also a foreigner, seems to support the allegation that foreigners are taking jobs when he says, 'I can safely say 90 percent of people who come here illegally do so because they want jobs. There are not enough jobs here for locals and people who are here legally' (*City Press*, November 15, 1998).

When job opportunities are available in some sectors, many South African employers hire African immigrants and local people are ignored. This action leads to the perception that they are coming here to take jobs. According to the *Evening Post* (June 29, 1995), in the Eastern Transvaal (Mpumalanga) sugar cane farms 90% of the workers were illegal immigrants. Also in 'Messina, where unemployment is above 40 percent, local farmers employ illegal immigrants from neighbouring Zimbabwe while ignoring local people' (*Sowetan*, August 11, 1999). Illegal immigrants are said to be prepared to do the most menial tasks which are degrading and dehumanising. They work under worse conditions for low wages and thus become victims of cheap labour. The local workers are seen as snobbish and expensive. Of course the illegal immigrants can afford to be cheap because they are illegal, unregistered, unprotected and not unionised as workers. By working here illegally, they also increase the profit of the companies they are working for through cheap labour and tax evasion and also undermine the labour laws of this country. The Minister of Home Affairs, Mr M.G. Buthelezi, is under the illusion that with 'unemployment running at above 34 per cent and millions of illegals making a living in South Africa, it can be postulated

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<sup>6</sup> The Congress of South African Trade Unions in its press statement of February 8, 2001 estimated the unemployment rate at 36%.

that if all the illegal aliens were removed, the unemployment problem be will closer to a solution' (1997:3-4).

#### **1.3.4. Creating ghetto conditions**

According to Reitzes (1997:21), when African immigrants come to South Africa, it is not easy for them to find accommodation. Many cannot afford to pay the exorbitant rentals that are charged by landlords, so they tend to club together (share accommodation). Their places of accommodation end up being overcrowded and filthy. This has led to the decay of certain places, which end up being a health risk. South Africans therefore, feel that aliens have taken certain areas to themselves and turned them into ghettos. For instance Berea, Hillbrow and Yeoville in Johannesburg 'are now called Nigeria, Zaire and Kenya - or sometimes Zimbabwe' (*Drum*, October 7, 1999). Suzan Moeng complains in *Drum magazine* (October 7, 1999) about the beautiful hotels that Johannesburg once had, which are now hostels for refugees. For instance, the Porte building in Johannesburg, which has 54 floors, has disturbing images of the grimes and crime. By 'the early nineties the building's impressive façade became tarnished when it became a mecca for immigrants from African countries such as Zaire, Nigeria, Angola and Zambia' (*City Press*, June 16, 2002). For occupying these places, foreigners are, therefore accused of depriving South Africans of a place to live. In an interview conducted by Reitzes (1997:23) one person had this to say,

Landlords, who are mostly South African, charge immigrants higher rents than South Africans. Immigrants do pay these higher rents, because they are desperate for accommodation. Thus, profit-seeking landlords prefer immigrants, and South Africans, who refuse to be exploited so easily, are rendered homeless. Thus, for the sake of profits, landlords don't have a first-come-first-served system but prefer immigrant tenants.

#### **1.3.5. Taking local women**

African immigrants have not only taken over the streets of South Africa but, it is alleged, its women as well. They are sweeping the local girls off their feet with ease and spoil them with gifts and promises of marriage. One man complained that ‘when your girlfriend ditches you for a Kwerekwere you had better forget about her ... She will start having cellphone and petty cash privileges’ (*City Press*, 29 November 1998). One has to wonder whether it is real love or love for the sake of money. According to *Drum* (May 31, 2001:21), some South African women justify their going out with African foreigners by saying that it is because they know how to look after ladies. They are deemed to be more gentle, kind and respectful than their South African counterparts. A Pop songstar, Brenda Fassie, who once found new love with a Congolese man, (Kwasa kwasa star, Awilo Longomba) is one of the women who subscribed to this claim. She said, ‘South African men don’t know love. They don’t know how to satisfy their women... I am done with South African men and am looking forward to a romantic future with a foreigner who knows how to love me and tell me how beautiful I am’ (*Sowetan*, July 18, 2000).<sup>7</sup> Surprisingly some African immigrants share Brenda’s opinion that South African women go for African immigrants because they ‘offer tender-loving care than local men’ (*Pace*, March 2003 :52). They went on to say that South African men are more violent, ‘I’ve noticed that about three out of every four local men are violent. The minute a misunderstanding crops up, they don’t negotiate or sit down and try and solve a problem –they fight’ (*Pace*, March 2003:52).

One wonders whether these qualities are exclusive to these men only, though. Aliens can afford to spoil local girls with gifts and have all the good qualities that have been mentioned. For the aliens, these qualities are also survival tactics. Aliens do feel the need for acceptance and love. They just cannot afford to be alienated by everybody.

These relationships have not always been as ideal as they are portrayed, however. Whenever things have gone wrong, South African women have not hesitated in betraying and exposing the illegal status of their lovers. A Congolese doctor in East London, Muphlela Katakumbani, was exposed by a “jilted lover” (*Daily Dispatch*, March 14, 2002) whom

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<sup>7</sup> According to *Drum* (May 3, 2001:17), Brenda’s romance with that man lasted only for few weeks.



he had married and after a month divorced her and brought his Congolese wife to the country. This doctor according to the *Daily Dispatch* (March 14, 2002) had married the South African woman for the sake of convenience in order to obtain permanent residence.

When local girls involve themselves with people who have an inferior social status (since most immigrants are perceived as disadvantaged and are called names), they are likely to be despised and seen as social misfits. Being despised leads to isolation and unhappiness. Even in love relationships there will still be no happiness. There is also evidence or claim of gender bias. It seems that there are more South African men who hate foreign African men than foreign African women. Women foreigners do not seem to be subjected to ill treatment or called names as much as men. Does this imply that South African men also tend to lean towards foreign women? If it is so, it shows that love respects no boundaries or nationalities.

#### **1.3.6. Carriers of diseases such as Aids and malaria**

There is also a mistaken belief that African immigrants and migrants are responsible for bringing and spreading the deadly Aids virus. This belief, according to the *Evening Post* (February 16, 1999), stems from the fact that some of these African immigrants come from areas such as Cameroon, Equatorial Guinea, Congo and Central African Republic, the region where Aids is thought to have started. Because they are perceived to be from unhealthy and feeble conditions, they are seen as dirty, defiling and corrupting the country with disease and imminent death. Since they are allegedly a mortal danger, they are considered despicable. To say that the spread of Aids in South Africa is caused by foreigners is incorrect, though. South Africans are also responsible in the manner of their behaviour. Though section 29 of *Immigration Act 2002* prohibits foreigners who are 'infected with infectious diseases', immigrants to this country are not tested. It is especially those illegal aliens who enter the country without compliance with health precautions who are a health risk.

Because of all the above stereotypes and many others, South Africans believe that theirs is not just an irrational fear (or deep dislike for African strangers) but a real economic, social and cultural threat by foreigners. They believe that as long as the aliens are allowed to trek down south and flood this country, grinding poverty and risk to their health will be the order of the day.

Fellow Africans are perceived as foreigners not only because they have crossed a territorial boundary but also because of a negative impact they are perceived to have on the South African community. They are, therefore, unwelcome. Many South African citizens deem their interests to be more important than those of aliens. They see themselves as protecting their country and their interests, that is why they often take negative actions against African foreigners.

#### **1.4. ABUSE OF AFRICAN IMMIGRANTS**

Because African immigrants are perceived as outsiders, criminals and illegal, many of them have suffered abuse from dissatisfied South Africans. People responsible for such abuse often take the law into their own hands and are, 'as one might guess, young, unemployed, less educated males who are disappointed with the slow pace of transformation and are disillusioned with current political institutions that have failed to deliver' (*City Press*, November 29, 1998). Even so, people in positions of authority and responsibility have also often used their power to exploit and violate the rights of aliens.

Since 1994, South Africa has 'ratified or acceded to several international human rights treaties that have a bearing on treatment of aliens' (NAP 1998:75). This means that South Africa has pledged to abide by these obligations and to carry out its humanitarian tasks of both protecting and assisting the aliens. Aliens are, therefore, protected by both the international and South African laws. Despite this, however, African aliens have not escaped abuse from South Africans. The following are some of abuses which foreigners have been subjected to by some South Africans.

#### **1.4.1. Victims of cheap labour**

‘African immigrants flock to mining and farming industries, two fields not popular among South African workers because of poor working conditions and low pay’ (Murphy 2001:2). The abuse of illegal immigrants by South African employers is rife because they have no legal rights and protection. Sometimes, according to Reitzes and Bam (1996:19), instead of being paid for services they have rendered, police are called in just before payday to have them arrested and deported, and in that way victimising them. This labour practice exploits them by using the free labour of these people and benefiting the employers, as was mentioned when dealing with allegations against foreigners. Those who should be arrested are the employers themselves. Instead, corrupt policemen accept bribes from equally corrupt employers who are using the illegal aliens. Some police allow themselves to be used and thus help in perpetuating exploitation instead of being defenders of the underdogs.

If the police are not called, African immigrants are paid meagre and unbelievably low wages. In the agricultural sector, according to a report by the Human Rights Watch (1998:3) the undocumented labourers ‘work for pittance, on average about 5 rands [U.S. \$ 1 at an exchange rate of five rands for one U.S. dollar] per day’. That means wages are as low as R100.00 a month if a person works five days a week. The farmers do not only give farm workers low wages but they also physically abuse them by keeping them on these farms against their will and beating them to work harder (Human Rights Watch 1998:3). Instead of tougher penalties for employers who breach labour standards, they sometimes escape unnoticed. The illegal status that some foreigners have puts them beyond the protection of the law. That is why they are victimised by South African employers.

The government is aware of this labour practice and it has taken steps to ensure that it is discouraged. In 1998 farmers like J.G. Zeelie, who had employed 40 Mozambicans, were fined for employing illegal immigrants (*Evening Post*, March 24, 1998). Seventy-three employers, are reported by the *Evening Post* (May 14, 1998) to have been charged with employing illegal immigrants in 1995 and in 1996. A total of between 110 and 450 employers were investigated during 1997, and of these 121 were apprehended and paid

admission of guilt fines while 74 others were prosecuted and sentenced. This is the government's attempt to stem both the influx and exploitation of African immigrants.

#### **1.4.2. Theft of their belongings**

Some South African people break into the homes of African immigrants or vandalise their small businesses without fear of being prosecuted. In July 1997, local hawkers took to the streets of Johannesburg attacking immigrant traders, destroying their stalls and pillaging their business (*Evening Post*, September 9, 1998). Mr Abilio Mulanga, who came to the country in 1986 from Mozambique and started a business in Brakpan on the East Rand, had his business vandalised in broad day light 'while neighbours just looked on. They said, 'baya lilungisa iShangaan'(they are fixing the Shangaan) (*City Press*, November 22, 1998). The Human Rights Commission (1999:lv) also reported that some African immigrants claim that they are denied the opportunity to retrieve their personal belongings before being repatriated. Those who manage to take their belongings do not escape from losing them because 'police rob people on board a train while they are being deported' (*Evening Post*, 9 September 1999). The goods they have are seen as belonging to South Africans, which foreigners are allegedly not entitled to enjoy.

When foreigners are victimised in this way they see no point in reporting to the police because the police would not attend to their problems (Reitzes & Bam 1996:23). Some immigrants and migrants have not taken the matter lying down, however. When people steal from them, they have this to say '[I]f we catch the thief we deal with him in an appropriate manner' (Reitzes & Bam 1996:23). Whatever "appropriate manner" means, it is clear that they have no trust in the police of this country and they have taken the law into their own hands. Even the police themselves, when raiding homes of immigrants, confiscate their property. These actions by some of the police are a negative reflection on the organs administering justice in this country.

#### **1.4.3. Victims of corruption**

According to Reitzes and Bam (1996:25), whenever police need money they know who to target. African immigrants have to bribe police and immigration officials if they want to enter illegally or want to avoid arrest or deportation. One person who managed to bribe officials in order to avoid deportation, Lindiwe (not her real name), has this to say '[U]nless you happen to have a few hundred rands on you when arrested you will not survive ... The guards demand cooldrinks and cigarettes ... I managed to bribe one of the Lindela security guards with R100 to let me go' (*City Press*, November 29, 1998).

Some officials who are involved in this unacceptable practise have not escaped unnoticed. In 1998 an immigration official (a deputy manager of Home Affairs Immigration Department) and nine police officers who had allegedly accepted bribes from illegal aliens were arrested (*The Eastern Province Herald*, September 10, 1998). What is evidenced by this is that the very system that is supposed to control the entry and stay of African immigrants is often corrupt since it is subverted by some of the police.

#### **1.4.4. Exorbitant rentals by landlords**

Some South African landlords also take advantage of immigrants who are stranded and have no place to live. Because immigrants are desperate and have no alternative, they are forced to accept whatever rentals are charged. This practice benefits the landlords financially. Because of this abuse they tend to stay together so as to make the rentals affordable and this results in overcrowding (Reitzes 1997:21). In an overcrowded house there is hardly enough space to move, be free and have the privacy of a home. This exploitative practice has led them to live in an environment that is harmful to their health and well being.

#### **1.4.5. Evictions**

In Alexandra several families who were accused of being illegal immigrants were evicted from their homes (*Evening Post*, 26 January 1995) by some members of the community. There was a campaign to drive foreigners away from that area. Dolan and Reitzes (1996:18) say that the reason for tension rising in Alexandra was the 'rumour that the community would benefit from a reconstruction and development programme if all illegals were removed'. Others from the community saw this eviction as 'simply doing the job for the police by handing them over and asking for them [immigrants] to be deported back to their own countries'. Political parties such as the ANC and IFP have not been silent on the ill treatment of aliens. The ANC distanced itself from the eviction of foreigners from Alexandra, while IFP Youth Brigade's West Rand voiced its support for those evicting them (*Evening Post*, January 26, 1995). African immigrants also reacted to this action by mobilising themselves so as to defend themselves from the evictions. This action of evicting immigrants assumed that they had no right to be here and were not entitled to property. The fact that foreigners started to mobilise themselves shows that relations that had existed had become strained.

#### **1.4.6. Denial of access to social services**

There have been attempts in places like Winterveld to exclude children of immigrants from attending schooling there. A principal of one primary school, according to Reitzes and Bam (1996:19), claims she was visited by members of the local community who asked her 'not to accept children whose parents were immigrants'. They also told her which surnames were used by immigrants to disguise their identity. Overcrowding and lack of resources were cited as reasons for the refusal or blocking of admission to immigrants' children. Even attempts by immigrants to disguise themselves so as to avoid harassment or discrimination and make sure that their children are educated are often met with resistance and exposed. Their children are consequently condemned at an earlier age to ignorance and denied the chance to develop.

According to the *SABC Two Way Programme* (November 16, 1999), immigrants also have a bad experience when they go to hospitals. For instance, Felix Abdula, who is a

photographer from the DRC, was asked the country of his origin when he was unable to communicate in Zulu. When he stated that he was from the DRC, he was asked when he was going back home. Mokoena on the same *SABC* programme, also pointed out that selfish and inhuman actions had taken place, such as pregnant women being turned away from hospitals because they happened to be aliens. Even at Lindela Repatriation Centre, according to the Human Rights Commission report (1999:1), when detainees seek medical attention the doctors give ‘everyone the same [multi-coloured, black /orange] pill’. The Commission further reports that some detainees have been refused medical care.

#### **1.4.7. Use of derogatory names**

African immigrants are given derogatory names to distinguish them from South Africans. They are called *kalangas*, *amakwerekwere* or *grigambas*. Sometimes guards at Lindela ‘do not bother to learn the immigrants’ names and instead call out to them by their home country names. “Sierra Leone” turned out to be Stephen Afolabe Rowland, 27, from Freetown. Rowland fled fighting in his war-torn country and travelled by road across central and southern Africa before reaching Zimbabwe’ (Murphy 2001:3).

Citing a Mozambican respondent, Reitzes (1997:31) tells that South Africans use the name *kalangas* in a loose manner.

Strictly speaking, *Kalanga* is a particular language, a mixture of Shona and Zulu/Ndebele; therefore Kalangas are of mixed decent of Zulu and Shonas. *Kalanga* is a type of Zimbabwean *fanakalo*, yet South Africans simply call all Zimbabweans and Namibians *Kalangas*.

With regards to the term *amakwerekwere*, Mr Tshlamalang sees nothing wrong in the use of the term, he denies that it is derogatory. He claims that it is the ‘name of a Shona clan that had been generalised to refer to all foreigners’ (*Mail & Guardian*, November 5 to 11, 1999). He is supported in this by Flex from Tanzania, when he says, ‘[A]ccording to my understanding they started calling us that because they couldn’t understand our language – not because they mean to be nasty – so I don’t take offence when I’m called “kwerekwere”

because I know I'm at liberty to do the same as I can't understand South African languages either' (*Pace* March 2003 :52).

Joyce Tlou, a Zimbabwean, disputes Mr Tshlamalang's and Flex's defence of the term, saying 'There is no Shona clan with this name. There is a clan named Makorakora, but it is not a derogatory name, so to suggest that this has been generalised to refer to foreigners is absurd' (*Mail & Guardian*, November 5 to 11, 1999).

#### **1.4.8 Language discrimination**

It seems that these names stem from the fact that foreigners are different, do not speak or understand the local languages, and speak English with a 'funny accent'. Speaking their language is often met with disapproval. They are accused of or referred to as speaking 'animal language' (Reitzes 1997:30). In other words they are speaking an unintelligible language. This somehow denies them the opportunity to use their language freely without hindrance, a language that is the most vital expression of their persons, something that is precious to them. By not speaking the local language they are not only unable to communicate but alienate themselves from South Africans and are stigmatised. The pressure that is put on them not to speak their language, stifles their culture, their creativity and their development as people. They try to communicate by speaking English and this only worsens the hostile situation in which they find themselves.

'Competency in a local African language seems to be a fundamental criterion for acceptance and integration of foreigners into black South African society' (Reitzes 1997:41). There is an attitude of selfishness and undermining by South Africans because there is no regard to assess the abilities and obstacles which are on the way for these people not to speak the local languages. This is not just a matter of language but of culture because they do not share a dominant culture. Maybe some South Africans are afraid of being swamped by foreign influence.



Though the terms *amakwerekwere* or *grigambas* or *kalangas* are collective and derogatory terms for African foreigners, they are not applied to those from Botswana, Lesotho and Swaziland (Muller 1999:72). Maybe it is so because of the linguistic and cultural ties that exist between the people of these countries and many South Africans. How does one explain the exclusion of Zimbabwe and Mozambique, because they too have linguistic and cultural ties? They too feel and claim they need to be accorded “preferential treatment” that is given to the nationals mentioned. As we pointed out when we were dealing with the causes of migration, the Ndebele speaking people of Zimbabwe come here because of the linguistic and cultural links with the Ndebeles of South Africa. They feel, however, that they are always victims of hostile environments because they ‘are victims of tribalism; that’s why we’re here - they [the Shonas of Zimbabwe] killed us’ (Reitzes 1997:30); and here South Africans are also hostile to them.

The Mozambicans also claim cultural and linguistic links. For instance, one Shangaan (Reitzes 1996:39) saw no difference between a South African and a Mozambican Shangaan. But the treatment and labels by South Africans seem to suggest that they have no links here. Mozambicans claim, according to the *Sowetan* (March 9, 1995) that it is ridiculous to call them aliens. The borders we have, they say, were put there by the whites when they were making deals among themselves. The whites entered into settlements by dividing the land among themselves. These sentiments were also echoed by some South Africans who are sympathetic to the plight of African immigrants. They voiced their objections at the public hearing on the Government White Paper on International Migration, that the laws were ‘harsh on Swazi or Mozambican citizens who had been cut off from relatives in South Africa by artificial colonial borders ... Mozambicans and Swazis who could prove close blood relatives with South Africans should be judged by less stringent regulations’ (*Evening Post*, August 7, 2000).

The language problem may not be that serious for those who know some of the eleven South African languages, but for those who speak only French or Portuguese, communication is not easy. They do not only have difficulty in communicating with ordinary citizens but have a difficulty in filling forms at Home Affairs offices, forms which are only

available in English and Afrikaans and sometimes there is no government official who can speak the language spoken by immigrants. Because they cannot speak local languages, they have to contend with officials who are frustrated, exhausted and irritable. One can see that this linguistic chaos complicates, inhibits and disrupts the administration. In some instances, because of the language, some refugees have not been able to be identified as refugees by apprehending officers. Some refugees from Angola, having made their claim for refugee status, were apprehended, and when they 'told the Home Affairs officials that [they] are refugees ...they [officials] did not understand [them]' (HRC 1999:xxxiv).

In the Home Affairs offices in Braamfontein, according to Crawhall (1995:5), two full-time interpreters who were refugees were employed to assist with communication. Some refugees volunteered to assist. They soon caused chaos, however, because they began to charge their clients R50.00 for interpreting for them.

The action of these volunteers amounted to exploitation and crime. This means that the exploitation of immigrants is a phenomenon that is also carried out by members of their own group. It shows the vulnerability of these people. They can be easily cheated and robbed with no recourse to the law. Of course the new South African constitution does not give one a right to languages other than the eleven official ones. But the language need that is being accommodated is being spoilt by the very people it seeks to help. Instead of being useful and compassionate to each other, some immigrants make it difficult by exploiting also helpless people.

#### **1.4.9. Assaults**

Some South Africans have expressed their hatred and rejection of African immigrants by beating and, on certain heated occasions, killing some of them. Some of these killings

happened intentionally and others accidentally. For those assaults and killings that were intentional, some South Africans tried to find excuses.

Some immigrants have paid heavily for the crimes they are often alleged to have committed. Two men from Mozambique were doused with petrol and set alight with a tyre around their neck (necklaced) at Ivory Park (Squatter camp), Johannesburg, by a mob of 400 people which accused them of rape, theft and terrorising residents (*Eastern Province Herald*, January 8, 1999). This form of punishment was used against those who were seen as informers during the struggle against apartheid. Even though one does not condone the wrong actions of aliens, South Africans should not have taken the law into their own hands.

For allegedly taking jobs from South Africans, some immigrants have not escaped the wrath of some of the unemployed people of South Africa. Three men were killed on a train while trying to escape from an angry mob that had earlier on taken part in a protest march against unemployment. They were accused of stealing jobs from South Africans when they were found selling clothes on the train. Two placards reading 'Down with foreigners, they are taking our jobs' and 'We will take the law into our hands' were found near the scene (*The Eastern Province Herald*, September 4, 1998). Being killed on a train and not at work has nothing to do with stealing jobs. One thing that is clear is that these people happened to be foreigners in the midst of disgruntled South Africans. They had run away from their countries for fear of losing their lives, only to be killed in South Africa. This terrible deed was well publicised in South Africa and yet there appeared to be silence on the part of the government. What message was this sending to the South Africans and the world?

According to the presenter of the *SABC Two Way Programme* (November 16, 1999) two years before the date of this particular presentation about 30 refugees were killed in South Africa. Acid was also poured on the whole body of a refugee. The refugee opened a case with the police and nothing had been done by 2001 (*Two Way Programme*, January 29, 2001). COSATU in its press statement of February 8, 2001, condemned this ugly incident saying '[T]hrowing acid on a fellow human, clearly put some sections of our populations at the same wave length as the Nazi of Germany' (COSATU Press Statement, February

2001). Some refugees seem to understand the feelings of hate, anger, frustration, desperation, and actions employed against them by South Africans. They attribute these to 'a result of many years of frustration due to oppression. [That is why] [t]hey are now taking it [out] on us' (*Evening Post*, December 10, 1999). The actions of the South Africans involved make refugees live in fear.

Political organisations such as the ANC have condemned attacks on and the killing of African immigrants. For instance when homes belonging to Zimbabwe immigrants were set on fire in Zandspruit informal settlement near Honeydew, outside Johannesburg, the ANC issued a statement condemning them:

These acts of xenophobia are unforgivable as they are unacceptable in a civilised society ... We understand that the South Africans were angry that one Zimbabwean had allegedly murdered a South African woman. The anger was understandable, but there was no justification for resorting to criminal acts of violence. And, to make things worse, they chose to target all Zimbabwean citizens, when only one of them was alleged to have committed a crime. No groups of people should be made to suffer just because a single individual among them has committed a crime (ANC Statement on xenophobic attacks on Zimbabweans, October 23, 2001).

One of the most horrific beatings of illegal immigrants was screened on *SABC 3 Special Assignment Programme*, on November 7, 2000. This footage was taken on January 1998. On it, six white police used three illegal immigrants as training baits to incite dogs to be vicious to blacks. These three men were taken to a mine dump near Springs for dog training. It was horrifying, disturbing and outrageous to watch dogs attacking and dragging helpless, powerless, screaming and pleading men. It was not enough for the six white policemen to encourage their dogs to attack these people but they also punched, kicked, slapped and hurled racial abuse such as '*Is jy 'n kaffir?*'

This incident triggered feelings of shock, revulsion, anger, and condemnation from both the government and people of South Africa. Though it was a demonstration of the barbarism, brutality, racism and xenophobia that African immigrants often have to contend with, the six

policemen thought otherwise. In a statement that was read to the media on their behalf, it was clear that they thought 'this whole thing was pulled out of proportion ... We did not kill, rape or rob anyone' (*The Eastern Province Herald*, November 10, 2000), they protested. These policemen did not seem to grasp the damage they had caused to the victims. Two of the victims, since the incident, 'ha[d] sleepless nights, hallucinations and nightmares and [were] so traumatised, they [did not] even have girlfriends' (*City Press*, November 12, 2000). They had indeed been robbed of their personhood and this was best expressed by one of the victims when he said '[T]alking about what happened to me and my brother is draining my energy now. I become weak and lose concentration. I will never be a normal person again' (*City Press*, November 10, 2000). It is no wonder that Archbishop Desmond Tutu felt that he had to pray for the conversion of those policemen. He had this to say, 'I pray that God will touch their hearts, that they will be filled with horror at what they have done, that they will be filled with contrition' (*Cape Times*, November 19, 2000). According to the same newspaper, the Archbishop 'prayed that they would ask for God's forgiveness and that of their victims so they would be liberated'.

Their "misunderstanding", though it needs to be condemned, has to be understood in the light of what one correspondent wrote to the *Mail and Guardian* of November 17 to 23, 2000). He had this to say: The 'whites who were caught in this incident were well aware that xenophobia is accepted'. Simphiwe Sesanti (*Evening Post*, November 28, 2000) concurs with the correspondent when he writes, 'The white policemen acted with such vigour only because they knew the Mozambicans were vulnerable and that the green light was given by black South Africans who not only treat these people contemptuously in word but in deed too ...Just as the police dogs' teeth were "dripping with blood", so are many black people's hands'.

## **1.5. IDENTIFICATION OF AFRICAN IMMIGRANTS**

Many South Africans do not seem to distinguish between refugees, legal foreigners and illegal foreigners. To many of them, to be an African foreigner is to be an illegal alien and a criminal. This conclusion was expressed by Douglas Dlala in *SABC's Two Way*

Programme (January 29, 2001) when asked by the presenter how he could tell who is a refugee, an illegal immigrant or documented immigrant. He said that most South Africans regard all African foreigners as their problem since they cannot differentiate among them. What is it that makes them visible and known as foreigners? How are they identified, to such an extent that it leads them to being treated with hostility by some South Africans and some of those in authority?

### **1.5.1. Country of origin**

Many African immigrants originate from Southern African countries while others come from Francophone countries. When they make known the country of their origin, that identifies them as outsiders and people of other nations. Other physical features they have from the country of their origin are also used to identify them. For instance, when police make their raids they know, according to *SABC News* (October 15, 1999), that South Africans are vaccinated on the shoulder while Mozambicans are identified and recognised by the scar on the forearm.

### **1.5.2. Language**

As we have already stated, many aliens do not speak local languages. This creates a communication barrier and often militates against them. It has been mentioned already that when trying to express themselves in English with an accent which is not a South African, they are immediately identified as *Ikwerekwere* or *Grigamba* or *Kalanga*. Even when police are looking for illegal African aliens to apprehend, they do so by checking the language they speak. Mathole Mthandazo has this to say with regards to the language check: 'I was asked by one of the Zulu authorised [sic] here where I come from. In order to prove that I was really a South African citizen, he asked me to explain few Zulu proverbs, which I answered quite well' (HRC 1999:xxii). This incident is nothing when compared to the Nigerian journalist who tried to help an old black woman who was in need. When the old lady heard him inquiring in English how he could assist, the response of the lady was to ask where he came from. A string of insults followed. Finally she said 'We will chase you

out of this country, you good-for-nothing! *Voetsek, kwerekwere*' (*Evening Post*, November 28, 2000). This term *voetsek* is normally used for chasing a dog away. Through this insult a human person had been reduced to and made to feel like a dog.

### **1.5.3. Appearance and skin colour**

Most African immigrants are darker skinned than most South Africans. The pigmentation of their skin usually makes them easily identifiable, and this sparks suspicion. Not only foreigners have been victims because of the colour of their skin, however. Even some South Africans have been victims, too.<sup>8</sup> They have been wrongly detained because they were too dark and unable to produce their identity documents at the demand of the police. The *City Press* (November 29, 1998) reported that Abedningo Ntutu of Orlando East was arrested and recorded as a Zimbabwean and was ready to be deported. He was only saved by the fact that his papers were sent to the police station. This action indicates that if a person is a South African and too dark-skinned, it would be wise for him/her to carry an ID if they are to avoid being wrongfully arrested and deported. Even though the pass laws were abolished and therefore it is no longer a legal requirement, though a matter of convenience, to carry an identity document, it seems as if it is not the case for those who are too dark. It also indicates that in South Africa to be too black is to have a stigma. This is an unfortunate situation in a country which is in Africa and supposedly run by black leaders. According to the Human Rights Watch (1998:3), others have been arrested because they were 'walking like a Mozambican' and others because of the way they were dressed.

For some South Africans, any person who does not originate from South Africa, speaks a foreign language and is too dark, is a foreigner, illegal and a criminal. All these factors make him or her visible as a foreigners and they lead to his or her persecution and discrimination.

One can see that the problems facing the African foreigners in South Africa stem from their national identity. Do these factors not make them despise their identity? Does this onslaught

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<sup>8</sup> From 1996 to 1999, 21 719 South Africans have been illegally detained at Lindela Repatriation Centre. These statistics were provided by the auditor-general. (Sowetan, May 25, 2001).

on them not force them to see it as a curse, something that makes them to be disadvantaged, a cause for their rejection, humiliation, persecution and being undermined? It gives them a status of being an outsider in part of the continent they see as their motherland.

## **1.6. CONCLUSION**

The aim of this chapter has been to establish how rife xenophobia is in South Africa. The material consulted for the study: newspaper and magazine articles, television news and documentaries, researched papers and speeches, have led us to the conclusion that it is indeed a reality and it is racial and ethnocentric. Some South Africans have expressed it in both word and action that African immigrants are not welcome in their country. African immigrants, because of their Africanness, are made to live uncomfortably in a rather hostile environment. Their presence and visibility as Africans has definitely evoked negative responses from both some officials of the South African government and some people. Their languages and appearance have become stigmas which make them easily targeted and vulnerable. They are vulnerable because of their helplessness, which is the result of their unfortunate political, social and economic background. South Africans on the other hand believe that their attitudes and actions are not a reflection of an irrational fear, hatred and jealousy but a defence to a real economic, social and cultural threat by African immigrants.

## **CHAPTER TWO**

### **THE GOVERNMENT'S RESPONSE TO THE PROBLEM AND IMMIGRANTS' SURVIVAL STRATEGIES**

#### **2.1. INTRODUCTION**



The South African government's response to the problem of African immigrants has been ambivalent and inconsistent for a number of reasons. As a result, there have been tendencies on its part to be both lenient and strict. The reasons for the government's ambivalence include attempts to repay past favours, recognition of more bias towards Africans than other immigrants, government diplomacy and its desire for regional peace and other reasons. These reasons are examined fully below.

All the abuses that have been committed against African immigrants imply that they are outsiders and undesirables who are not welcome in this country. They are a threat, "criminals" who have to be alienated. Generally when one talks of immigrants, especially illegal ones, one is talking about African immigrants. This shows the 'effects of the colonial legacy in which everything white is pure and good and everything black is bad and evil' (*Sowetan*, August 11, 1999). Being an African immigrant in South Africa, therefore, seems to be synonymous with having one's human rights violated. As outsiders who are perceived to be illegal and, therefore, to be punished, ill-treated and exploited, suffering is a painful reality for many of them. The immigrants have to contend with seemingly hostile people and in this rather hostile environment they had to come up with survival tactics. These will also be examined in this chapter.

## **2.2. REASONS FOR A LENIENT APPROACH TO AFRICAN IMMIGRANTS**

As already suggested above, the government adopted both a lenient and a strict approach in addressing the issue of African immigrants. The lenient approach was influenced by the following factors:

### **2.2.1. Repaying past favours**

There are those in the South African government, such as President Thabo Mbeki, who are conscious of the role that was played by many African countries when this country was still under the system of Apartheid. In 1994 Mbeki motivated and pleaded for better treatment of African foreigners by saying, ‘Tanzania, Zimbabwe, Botswana and other countries to which we fled in the 1960’s did not call us illegal aliens. They said “[W]e are going to support our brothers and sisters from South Africa so that they can go home”’ (*Star*, October 13, 1994). He also condemned xenophobia almost in similar words in the *ANC Today* (Volume 1 number 18, May 25–31, 2001). He said,

Necessarily, we must continue to be vigilant against any evidence of xenophobia against African immigrants. It is fundamentally wrong and unacceptable that we should treat people who come to us as friends as though they are our enemies. We should also never forget that the same people welcomed us to their own countries when many of our citizens had to go into exile as a result of the brutality of the Apartheid system.

These countries’ people helped, educated, harboured, and fought side by side with the oppressed. For this they paid heavily, their countries were constantly raided and this led to the destabilization of these countries. The negative actions taken against African immigrants by both some state officials and ordinary people are seen, therefore, as closing doors to former political allies who should instead, feel more welcome.

Mr Abilio Mulanga, who came from Mozambique, is quick to point out that the reason why their countries did not have problems with South Africans was that they were not economic refugees but political refugees who had to stay in their camps and they were not a problem. They were looked after by the United Nations and host governments, ‘so they did not sell in the streets, get involved in crime syndicates or take our jobs. It is not so with my people living in South Africa. They and foreigners from all over the world who come here are a problem everybody can see’ (*City Press*, November 15, 1998). The former Director-General of Home Affairs, Mr Matsethla expresses the same sentiments when he says

It is sometimes alleged that South Africa's migration control mechanisms defy the assistance given to many South Africa's exiles during the liberation struggle. The hospitality shown towards and shelter provided to freedom fighters and refugees alike during the apartheid era are still foremost in our minds. We are not turning our back on especially our neighbours in Southern Africa who bore much of the brunt of the fight against apartheid. Nevertheless, it should not be forgotten that our exile was by and large controlled in a structured way according to the requirements of host countries including the establishment of settlement camps, the acquisition of massive international financial and other assistance and according to the decisions of multi-lateral meetings such as the Arusha summit of 1979 and the DICARA connections of 1981 and 1984' (2000:5).

### **2.2.2. Racial prejudice towards Africans**

The bias against African immigrants and migrants is compounded by racial prejudice. Ill-treatment is seen to be directed more to blacks, to the exclusion of other racial groups. When many people talk of illegal immigrants, the focus is on Africans. The implementation of the immigration policy is seen as being racist. There has been some observation that raids and deportations seem to be directed primarily at African foreigners who are easily identifiable and more vulnerable. And yet there is evidence of illegal people from non African countries such as Britain, Germany, France, USA, India etc. The then Premier of Gauteng, Tokyo Sexwale, was one of those who noticed this. In 1995 he complained that no action was taken against illegal immigrants from Europe (*Business Day*, November 23, 1995).

The Human Rights Commission (1999:viii) has this to say in support of this allegation, 'If the composition of the population at Lindela is anything to go by, it would suggest that only people of African origin are arrested and deported as illegal aliens'. African immigrants and migrants claim that even coming to South Africa, the black South African police stop them, 'while our permits are scrutinised five times at the airport and at Beit Bridge, whites are literally waved past' (*Mail & Guardian*, October 29 to November 4, 1999). This shows that immigrants differ not because they are foreigners but because of the colour of their skin. Even though the state has a discretion to allow or prevent any person entering its borders, it is morally unacceptable to use this discretion to disadvantage some race groups while favouring others on basis of their skin colour.

### **2.2.3. Diplomacy and regional peace**

South Africa's foreign policy 'with regard to the Southern African region reflects a commitment to close diplomatic, economic and security co-operation and integration, adherence to human rights, the promotion of democracy and the preservation of regional solidarity, peace and stability' (*South Africa Yearbook* 1998: 177). There is need on the part of the South African government to forge co-operation with neighbouring states. If foreigners are victimised and harassed, especially citizens of countries that have diplomatic relations with South Africa, that creates a diplomatic problem. It would strain political relations and that would create instability in the region. Another factor is that the South African government has demonstrated its commitment to the advancement of human rights and has played a leadership role in this regard through its constitution. If its citizens are seen to be violating the rights of others, all these attempts would just be a pipe dream.

### **2.2.4. Costs**

Millions of Rands are spent by the government on tracking down, arresting and deporting African illegal aliens who again return to South Africa (*Evening Post*, June 19, 1998). For instance, according to the Minister of Home Affairs, that Department spent an estimated R6,5 million in 2000 on returning illegal aliens to African countries (*Eastern Province Herald*, July 17, 2001).

The *SABC News* (October 15, 1999) reported that from January to October 1999 about 75000 Mozambican illegal aliens had been deported. Also, according to the White Paper on International Migration, March 31, 1999 (Section 6:4.32), the Department of Home Affairs 'is deporting 160,000 aliens per year'.

The expenses are further complicated by the fact that when immigrants are deported they start making their way back to South Africa after arriving at the border of their countries. This is so because there are no immigration officials waiting there to document or charge

them. This is seen as self-defeating and, therefore, a waste of time and resources, i.e. money. As a result, according to the then Home Affairs Director-General Albert Mokoena, the government intended holding discussions with countries from where the illegal aliens originate with the hope of sharing the costs of deportation (*Evening Post*, June 19, 1998).

### **2.2.5. Different categories of immigrants**

Immigrants are in South Africa for various reasons. Some as visitors, others as refugees, while others are here as legal residents and of course some are illegal. The Minister of Home Affairs is reported to have said that refugees should not be confused with illegal aliens and the latter would not be prosecuted on account of their illegal entry into South Africa provided they present themselves without delay to the authorities. In defining refugees, he adopted the definition that appears in article 1A(2) of the Geneva Convention of 1951, which states that they are 'individuals who owing to well founded fear of being persecuted for reasons of race, religion, nationality or membership of a particular social group or political opinion were outside the country of their nationality' (*Evening Post*, June 19, 1998). It appears that refugees have a special claim to admission and fair treatment because they are literally fleeing for their lives. So the government is aware of its obligation towards the refugees.

But those who are fleeing because of natural disasters such as floods, drought, diseases, etc. in their countries would not be allowed into South Africa. '[W]e will send them back because they are the responsibility of their own government' (*Evening Post*, June 19, 1998). Should this be interpreted as the Minister expressing little or no compassion for economic refugees? These people, yes, are not looking for political asylum but economic asylum. They are moving away because they are starving and seeking economic survival. Unfortunately there is no international convention that deals with this group.

From the above, one can see that material considerations, expediency and humanitarian reasons have been factors in influencing the government in its policy towards African

immigrants. In order to protect the aliens and to present a friendlier attitude towards them, the government has come to their assistance in various ways.

## **2.3. FORMS OF POSITIVE GOVERNMENT INTERVENTION**

### **2.3.1. Arresting employers of illegal aliens**

As we saw in chapter 1, some employers of illegal immigrants were investigated, arrested and charged. It is stated in section 38 of the Immigration Act 2002 that 'No person shall employ an illegal foreigner'. The new government policy is overseen by the Department of Home affairs through the immigration officer. The onus is put on employers to prove that they have not hired illegal foreigners. 'An employer shall make a good faith effort to ascertain that no illegal foreigner is employed by him/her or to ascertain the status or citizenship of those whom he or she employs (s 38(2). Section 49(3) spells out the punishment that will be given to those employing illegal foreigners;

Anyone who knowingly employs an illegal foreigner or a foreigner in violation of this Act shall be guilty of an offence and liable on conviction to a fine or to imprisonment not exceeding one year, provided that such person's second conviction of such an offence shall be punishable by imprisonment not exceeding two years or a fine, and the third or subsequent convictions of such offences by imprisonment not exceeding three years without the option of a fine.

The Department of Home Affairs will according to the Act, from time to time 'inspect workplaces in the prescribed manner to ensure that no illegal foreigner is employed' (s 2(2). These attempts do not only help in discouraging foreigners from coming to South Africa but are also a way of curbing the exploitation of the foreigners by greedy employers.

### **2.3.2. Measures against discrimination and ill treatment of African foreigners**

Several government officials have spoken against ill treatment of African immigrants. The most recent reaction is the incident that has already been mentioned when dealing with the beatings of immigrants. After watching the footage in which illegal immigrants were used for

dog training, the then Minister of Safety and Security and the National Commissioner of Police were prompted to take an action against the six members of the North East Rand dog unit. These men were immediately suspended without pay, arrested, charged and brought to court. Furthermore internal investigation of their actions was being undertaken (*SABC News*, November 7, 2000). This demonstrates the government's concern about the situation and it is also an attempt to root out racism, police brutality and to discourage xenophobia.

### **2.3.3. Formulation of Refugees Act (130 of 1998)**

Under the old national dispensation there was no protection accorded to refugees. South Africa is a signatory to the 1951 United Nations convention and the 1969 Organisation of African Unity Convention, and is obliged to protect the rights of and to treat refugees and asylum-seekers as humanely as possible (NAP 1998:34). Though the new constitution guarantees protection to refugees, it took this country many years before it could address the problem of refugees. Until 1998, refugees fell within the ambit of the Aliens Control Act, legislation designed primarily for documenting economic migration into South Africa.

On 20 November 1998 President Mandela signed into law a new Refugees Act (Act no 130, 1998). However, it came into effect in the year 2000. It is South Africa's first ever legislation addressing the plight of refugees and it is an important step forward. The process to this act had begun when South Africa became a signatory to international agreements and conventions concerning refugees. The opening paragraph of this act states what this Act intends to do, that is

to give effect within the Republic of South Africa to the relevant international instruments, principles and standards relating to refugees; to provide for the reception into South Africa of asylum seekers; to regulate applications for and recognition of refugees status; to provide for the rights and obligations flowing from such status.

Even though this act has been welcomed and seen as a new hope for asylum-seekers in South Africa there still remain highly controversial aspects to the new law. This act forbids asylum-seekers from seeking or taking a job or study pending the outcome of their asylum application. One has to bear in mind that it can take up to six months to process an application. The Department of Home Affairs is of the opinion that ‘the application is designed to prevent abuse of the system by economic migrants posing as refugees’ (*Mail & Guardian*, May 19 to 25, 2000). The United Nations High Commission for Refugees (UNHCR) welcomed the clause, ‘calling it an “understandable” measure to deal with the gross abuses of the system, but emphasised that it was still the duty of the state to assist refugees’ (*Mail & Guardian*, May 19 to 25, 2000). Even though it is so, the welfare of genuine asylum-seekers will be adversely affected, they will be left to suffer on their own. This could lead refugees who are desperate to resort to crime.

Some people have objected to or complained about the implementation of Section 30 of the Refugee Act, which states that ‘A refugee must be issued with an identity document’ which must contain the particulars of the refugee. The government issued its first Identity document to the refugees on May 1, 2001. One Mr Abbas Yusuf, according to *Mail and Guardian* (June 22 to 28, 2001), objected to these identity documents for being different from those carried by South Africans. The colour is different, they are “fire-engine red” in colour. Mr Yusuf ‘likened the document to a passbook issued to blacks under the apartheid regime’. He went on to say the colour of these identity documents would give the impression of refugees as the “other” and this ‘could make refugees increasingly vulnerable to xenophobic attacks’.

Another aspect which has raised some concerns is section 35 (2) of the act, which refers to reception areas:

The Minister may, after consultation with the UNHCR representative and the Premier of the province concerned, designate areas, centres or places for the temporary reception and accommodation of asylum seekers or refugees or any specific category or group of asylum seekers or refugees who entered the Republic on a large scale, pending the regularisation of their status in the Republic.



There is nothing wrong with reception areas, since ‘all conventions recognise reception centres as an accepted standard for processing asylum applications as speedily as possible’ (*The Southern Cross*, April 18 to April 24, 2001). However, Fr Jim Smith, director of the Jesuit Refugee Services (JRS), was alarmed that the Department of Home Affairs ‘plans to establish them in the middle of nowhere [in Kimberley and the Northern Province Town of Louis Trichardt], far from the city centres, where refugees would normally have access to quality health-care and opportunities for income generation’ (*Southern Cross*, April 18 to April 24, 2001).

#### **2.3.4. New immigration Act (13 of 2002)**

Because of the lack of a consistent and practical policy on immigration, which has led to the maltreatment of African immigrants, the government became aware that its Alien Control Act was outdated. The authors of its White Paper came to a painful realisation that ‘South Africa cannot rely heavily on effective border control. Once it is painfully accepted that our country cannot succeed in preventing people from crossing its borders and may not rely on deporting them, many important policy conclusions follow’ (section 6:4.3.3). One of those conclusions is that South African citizens and service providers will now be empowered and obliged to be immigration officers. They have to report on the activities of immigrants. Places such as banks, schools, hospitals, hotels and workplaces are asked to identify, monitor and investigate immigrants (sections 6:5.3; 11:4; 11:8.11). Any person found guilty of assisting or harbouring an illegal immigrant, will be subject to a stiff penalty ranging from a fine to imprisonment (section 11:8).

A Draft White Paper on International Migration was criticised for being short-sighted and xenophobic in this regard. The *e TV News* (November 12, 1999) reported that there was a feeling that the proposal that encouraged ordinary citizens and service providers to report foreigners they suspect of breaking immigration laws, encouraged and promoted xenophobia and violent attacks on foreigners. The feeling was that if it became legislation, it would increase harassment and ill treatment of foreigners. However, Zoleka Capa, who was the

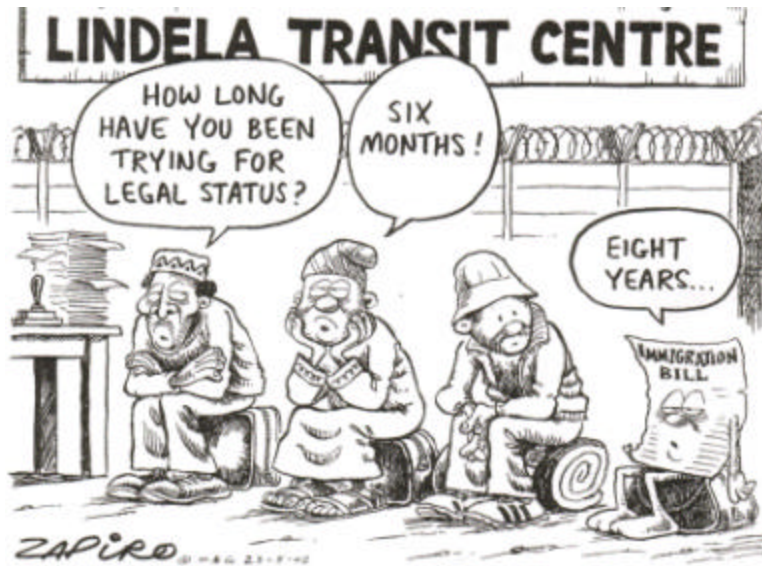
Chairperson of the Portfolio Committee on Home Affairs, disagreed. She maintained that communities should mainly report and not take any action against illegal immigrants. She further maintained that this action sought to make legal those who were illegal, but if they could not be made legal, they had to be prohibited from coming to South Africa (*TV News*, November 12, 1999).

The Human Rights Commission did not agree. It expressed its opposition to the same clause. It stated on 23 April 2002 in its submission to Parliament's two home affairs committees, that for the bill to 'require hotels and institutions which sell overnight accommodation, to check on the legal status of their guests [was] also unacceptable' (*The Herald* April 24, 2002). It further said that it would be unconstitutional to 'make employers who hire "illegal foreigners" guilty of a crime unless they prove otherwise', because this 'was [tantamount to] putting state policing functions in the domain of the employer' (*The Herald*, April 24, 2002). Section 40 of the new Act requires that they identify their customers either as citizen or status holders and report to the department anyone who fails to do so.

The South African government has now put in place a legal and administrative framework that promotes 'a human -rights based culture in both government and civil society in respect of immigration control' (Section 2(1)a. The immigration Bill was passed by the National assembly on Friday 17, 2002 (*Mail & Guardian*, May 24 to 30, 2002) and was signed into law on 30 May by President Thabo Mbeki. It took eight years of making before this was finally made into law. *The Herald* (May 29, 2002) in its editorial described this long process of formulating and processing the bill as follows:

Work on a new Bill began in 1995, before 2000 Constitutional Court ruling, but has been an inordinately long time in moving through Parliament. The government let its former home affairs committee chairman, Aubrey Mokoena, delay the Bill for three years and then, in an extraordinary turn of events and with the second reading just 48 hours away, came up with a completely new Bill, as put forward by new committee chairman Mpho Scott...[The home affairs] department had not even been asked for its comments on the revised contents of a Bill it would have to implement.

This is how a cartoon in the *Mail and Guardian* (May 24 to 30, 2002) captured the long process and various problems encountered in the formulation of this Act:



The newspaper described this law as 'really just a more sophisticated version of the Aliens Control Act of 1991 that the Constitutional Court declared unconstitutional'. *The Herald* (May 29, 2002) concurs with this when it says that 'the legislation will likely create more problems than it attempted to solve'.

When one looks at the preamble and some of the objectives and functions of this new Act, one realises that it seeks to combat xenophobia while not ignoring the problem of illegal immigrants and proposing a humane way of dealing with the problem. On the other hand it is trying to facilitate a smooth immigration process to South Africa.

How it is going to balance these objective and functions without being xenophobic still needs to be seen.

#### **2.4. REASONS FOR A STRICT APPROACH TOWARDS ALIEN CONTROL**

It has already been stated that the government has also hardened its heart towards aliens. The need to tighten the influx of foreigners is influenced by the following factors:

#### **2.4.1. Pressure from the people**

The government is under pressure to do something against the influx of aliens. Many people feel the government has lost control of the situation and is unable to come up with solutions. A survey by the Southern African Migration Project (SAMP) in 2001 found that '25 percent of South Africans want a total ban on immigration and that 45 percent support strict limits on the number of immigrants allowed in' (Murphy 2001:2). The Unemployed People of South Africa (UPSA) threatened to take the law into its hands and physically throw illegal immigrants out of the country (*The Eastern Province Herald*, October 25, 1997). Daniel, from UPSA, felt that aliens should be taken back to their homes, he did not like them because they took away jobs (*SABC, Two Way Programme*, November 16, 1999). The government is somehow forced to listen to the concerns of its citizens and take these threats seriously. The need to balance the interests of aliens and those of South Africans is contributing to this pressure.

#### **2.4.2. Law and order**

All countries have laws of entry into and departure from those countries. It is the prerogative of the South African government to regulate its borders and those that enter its territory. Borders, 'even if arbitrarily or conventionally set, have moral significance because they define the boundaries within which principles of distributive justice are to apply' (Schwartz 1995:35). They further help to 'define and protect the communities to which people have a right to belong' (Schwartz 1995:137). Uncontrolled flow can lead to chaos and this is a threat to the stability, sovereignty of the state and safety of its citizens. Public order, therefore, puts limits to the rights and privileges of others. The South African government, by allowing some and denying others entrance into the country, and while

arresting and deporting those who are here illegally, is simply executing its Aliens Control Act 1991 (amended in 1995).

### **2.4.3. South African economic conditions**

The aliens are seen as a threat to the 'viability of the country's new democracy by diminishing its citizens' access to scarce resources' (Reitzes 1997:5). They are seen as contributing little to the economy of the country and having a negative impact such as stealing jobs. South Africa is, therefore, faced with a 'tidal wave' of immigrants who are not needed while South Africans are unemployed. If they are allowed to flow freely into South Africa and not stopped, it is claimed, they will impoverish South Africa. The state is an institution that has the responsibility of advancing the interests of its citizens and cannot allow migration to happen without a measure of control.

The White Paper on International Immigration argues that the 'objectives of GEAR (Growth, Economy and Redistribution) could be best achieved by the maximum possible limitation on the entry of any migrant other than tourist and business persons, so as to reduce the number of people to whom government needs to supply services and for whom the economy needs to provide' (section 5:2). However, the preamble of the new Immigration Act of 2002 states, 'the contribution of foreigners in the South African labour market does not adversely impact on existing labour standards and the rights and expectations of South African workers'. Economic well-being of South African citizens is seen as placing restriction on the openness and generosity of the government. The government sees itself as being unable to assist because of the scarcity of resources even for its citizens.

In order to tighten the influx of foreigners the government has taken certain actions as discussed below:

## **2.5. FORMS OF NEGATIVE GOVERNMENT INTERVENTION**

### **2.5.1. Electrification of border fence**

An electrified fence was put up in 1986 (*Evening Post*, June 29, 1995), before the reign of the new democratic government. South Africa is the only country in the world that has electrified wire which is ‘intended to detect, deter and slow down people trying to enter the country’ (*Evening Post*, June 29, 1995). This is a non-acceptable practice internationally (*Evening Post*, June 29, 1995; Reitzes 1996:36; Human Rights Watch 1998:6). Among government officials, according to Reitzes (1995:13), there has been disagreement on whether to switch the fence on or not.

A Foreign Affairs official says that switching on the electrified fence along the Mozambican border would alienate the country’s neighbours, while the South African National Defence Force (SANDF) calls for the fence to be switched on and extended. Lieutenant-Colonel Barry Schoeman said that ‘the military wanted the fence to carry a lethal current again in an effort to deter people from trying to cross the border illegally’ (*Evening Post*, June 29, 1995). Its deputy minister in 1995, Ronnie Kasrils, said ‘it will not be switched on’ (Reitzes 1995:13). The Human Rights Watch (1998:6) has also called upon the government that the ‘border fence between South Africa and Mozambique should no longer be electrified in the light of continuing reports of electricity-related injuries at the border’.

### **2.5.2. Aliens Control Act 95 of 1991 (ACA) and treatment of illegal immigrants**

The government had an Aliens Control Act that defined who aliens are, their rights, privileges and duties. That determined terms in which non-South Africans can enter and leave the country. According to Crush (1998:38),

until 1986 there was an explicit racial character to the legislation, since successful applicants for permanent residence or citizenship by naturalisation had to be “readily assimilable by white inhabitants”. The authorities also had to satisfy themselves that immigrants did not threaten the “language, culture or religion of any white ethnic group”. This ensured that permanent resident status or citizenship was not conferred on black foreigners.

This Act, in short, was based on fear of not being contaminated and reduced. It was also selective. It entrenched and secured white presence and its way of life. That is why whites were encouraged to settle in South Africa while, on the other hand, the Act systematically forbade or curbed black people who were viewed as a threat. This Act was informed by the apartheid policy. This confirms what Schwartz (1995:67) says, that a 'state's policy on immigration is connected to its sense of itself and its own identity'. It is no wonder then that the people who continued to suffer most were African immigrants and migrants.

In the last decade it appeared that South African citizenship was clearly one of the government's top priorities. This was seen in the way it went about executing the Aliens Control Act through its structures and officials. In executing this Act, the government has harassed, arrested and deported those contravening it. Sometimes this was not lawfully and fairly done. The South African Human Rights Commission (HRC) released a report in March 1999 uncovering widespread human rights violations during the arrest and detention of aliens at Lindela Repatriation Centre in Krugersdorp. This centre 'functions in some respects as a magnet of the Home Affairs detention system. Many persons who are initially apprehended as far away as Mpumalanga or the Western Cape eventually find their way to Lindela' (Human Rights Commission 1999:xii).

The infringement of the rights of aliens started with the manner in which they were arrested. Procedure was often not followed. Many were arrested when police officers 'use[d] random pedestrian spot checks or area sweeps' (Human Rights Commission 1999:xxi), or apprehended aliens while they were trading on streets and others while at their place of employment. The Aliens Control Act of 1991, section 53 (1) contained the procedure that must be followed when apprehending and detaining a person with the view to remove him/her from the country. It read as follows:

If any immigration officer or police officer suspects on reasonable grounds that a person is an alien he may require such a person to produce to him proof that he is entitled to be in the Republic, and if such person fails to satisfy such officer that he is so entitled, such officer may take him into custody without warrant and if such officer deems it necessary to detain such

person in a manner and at a place determined by the Director-General, and such shall as soon as possible be dealt with under section 7.

This Act required that the immigration or police officer must have a reasonable suspicion to approach an “illegal immigrant”. But it placed the onus to prove that they have the legal right to be in South Africa on the ones who are suspected. According to the Human Rights Commission (1999:iii), when the aliens wanted to prove their status, many identification documents were either destroyed or ignored or these people were prevented from fetching them from home. Some claim that they were ‘often not told or did not understand the reason for their arrest’ (Human Rights Commission 1999:iii). This was the violation of the Act itself and of the rights of arrested, detained and accused persons, because they were not given the opportunity to prove that they were in the country legally or not. The manner in which they are identified impacts negatively on their dignity. As we have already mentioned, they are identified by language, their appearance and vaccination marks on the body.

Police are aware of the vulnerability of these people. They (at least some of them) abuse their power to enrich themselves by demanding bribes from African immigrants. Failure by suspected aliens ‘to comply with demands for money resulted in detention and transfer to Lindela regardless of whether the individual in question was in possession of a valid ID document’ (Human Rights Commission 1999:xxix). Reports ‘of assault were not uncommon. [Some people] reported that they had been physically assaulted in some degree during apprehension’ (Human Rights Commission: xxxv). *The Evening Post* (September 9, 1999) reported ‘that police raided the Bekkersdal community on August 5 and smothered a pregnant woman to death while she was being taken to the Westonaria police station. It was also claimed that three policemen beat Sergio Cossa [suspected illegal immigrant] to death on August 8 while he was fetching water with his sister in Bekkersdal’.

As already stated, suspected illegal immigrants are taken to Lindela Repatriation Facility in Krugersdorp. In the centre itself the conditions are not satisfactory. The ‘three most common complaints were: lack of adequate nutrition, irregular or inadequate medical care and systematic, forced interruption of sleep’ (Human Rights Commission 1999:l).



According to Lorraine Makola, acting director of Home Affairs, Gauteng West Region (*Daily Dispatch*, March 23, 2000), conditions at Lindela were not up to usual standards owing to the sudden increase in inmates. The facility was designed to house 4500 people and was then housing almost 4000 suspected illegal immigrants. Pule wa Sekano defended this centre and had this to say, 'Lindela reflects the effort by [the] country, which is a signatory to many international human rights conventions, to enforce those very rights optimally within budgetary and human resource limits' (*City Press*, May 19, 2002). At this centre, the only holding facility for suspected illegal aliens in the country, the detainees complain that the security officials assault verbally, degrade or intimidate detainees (*City Press*, May 19, 2002). They further complain about lack of adequate medicine. Queen Ramafoko, a nursing sister, refutes what is perceived as lack of medical care in this way, '[M]ost of our medicines are antibiotics but we do not provide treatment for severe illnesses like AIDS, TB and pneumonia. We send those who are seriously ill to the nearby Leratong Hospital' (*City Press*, May 19, 2002).

The length of stay is another area of abuse. Even though the Act requires that a person detained should be brought before the immigration officer within 48 hours after their arrest, in some cases this has not been adhered to. Also the Act requires that the detention of a person should not exceed 30 days, but should it be deemed necessary for the detainee to exceed these days, it should be reviewed by the judiciary. The *e TV News* (November 12, 1999) reported in 1999 that the South African Human Rights Commission filled a complaint on behalf of 40 illegal immigrants who had been held at Lindela for 60 days or more. The judge of the Johannesburg High Court ruled in its favour by signing a court order providing for a release of these people.

When illegal immigrants are being deported, corrupt practices occur and several complaints have been laid against the police, as we have seen when dealing with actions taken against aliens. It is claimed that sometimes only half the original number of deported illegal immigrants arrive at their destination. This raises questions as to why the police contingent on board makes little or no effort to stop those who remain behind. Many say they have

bribed the police so as to be thrown out of the moving train. In the process of escaping many are hurt or killed.

The *SABC News* (November 2, 1999) reported that 122 people had jumped off the moving train to Mozambique. That was made possible by the police who were supposed to guard them safely to Mozambique, because they (police) accepted a bribe of R100.00. Thirty of those people were forced out of the moving train by the police so as to prevent them from speaking to the SABC and report the bribe. SABC reporters witnessed blood, misery and desperation as these people hurled themselves off the moving train. In some instances, according to the *Mail & Guardian* (April 7 to 13, 2000), police displayed openly their drunkenness. They were so 'inebriated and sleepy that [they could not] stop the passengers from spilling out of the moving train'. If they were not drinking, they took time off to fire rounds of ammunition shooting at the crocodiles. This shows the deviant behaviour of some law enforcement officers and why it is less successful to get immigrants back to their countries. Some of the police were accused of corruption and attempted murder. Self-interest such as self-enrichment and the need to escape the wrath of the law led them to place no value on human life.

Even though there is a change of government and constitution in South Africa today, the Aliens Control Act was still out-dated in 2002 and inconsistent with the South African Constitution and international standards. One of the reasons why it was inconsistent is that the Act was not written from the background of this new constitution. In the year 2000 it was declared unconstitutional by the Constitutional Court which gave the government up to 2 June 2002 to have a new Act in place (*City Press*, May 26, 2002; *The Herald*, May 8, 2002). As a result a number of the rights of those being detained were violated, rights such as the right to dignity (s 9), freedom and security of persons (s 12(1)(a), freedom of movement and residence (s 21), just administrative action (s 33) and the rights of arrested, detained and accused persons (s 35).

### **2.5.3. Reporting on illegal immigrants**

In 1995 the government officials promised that R300.00 would be paid to South Africans and legal residents for a tip off on illegal immigrants (*The Eastern Province Herald*, January 11, 1995). According to the *Citizen* (29 June 1995), as from January to June that year about R10 000.00 had been paid for help in apprehending illegal aliens. *The Herald* (June 11, 2002) reported that the 'community assisted a joint task team of police, SA National Defence Force and home affairs department members in the arrest of 82 suspected undocumented immigrants in the Maluti and Mount Fletcher areas'. This action by the government, of encouraging people to assist and report people suspected of being illegal immigrants, was fuelling or exacerbating the tension, hunting and hatred of aliens and it could lead to the further straining of relations between South Africans and immigrants. Of course, it did so in the township of Mooi Nooi, in Rustenburg. The *SABC News* (October 15, 1999) reported that a member of the Community Police Forum (CPF) was killed by aliens for co-operating and assisting the police in the hunting and identification of illegal aliens. Even though this person was working with the organs of justice, he regrettably became a victim of hatred and violent action.

It is also interesting to note that not only South Africans have reported on illegal aliens, but some aliens have been arrested and deported because they were also reported and exposed by fellow aliens (about their illegal status as well). *City Press* (February 13, 2000) reported that Pushie Dunn, who worked as a T.V. presenter, was reported as an illegal immigrant to home affairs by an ex-boyfriend when she ended their love affair. It also turned out that the boyfriend himself was an alleged illegal immigrant.

#### **2.5.4. Government's silence**

As we have seen in some instances, especially when foreigners were ill-treated and murdered, the government has been found to be silent. This can be interpreted as the state's refusal to protect the rights of immigrants, or its condoning, even encouraging, of these actions. Protection is ignored for the sake of political and economic expediency. This silence contributes to the growth and culture of xenophobia.

Some government officials have not been that silent, however. They have denied that xenophobia exists and have spoken out against the special prominence and treatment that is given to foreigners when they are ill treated. Mr Michael Tshlamalang, a senior department official (Director of Residence), has this to say with regards to this, 'Somebody spoke about xenophobia ... Me and half these South Africans are at risk daily. I may come back home and find my house has been ransacked and my wife and children have been raped and killed, my car taken, my stereo, everything. If it happens to a foreigner, the front page of a newspaper is going to say xenophobia. I'm a statistic' (*Mail & Guardian*, November 5 to 11, 1999).

#### **2.5.5. Delays in granting permit/visas**

In order to prevent the influx of economic immigrants and possible criminals, according to the *Evening Post* (23 February 1998), visa exemptions were not granted to citizens of countries regarded as problematic. Because of the unrest and tension in that country, for instance, South Africa has withdrawn a visa exemption agreement with the Democratic Republic of Congo passport holders. This measure to a certain extent manages to control the influx, but on the other hand it can encourage illegal entry, into South Africa.

One can see that the government is divided on the issue of immigrants. It is a complex issue for it. It has tried to meet its universal obligation with respect to refugees. It is also trying to regulate and control the matter in a humane manner, only to be let down by its officials. Desperation, fear, prejudice and selfishness are playing a significant role. The approach and speeches of some government officials, on the other hand, contribute in creating confusion and making this country a non-friendly environment for aliens.

#### **2.6. RESPONSE OF AFRICAN IMMIGRANTS**

It is clear so far that for many African immigrants in South Africa, suffering is a painful reality; their life is one of exclusion, hostility, ostracism and denigration. Abuses against them by both some government officials and some people of South Africa have made them

vulnerable, insecure, sensitive, fearful and suspicious. In response to xenophobic attitudes and actions, African immigrants have employed certain survival strategies.

### **2.6.1. Immigrant organisations**

African immigrants feel that their problems and interests can be best addressed through organisations and associations of their own. The Affected Foreigner Resident in South Africa Association (AFRISAA) was formed in 1995 after the Alexandra incident which was mentioned when we dealt with the eviction of aliens. It was formed to deal with that specific issue but it ended up being an association which is open to all African immigrants. Many of those who have joined this organisation see some value in it. One had this to say concerning it, '[It] represents us when we have problems with police and hostile hawkers. Although we have valid documents and my brother pays for his hawkers' permit every month, we prefer to be with AFRISAA because it protects us from harassment by the police and other hawkers' (Reitzes 1997:38). In this organisation, their interests and fears are accommodated and through it they are able to transcend their nationalities since they belong to this one association. It is a means of self-defence.

Because African immigrants are diverse communities, there are also forums of particular countries which address specific home country-related problems, such as the Somali Association of South Africa (SASA). Its task is to explain to 'Somali refugees their rights, providing interpretation for the court system ...[making] contact with police investigators and the courts so that authorities know to call the SASA if Somali refugees show up' (*Botshabelo*, March 1999:7).

The need for particular people to come together has gone to such an extent that, according to Reitzes and Bam (1996:17), there are now small Zionist Churches which cater almost exclusively for particular immigrants. Does this mean their spiritual needs are not catered for or met by local churches? One hopes they are catered for and met, but this coming together just fulfils another need of being by themselves. This reunion of fellow country people helps them to keep their identity and solidarity. Through these organisations, the immigrants are

able to participate, exercise their rights to associate, assemble and decide on their destiny to a certain extent. They also help in the creation and maintenance of relationships and trust.

There are those who do not see the need for such organisations because they fear being victimised. They know if they are visible, they make themselves more vulnerable (Reitzes & Bam 1996:17). One can see that ill-treatment and illegality have made some fearful. This denies them the right to associate, the right to freedom of movement and assembly, thus denying them the chance to participate in social activities.

### **2.6.2. Clubbing together**

Most African immigrants offer each other accommodation and support. In trying to deal with exploitation, as mentioned when we were dealing with the exorbitant rentals that are charged by the landlords, they tend to stay together. They refuse to share flats or stay with South Africans because their experience has not been a good one. They have been ill-treated, and have this to say about their experience ‘[A]lmost everything we owned was stolen by South Africans we shared a flat with and the police were involved, we feel we cannot share living space with South Africans’ (Reitzes 1997:40). According to *Drum Magazine* (May 31, 2001:20) there is a tavern in Pretoria central business district, known as May May African Pot, it is ‘one of foreign Africans’ drinking places’. Because they feel that xenophobia is so rampant, ‘they stick together for protection. They fear socialising with South Africans and feel safer inside the pub’. The *Drum magazine* (May 31, 2001:21) further observed regarding this tavern:

This is where intellectuals thrive, holding discussions mainly around African politics. It’s also where they keep up with what’s happening at home, getting the latest news from new arrivals or from fellow country-men who’ve been home on visits. All the patrons are interested in is what’s happening in another’s countries. In fact, they regard themselves as a think tank for the continent. They’re not shy to air their views, and if Africa’s governments need some spin-doctoring, they should look no further than the free advice being offered at the African Pot.

This clubbing together helps them to adjust to the new country, keeps them together, provides security and gives them a sense of identity and solidarity amongst themselves. Staying together further demonstrates the existence of or brings out the hospitality in these people.

### **2.6.3. Illegal entries and involvement in crime**

In trying to come and stay in South Africa many have forged identity documents, acquiring citizenship in a dubious fashion and having bribed police to avoid arrest and deportation. They are prepared to be in South Africa either by hook or crook. According to Sergeant David Mokholoane, for 'every document with the Home Affairs logo customers [pay] between R300.00 and R400.00 per copy' (*City Press*, September 12, 1999). A number of aliens not qualifying for immigration permits on their own, marry South African citizens or permanent residents so as to qualify to live in the country (*The Eastern Province Herald*, May 15, 1998). Some of the methods that they use show to what extent they are prepared to go to have a legal status. The process of naturalisation is done in a fraudulent manner because one is eager, desperate and in a hurry to enjoy the benefits of one's new home without difficulty.

Using illegal means has often caught up with some of them. *The Sunday Times* (September 5, 1999) reported that Kasongo, born in Kinsasha, had been living in South Africa for some time with a fake identity document. That was not enough; he became involved in sport (basketball) and he became a captain of the basketball national team. He claimed to have been born in the Northern Province. When it was investigated, it was found out that he was not known there. Kasongo is not the only one to have made false claims of citizenship. There are a number of some of South Africa's famous faces, some of which have already been referred to, such as Tichafe Matabanandzo (TV presenter known as Tich Mataz), Pushie Dunn (TV presenter), kwaito stars Junior Sokhela and Reason Sithole. Through the South African Police Service (SAPS) Anti Corruption Unit, the police have uncovered a number of syndicates involved in producing false identity documents, work permits and marriage certificates. Some of these syndicates are run by immigrants themselves. For example, Oscar Duru, a Nigerian, ran a syndicate under the pretext of it

being a salon. Computers and machines which 'bore authentic official signatures were recovered' (*City Press*, September 12, 1999).

One can see that some of the aliens do not try to engage the state legally but are trying to outwit or avoid it. All these attempts violate their terms of staying because they undermine the laws of the state, weaken the control of the state over them and create a negative impression about them in an already very hostile situation. For instance Pushie Dunn<sup>9</sup> was experiencing some difficulty to come back and marry her true lover. She applied to come back. But the spokesperson for the Home Affairs Department said 'it is unlikely that her application to return to the country would be approved on account of the nature of her alleged crime. Falsifying official documents is a serious crime' (*Pace*, June 2000:39). In order to combat and expose those who had been illegal and were working in South Africa, the Home Affairs Department asked the *SABC* and a number of companies and organisations, to provide particulars about their employees (*Pace*, June 2000:41).

One cannot deny that some African immigrants are involved in other crimes. This is supported by the statistics that were provided by Mr Jody Kolapen, of the Human Rights Commission. According to the report by a Pretoria-based Institute for Security Studies,

Nigerian dealers dominate the cocaine trade which has exploded in South Africa since the end of apartheid in 1994 ...Cocaine and crack cocaine were not commonly available in South Africa (prior to 1994). This market vacuum was filled when Nigerian nationals arrived here just as democracy was dawning (*Daily Dispatch*, May 9, 2002).

These are some of the crime activities in which some African immigrants are involved.

#### **2.6.4. Refusing to co-operate with police**

As we have seen in many incidents earlier on, many African immigrants have a negative attitude and lack of confidence in the police of this country. Many have refused to co-

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<sup>9</sup> She did come back and marry her husband and nothing was done to her, although, according to the *Sowetan*, May 28, 2001, criminal charges against her were still being considered.



operate in tackling crime, especially if it involves a foreigner. This refusal to co-operate allows crime to continue and weakens the justice system of the country. The reason why they withhold cooperation with the police is because ‘they resent the xenophobia which makes them a scapegoat for high levels of crime. One respondent expressed the views of many: “Policing is always equated with anti-immigration sentiments. Why should [aliens] be involved in crime prevention when police make life uncomfortable for us? Why should we report criminals when all crimes are blamed on us?”’ (Reitzes 1997:47).

Though this refusal to divulge information is seemingly their form of protecting themselves, it should also be seen as an act of defiance. This action does not help much in rooting out the crime they are accused of. It also does not augur well for their presence in this country. It gives the impression that they are not loyal, responsible nor have they any obligation towards the well being of this country. Instead, they want to make a living, destroy and weaken the organs of justice.

Not only have some of them been involved in crime but they also set up syndicates to try and free those who are in prison by either assassinating those who ensured their conviction or bribing security personnel (*Sowetan*, September 21, 1999). This is a cause for concern especially for the safety of those involved in exposing the immigrants and who continue to live in fear.

#### **2.6.5. Holding demonstrations against the government**

The South African Press Association (SAPA, March 20, 2001), reported that Refugees and asylum seekers protested outside the Braamfontein refugee office of the Department of Home Affairs, expressing their dissatisfaction at the lack of administrative justice in relation to refugees and asylum seekers. Even though the 1998 Refugees Act was in place little was done to fast track the asylum process. Of course it was not the first time that there had been such protest by refugees.

They held protest marches to the seat of government and outside the United Nations High Commissioner for Refugees in 1996 (*Evening Post*, August 3, 1996). The government sometimes had the perception that 'the protesters were not bona fide refugees and had no claim to any material or legal assistance from the government' (*Evening Post* August 3, 1996). They were warned that 'another illegal action could lead to their arrest, which could mean deportation back to their country of origin' (*Evening Post*, August 2, 1996). This threat made them leave without any further protest. One can see that even peaceful action such as the one they had engaged in sometimes becomes useless because of the alien status of some of them. Their alien status makes it sometimes difficult for them to exercise their right to assembly, demonstration, picket and petition (Section 17).

#### **2.6.6. Physical attacks on South Africans**

When some African immigrants see that their meekness does not help, they have often resorted to violent actions against South Africans. When South Africans rob them of their property through eviction and stealing from them, they defend themselves and try to discourage South Africans from further action by mobilising themselves and beating them up (Reitzes 1996:23). As reported by the *SABC News* (October 15, 1999) they have also not been afraid to kill South Africans who point them out to the police. This resulted in instilling a sense of fear among South Africans, including those in Community Police Forums. Violent attacks erupted in Zandspruit, near Johannesburg, after 'one of the Zimbabweans had allegedly murdered a South African woman' (ANC statement on xenophobic attacks, October 23, 2001). South Africans responded by setting fire to the shacks of Zimbabweans. Such physical attacks on South Africans led a respectable journalist, Mr Jon Qwelane, to utter statements that bordered on hate speech and incitement to violence. When Mr Qwelane's friend was 'violently attacked, robbed and shot by illegal immigrants', he said angrily 'that the constitution should be suspended to enable the South African Police to arrest and deport all illegal immigrants, that some should be shot on sight and put on a conveyor belt to hell' (*Daily Dispatch*, August 20, 2002). Of course, he did not mean all this literally.

### **2.6.7. Adapting**

Some refugees have made South Africa their home by learning to speak local languages. Learning the local language also helps them to communicate and understand local people and their culture. The learning of local languages is the beginning of the process of acculturation. Furthermore it shows that there has been personal adjustment on the part of some immigrants. Michel from Congo tells how she responded to xenophobia in South Africa: 'I first came to South Africa in 1996. I did, of course, notice the tendency for xenophobia, but I told myself that the only way to fit in was to adapt. And that's exactly what I did. I've earned myself lots of South African friends and everything is cool now' (*Pace*, March 2003:52).

Many immigrants are also accepting and using names that are given to them by local people, such as in Port Elizabeth. For instance, Jean Baptiste, a refugee from Rwanda, was renamed Tamsanqa (Luck) by local people 'after they heard his painful stories of survival in war-torn Rwanda, where about 500 000 Tutsis were massacred in "ethnic cleansing in 1994"' (*Evening Post*, December 10, 1999). For some to be given a name means that not all South Africans are filled with hate towards African immigrants. Some South Africans are sympathetic and accommodating. Such names are a sign of being treated with respect, of acceptance, and of South Africans reaching out. This stands in contrast to the derogatory names which immigrants are often given. African immigrants reject those, since they imply that they are less than human beings. Through these positive names they are able to socialise and have a sense of belonging to, and to actively participate in, the new society in which they find themselves.

## **2.7. CONCLUSION**

Managing the influx of African immigrants is not an easy task for the government. One thing which has become evident in this chapter is that the government is divided on the issues of African immigrants. This ambiguous position of the government demonstrates the tension

that exists between upholding the rule of law, delivery of services to the South African people and honouring international obligations and humanitarian considerations.

Actions that have been taken against African immigrants by some government officials, though not organised, are systematic and widespread and are aimed at making life increasingly difficult for African immigrants. There is seemingly a united but subtle effort to rid South Africa of the presence of African immigrants. Happily, this is not the general or official attitude of all in the South African government.

From the behaviour of African immigrants described above, one can also see that the reception and treatment they have received has given rise to fear, rebellious behaviour and anxiety, solidarity and general apathy, and this has narrowed the sphere of their social participation. On the other hand others have been able to adapt and to find acceptance among South African communities.

## **CHAPTER THREE**

### **THE PRE- AND POST-EXILIC PERIODS AND THE TREATMENT OF NON-JEWS IN ISRAEL**

#### **3.1. INTRODUCTION**

Xenophobia is generally a problem of people who are faced with the task of rebuilding and reconstructing their nation. In this chapter we examine the xenophobia of the Jews in the Old Testament. The main focus is on Jewish xenophobia in the post-exilic period and how other nations responded to the attitudes and actions of the Jews. Special attention will be given to the social setting (social, economic and cultural elements) of that period, with its tensions and expectations and how some of that pressure of rebuilding and reconstructing their land contributed towards the xenophobic attitudes and actions of the Jews.

Before we deal with that period, however, it is important to give a background to how the Jews understood themselves and to mention some of the issues that made it difficult for them to relate to other nations. There are certain issues, such as the notion of being a chosen people, the land, the temple and the law, which were dear to the Jews, formed part of their identity, and which had an effect on all other spheres of Jewish life. These issues not only had an effect on them but they also determined how the Jews related to other nations. In other words, it is through their actions that the xenophobic attitudes of the Jews found concrete expression. When dealing later in this chapter with xenophobia in post-exilic Israel we shall see some of these issues surfacing or being invoked to make sure that the Jews did not associate with other nations.

### **3.2. ISRAEL'S UNDERSTANDING OF HERSELF**

As recorded in the Bible, Israel understood herself as being a chosen nation of God; the Israelites saw themselves as God's people (Judg 5:11, Josh 24:2, 23). They were a special people, with a special place and for a special purpose. As the chosen people, they were a united people, children of one family, able to trace their ancestry back to Abraham.

Why did God 'choose' Israel from among other nations? The book of Deuteronomy had to face and deal with this fact openly. This book, Deuteronomy (which means second law), according to Clements (1989:9,71), was edited in the 7<sup>th</sup> century before Christ. It was discovered by Hilkiah the priest after it had been forgotten in the temple during the reign of Manasseh and the persecutions of the Israelites. Its discovery prompted Josiah to introduce reforms in Israel (2 Kings 23). Deuteronomy was the law intended to reveal to the people of Israel the cause of their defeat by their enemies and offered them an opportunity for salvation.

Israel's 'election is spoken of in order to indicate all privileges the Old Testament ascribes to it: the divine calling, the adoption, the inheritance, the special dwelling of God among his people. The whole thinking of this people was governed by the notion of election' (Bühlmann 1982:27). Israel believed she was elected not because she had any special qualities; she had no special qualities. The Israelites believed they were chosen not because they were more in numbers but because they were the fewest (Dt 7:7). They were chosen not because they were good; they were in fact a stubborn people (Dt 9:6). God 'chose' such people to be God's people in spite of their unworthiness. According to Bühlmann (1982:28), God 'does not seek worthiness, he bestows it'. The election of Israel, it was believed, resided in God's love for her and the oath God swore to her fathers (Dt 7:7). A good example of this view is Exodus 19:3-6, probably a post-exilic text. This text recalls to the people of Israel the deeds of their God in bringing them out of Egypt and guiding them safely through the wilderness (v3). All this is done so that Israel may be God's possession (v5), a kingdom of priests and a consecrated nation (v6). Being a holy nation 'means primarily a nation "set apart" from other nations to belong to God' (Cole 1973:145). But obedience and holding fast to God's covenant is the condition or requirement to belong to God (v5). For the election to be based on these reasons helped in some way to avoid self-righteousness on the part of Israel.

Because Israel was 'chosen', she became special, was separated and set apart from other nations. She therefore became a different nation among the nations around her and was believed to be treasured by God. Yahweh was their only God. Yahweh became the God of the nation. It was through the deliverance of the Israelites from Egypt that God was able to 'reveal' God's self to them. In return, that made them a people with a memory of Yahweh's promise, a memory of his deeds and deliverance. God's liberation of this small, oppressed and powerless nation did not only display God's power but was also the establishment and continuation of a relationship through a covenant (Ex. 19:4-5). The Hebrew word for "covenant", *berith*,

denotes essentially a relationship, a personal relationship with God, not loyalty to a law. (Granted, out of this relationship of mutual belonging grow rights and duties, thus also a law.)

The Old Testament covenant God is not a *deus ex machina* who comes to the rescue at the last moment, but a God who always takes the first step, who always anticipates. Before he lays down the law he places a human being within his grace, and this makes observance of the law both meaningful and possible (Bühlmann 1982:27).

The covenant was the core of the Jewish understanding of their relationship with God. It was something new and unique for this nation. Van Zyl and others (1979:83) best express this idea of the covenant when they say,

Not only was this sealing of the covenant the highlight of the desert period, it was also the confirmation of the fact that Israel belongs to the Lord and that the people have a responsibility towards Him. It is important to note that the establishment of the covenant at Sinai is inseparably bound to deliverance from Egypt. This covenant is naturally also a perpetuation of the covenant entered into with Abraham and other patriarchs. It is the same LORD who seals the covenant and Who delivers Israel. This sealing of the covenant is therefore really a confirmation of the LORD'S work of deliverance. Because Israel is a liberated people and belongs to the LORD, He now has a certain claim on them, He expects them to live as a liberated and as a holy people.

There were certain stipulations that they had to adhere to, which underlined the relationship. Obedience to God's will, which was expressed in words, underlined the relationship. If they accepted and obeyed, God would be their God and they would be God's people (Lev 25:12). Even though there were many gods and lords for the other nations, Israel had to have a single and undivided loyalty to God. Israel could not allow herself to be determined by any other god than Yahweh. This is best expressed in the first of the ten commandments 'you shall have no gods except me' (Ex 20:3). Yahweh was an exclusive and a jealous God. He had revealed himself as the God of History. God chose the Israelites and set them apart for a purpose. God wanted them to be instruments through which God's love and blessing would reach the world (Gen 12:3).

Israel was not elected to a privilege but to a service: to reveal God's affection for all people. Israel's temporary separation from the peoples was obviously for pedagogical reasons. The purity of monotheism and the hope for a Messiah should, after all, be temporarily borne through history by the people among whom the Messiah was to arise. This one people would also have the practical experience of what it means to belong to God, to belong to a history to

which God yields up his own name. And so Israel had both the burden and the grace of election to bear, that a universal salvation might dawn at last for all (Bühlmann 1982:35-36).

God wanted Israel to open up, as God wanted to create history with them. Later on we shall see, however, that Israel

more and more “drew the curtains” and erected “no trespassing” signs. Instead of pointing up to her sufficient God and extending an open hand to her neighbours, she more and more closed her fist in an attitude of defensiveness and exclusiveness. And that attitude found concrete expression in at least five ways: her land, city, temple (with foreigners limited to the outer court), all with her King giving it authority and her laws giving it legitimacy. The attitude of detachment from these gifts of her God had been swallowed up by an attitude of attachment to her possessions (Pott 1985:98).

### **3.2.1. Land**

After being delivered from Egypt, wandering and living a nomadic life in the desert, God fulfilled the promise made to the Patriarchs. In Genesis God promised to give and lead Abraham to a new land (Gen 12:7). God ‘gave’ Israel a land, Canaan, that was occupied by Canaanites. The supposed giving of the land, however, is portrayed as if brutality and intolerance were being promoted by God’s very self. God is said to have conquered the land on behalf of the Israelites by driving seven nations out of it (Dt 7:3). God further ‘commands’ that the Israelites should break the altars of the nations (Dt 7:5), exterminate and show no mercy to the people God would deliver to them (Dt 7:6). Bühlmann (1982:30) calms our fears of seeing this take over as brutal by stating that

the author neither wished to transmit ‘divine truth’ here, nor could have transmitted it. He was only writing a heroic epic, with all the exaggerations expected of him in the East and at recalling God’s mighty deed for their fathers of old ...Doubtless the land fell to the chosen people not nearly so gloriously or so cruelly, it took place by gradual penetration, by inter marriage together with minor insurgencies.



It is Yahweh who 'gives' the land because 'it belongs to me [Yahweh]. You are only foreigners and guests in the country' (Lev 25:23). Yahweh is the real owner of the land. The land is "given" as a gift of Yahweh and this is a fulfilment of the promise made long ago to the Fathers (Jos 1,3,6). It 'is the most precious of all the benefits that Israel's knowledge of God has brought to it' (Clements 1989:55). The Israelites are given the land to rest (Joshua 1:10-15). If they want peace, success and prosperity, Joshua 1:7f insists that they should keep the Torah. Habel (1995:40) is of the opinion that this understanding of the land being a gift from God seeks to 'foster an attitude of total indebtedness and dependency on the land-giver ([Joshua] 8:17,18)'.

The land can be defiled and lost. Through their sins the Israelites later defiled the land (Jer 2,7, 16, 18). In Joshua the Israelites were warned that if they fell away from Yahweh, they would 'perish from the beautiful land Yahweh, our God has given to you' (Josh 23,13,16). Of course, this did take place when the Israelites were taken into exile by the Assyrians and the Babylonians. They were given back their land later through a decree by Cyrus, king of Persia. Going back to this land became a source of conflict with other nations as we shall see later on.

### **3.2.2. The Temple**

In that land, there was a Temple, a holy building. It was the place 'chosen' by Yahweh as a dwelling for his name (Dt 12:11, 14:23). It was the house of Yahweh. When the Israelites first came to Canaan, their worship was not centralised, they did not have a Temple; they offered sacrifices at a number of sanctuaries that were located throughout the territory. The idea to build a Temple came from David as soon as he transferred the Ark of the Covenant to Jerusalem (2 Sam 6:12) and established his palace in that city (2 Sam 7). The Temple was finally built by Solomon (1 Kings 6) in Jerusalem .

It 'was Hezekiah who first tried to centralize all worship in Jerusalem and make the Jerusalem Temple the sole central sanctuary (2Ki. 18:1-5; cf Ch. 29:31). His policy did not

succeed and Josiah his grandson reintroduced it (2 Ki. 22-23 cf. 2Ch. 34)' (Thompson 1974:38).

In the centre of the Temple was the Holy of Holies, where the presence of God would dwell. As a house of God, the temple became 'the only place where sacrifice could legally be offered. Jews from all districts of Palestine and from all over the world made pilgrimages to Jerusalem for the principal feasts' (Cassidy 1978:105). It was a symbol of their relationship with God. The Temple fulfilled a centralising role for the Israelites, it was the centralisation of worship and it had as well a political dimension.

The Temple was destroyed during the invasion by the Babylonians in 586 B.C. (2 Kings 25:1-21; Jer 52:24f). It was rebuilt in the year 520 under governor Zerubbabel, when the Jews came back from exile (Van Zyl *et al* 1979:195, 208). It became a rallying point for the Israelites, while it did play a marginalizing role at the same time. The Gentiles were not allowed in the temple, even though they were eager to assist in the work of rebuilding. When it was completed, they could only go as far as the outer court, which was known as the Court of the Gentiles. The Court of the Gentiles was separated from the rest of the temple by a

screen of marble, 4 ½ feet in height, and beyond this no Gentile must pass. This marble screen had warnings cut into it, and part of such an inscription has been found. It is written in Greek capital letters, and says: 'No foreigner may enter within the screen and enclosure round the Holy Place. Whosoever is caught so trespassing, will himself be the cause of death overtaking him' (Snaith 1949:183).

### **3.2.3. The law**

The Israelites were the people of the law. The basic word for law is *torah*. The law was an expression of the covenant. It was a guide to their life, and believed to be given to them by God. The 'laws [were] part of the gratitude of the people [and] a way of showing the LORD that they acknowledge Him as their God Who delivered them. The laws are

therefore not of a mandatory nature but have to do with loyalty and reciprocal love of the people' (Van Zyl *et al* 1979:84).

We can classify these laws as cultic, dietary and purity laws. The cultic laws regulated the nature of encounter between God and the Israelites. The dietary laws, on the other hand, dealt with foods that were allowed to be eaten and those that were prohibited. The purity laws dealt with cleanness and uncleanness. These laws made it possible for Jews to interact with each other, while they made it difficult to enter into relations with Gentiles. For instance under dietary laws, it was difficult to share meals with the Gentiles because Jews were prohibited from things such as pork. '[T]he refusal to eat pork or any other food which is not kosher means that observant Jews will not eat most Gentile meals' (Casey 1991:16). According to Casey (1991:16), the laws made sure that the Jews remained pure in daily life. These laws played their role in keeping the Jewish identity and separating Jews from Gentiles. The Jews were generally loyal in keeping their laws. It was these laws that made them different from the Gentiles and also united them as a nation. For Van Zyl and others, (1979:243), the 'post-exilic situation can be described as the time of the law ... [T]he law assumed a prominent place in the life of the people. It was the unshakeable and definitive Word of God, to which nothing could be added and from which nothing could be taken away'.

#### **3.2.4. Relation to "The Nations"**

In their land, the Israelites were surrounded by other nations. These nations played a significant role in determining the identity and historical events of this nation. Israel frequently referred to and saw itself as a *ha am* (the people) and a *goy* (nation) (Gottwald 1979:242). As a nation (though made up of many tribes) 'all Israelites are encouraged to think of themselves as "brothers" (cf Deut.14.7;15.2,3)' (Clements 1989:56), since they had one common ancestry. They were proud of that ancestry. They had faith in one Supreme and powerful God, more powerful than the gods of other nations. They were the "chosen people" of this God. God had declared that they were 'my very own for all the earth is mine. I will count you a kingdom of priests, a consecrated nation' (Ex 19:5-6). Their

‘aversion to idolatry and immorality, their commitment to one God and a high standard of ethics, and their strong family orientation all won them admiration and adherents’ (Pott 1985:82).

The surrounding people who inhabited the land of Canaan, which the Israelites entered, on the other hand, were referred to as the nations (in Hebrew *goyim*) or *ammim* (peoples) (Gottwald 1979:509). According to Pott (1985:33) this term, “nations”, which is used loosely to refer to those other than Jews, ‘is usually used with critical and negative overtones’. The negative connotations linked with the nations derive from the fact that their way of life represented all that was opposed to Judaism. The nations worshipped gods, their moral reputation was suspect, whatever they did represented sin and Israel felt threatened by them politically, culturally and religiously (as a matter of fact these dimensions are closely related to each other). They were a non-people or second class people.

When the Israelites came to the land, according to Habel (1995:45), there was an insistence upon them not to mix with other nations (*goyim*) (Jos 23:12), to make no covenant with them or marry them (Ex 34:11-16; Dt 7:14), nor to utter their gods’ names (Jos 23:7). They had to live and be cut off from the rest of the people. Why? Because the nations would make the Jews turn away from God (Dt 7:4). One can see that colour or ethnicity was not the criterion for not mixing with other nations, it was rather religion, at least superficially God had no intentions of making the Jewish nation impure.

Though the Israelites had immigrated to the land of these nations, they had to make sure that they were not assimilated by them. The Israelites were really insecure; that they were threatened by the way of life of the nations. This meant that they had to reject not only their association but their hospitality as well. The nations ate food such as pork, which rendered them ritually unclean according to the Jews. Figart (1973:104) has this to say concerning this restriction on food

Milk drawn from a cow by heathen hands, bread and oil prepared by them, might indeed be; any article sold to strangers but not used by Israelites. No pious Jew would of course have sat

down at the table of a Gentile (Acts xi, 3; Gal. ii,12). If a heathen were invited to a Jewish house, he might not be left alone in the room, else every article of food or drink on the table was henceforth to be regarded as unclean. If cooking utensils were bought for them, they had to be purified by fire or by water; knife to ground anew, spits to be made red-hot before use, etc. It was not lawful to let either house or field, nor to sell cattle, to a heathen, any article, however distantly connected with heathenism was to be destroyed.

These restrictions meant that the Israelites as an ethnic group were hostile to the nations. An ethnic group, according to Casey (1991:13), is

a social group, which, within a larger cultural and social system, claims or is accorded a special status in terms of a complex of traits (ethnic traits) which it exhibits or is believed to exhibit. Such traits are diverse, and there is much variety in the complexes that they form. Prominent among them are those drawn from religious and linguistic characteristics of the social group, the distinctive skin-pigmentation of its members, their national or geographic origins or those of their forbears, ... Ethnic as an adjective is often used interchangeably with *religious, racial, cultural and sub-cultural*.

As we have seen from above, as an ethnic entity the Jews had their distinct features such as living in a specific geographical area. They had the Torah as their basic code of morality. This book defined who they were and spelt out their relationship and devotion to one supreme God. It contained all they needed to know. As sons of the covenant, males had to have a visible sign, which was circumcision. With the experience of 'exile and the Diaspora, the older understanding of Israel as an ethnic entity living on its ancestral land gradually gave way to that of a religious community defined by the Torah' (Donaldson 1997:55). They began to 'present their religion in a way which was attractive to their neighbours. This was due not only to religious zeal, but also to a desire to create friendly relations in the foreign cities in which they lived' (McKenzie 1965:699). Even though the Gentiles were condemned for disregarding the law, in Jewish eyes, there was willingness on the part of the Jews to let them change and worship or at least admire the one God. This, however, had to be on Jewish terms (Is 45:22; 56:6-8, Zech 2:11, 8:20-23).

Those Gentiles who abandoned their sinful ways and willingly accepted Judaism in its entirety were known as proselytes. There were certain requirements for Gentiles to be

accepted into full membership. They had to abandon idolatry, acknowledge and profess faith in one true God as revealed in the Torah and worshipped in the Temple. To be incorporated in the people of Israel, a ritual of initiation was performed. There was immersion, a sacrifice was offered and male converts were circumcised. They 'frequently adopted Jewish names as additions to or substitutes for their own, and were finally buried with Jews, a privilege denied to the God-fearers<sup>10</sup> who were buried with the Gentiles' (Pott 1985:97). The acceptance of proselytes helped in swelling up numbers into the ranks of God's people.

The Jews in Palestine were opposed to proselytism and there was no readiness to accept the Gentiles into their fold. Opposition to proselytism was seemingly to protect 'the Jews against assimilation by the vigorous leveling civilization of Hellenism' (McKenzie 1965:699). This opposition meant that Gentiles were perpetual strangers to the Jews.

### **3.2.5. Relation to strangers**

Beside the term *Zar* (which means anything strange), there are two terms that the Israelites used to refer to aliens or foreigners: *nokri* and *ger*. According to Pott (1985:32) *nokri* referred to one who was 'only temporary in the country...[and] maintains the connection with his native country or with the country which he has left ... the nokri persists in keeping politically and socially his former status'. If *nokri* still had his allegiance with his country, this put him in a hostile position with the Israelites. This person would be seen as a worshiper of idols and living an immoral life. Such people were therefore considered as a danger, enemies and aggressors to the Israelites' faith and way of life. Even though it was so, they were still entitled to hospitality.

The second term is that of *ger*. This was a permanent resident alien. This person was transplanted into the community of Israel. Because he had left his home, therefore homeless and without property, he was often grouped with the needy, the widow and the orphans (Ex

<sup>10</sup> There were also those Gentiles who did not accept Judaism in its entirety but were sympathetic to it, they identified with Jewish way of life but did not want to commit themselves to full membership. They

22:20, Dt 10:18, Jer 7:6, Ez 22:7). The *ger* is in special need and in need of protection. Many of the Old Testament laws were written to benefit the alien, for example, pay was never to be withheld from the stranger (Dt 24:14), cities of refuge were to be open to foreigners (Num 35:15). The 'ger' is grouped with others probably because he is often poor. He comes from another kinship and tribal area, forsaking his own people and property (making himself homeless) and placing himself under Israel's protection voluntarily; or perhaps involuntarily in the case of the Canaanite conquest and occupation' (Pott 1985:46). One of God's attributes centres around God's care for those who are vulnerable and needy, and the list of these includes the stranger. God is seen as executing justice on behalf of the stranger, the widow and the orphan (Dt 10:1 7). Furthermore God is the one who watches over them (Ps 146:8). What is demonstrated by these statements is that those who are vulnerable are always in need of a protector and powerful advocate. God is sensitive and is such a protector to them.

The Israelites are encouraged and commanded to treat with kindness and protect the *ger*, since they themselves were also foreigners in Egypt (Dt 23:8, Ex 22:21)). In other words since they know what it means to be a *ger* and their experience is an unforgettable event, that should serve as motivation to them to love or be kind to the stranger. This statement also tells them that God does not identify only with the chosen people but also with any suffering people. The Israelites have the responsibility of extending the law of loving their neighbour as themselves to the *ger* (Lev 19:34), rather than executing unjust actions to the weak, the helpless, and the needy. If the Israelites extended benevolence to the stranger, then they would be blessed (Dt 14:28-29). But if benevolence was not extended, they would be punished (Dt 27:19).

Pott (1985:54-56) lists three ways in which the Israelites came into contact with strangers. Firstly, it was through trading: Palestine was a commercial link with Africa, Asia and Europe. As a passage through which other people went to these places, this provided the Israelites with the opportunity to meet and trade with various peoples.

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were called "god-fearers".

Natural disasters were the second way in which the Israelites met non-Israelites. Economic conditions such as drought and famine were occurrences that made people leave their homelands in search of greener pastures. Israel also had this experience of being a foreigner because of this phenomenon. The Jews became aliens in Egypt. Meeting people who had come from such situations, would have aroused feelings of sympathy from the Jews.

The third way was the most unpleasant one. Wars with other nations were also a common occurrence. Military conflicts among nations led to people becoming refugees or *ger*. After wars they stayed as either war prisoners or slaves. The Israelites had many opportunities of being involved in war with various nations. Presumably because of their disobedience to God, Jews from the Northern Kingdom were captured first by the Assyrians in 722 B.C. and many people were deported; the Babylonians destroyed the Southern Kingdom with its capital Jerusalem in 587 B.C. and deported many people to Mesopotamia. They lost the land that they were 'given' by Yahweh. They were to stay in exile till 538 B.C.

From the issues considered above we can see that the Israelites constantly wrestled with the question relating to, and fear of, other nations. The life of the Israelites was characterised by the real fear of being assimilated by these nations. The presence of other nations was thus perceived to be threatening to their way of life, identity and their religion. These fears became more pronounced during the post-exilic situation.

### **3.3. POST-EXILIC SITUATION**

Having considered how the Israelites understood themselves, we now proceed to examine their conduct in the post-exilic situation. We begin by painting a picture, even if it is not a detailed one, of the political and economic context that the Jews<sup>11</sup> had to contend with.

Ezra-Nehemiah, Haggai and Malachi are our principal sources of information on Judaism during this period. They 'describe the physical and spiritual restoration and reorganisation of



the Judean community after the Babylonian exile' (Williamson 1987:79). They reflect the situation and the conditions which were gradually deteriorating and further show that despite the political and economic hardships, the Jews had hardened their attitudes towards other nations.

### **3.3.1. Political and economic context**

In 538 B.C. Cyrus, the king of Persia, allowed the Jews who were captives in Babylon to return to Judah. Judah had been destroyed disastrously in 587 by Nebuchadnezzar. Everything had collapsed, the temple was destroyed, the monarch fell and the prominent and skilled people of Judah were taken as captives to Babylon. Probably the 'more accurate estimate of the number of deportees provided in biblical texts is 4, 600 (Jer 52:28-30). Those who remained... were permitted in the interest of maintaining the economy of the province to take over holdings and estates of the deportees (Jer 39:11)' (Blenkinsopp 1988:60).

When Cyrus came into power in Babylon, he reversed the

Assyrian-Babylon policy of repression, on the sound principle that the happier the lot of subject peoples, the more likely they are to be content to remain subject. Nothing increases resistance like oppression; nothing reduces it like clemency. Cyrus, therefore, gave all deportees the opportunity to return to their native country. He encouraged all peoples to revive their national worship. He even set up puppet princes of the native royal line (Snaith 1949:15).

He issued a decree allowing them to rebuild the temple and restored the vessels that were carried off to Babylon by Nebuchadnezzar. He said 'Yahweh, the God of heaven, has given all the kingdoms of the earth, he has ordered me to build him a Temple in Jerusalem, in Judah. Whoever there is among you of all his people, may his God be with him! Let him go up to Jerusalem in Judah to build the Temple of Yahweh, the God of Israel' (Ezra 1: 2-3).

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<sup>11</sup> According to Holmgren (1987:xiii) the people known as 'Israel' before the Exile are now identified as 'Jews.' The English term 'Jew' comes from the Hebrew word *yehudi* that is, Judahite (Esth 2:5; cf. the plural form in Neh 1:2)

Not all the families were enthusiastic and eager to go back. Many families who had prospered in Babylon remained rather than go and face a future which was uncertain. This non-return created a widespread settlement of Jews living outside Palestine. Those who did not return were to be known as the Diaspora or the dispersion.

Sheshbazzar, who was a governor when he came to Jerusalem, was in charge of the returnees (Ezra 1:8-11). The first group of returnees was a minority but a zealous one. It was also relatively well off by the fact that they were able to return with wealth (Ezra 2:68-69, 8:26-27). According to Snaith (1949:62), the Jews who came back were

thoroughly and completely convinced of three things. These three things were the determining factors in the whole subsequent development of Judaism, both politically and religiously. Firstly, they were sure that there was One God and that there was none other than He, supreme in wisdom and in power. Secondly, they were sure that they, and they alone, were the chosen people of this One and Only God; they were the true Israel. Thirdly, they were sure that this One God would see to it that they, His chosen people, would accomplish a glorious destiny at the head of the nations.

When they came to Judah, however, instead of being filled with joy, there was disappointment. Life became difficult for them because of the following reasons:

#### 3.3.1.1. Judah was in ruins

Judah still bore the marks of defeat. The city had been badly affected by the destruction of Nebuchadnezzar. The Walls of Jerusalem were broken down, its gates burned (Neh 1:3, 2:3). According to Williamson (1987:82), 'Jerusalem, or more poignantly, Mount Zion, the city of the Great King (Ps. 48.2), [lay] in ruins whilst the temple, the focal point of the nation's worship' was no more. It was burned to the ground and was a heap of rubble (Hag. 1:4,9). Coming back was a reminder of that sad take-over and seeing the ruins was also a humiliating experience (Neh 2:18).

### 3.3.1.2. Drought (Haggai 1:6,10)

There was drought. Blenkinsopp (1988:36) points out that the drought created economic distress for the Jewish community and added to their social problems. Haggai, the prophet, saw a connection between the depleted economy and the disregard for God's worship. He was of the opinion that this drought was a punishment for their apathy (1:16). Because they were busy looking after their needs and building houses for themselves, they had neglected God, and yet they could only prosper economically by putting God first.

### 3.3.1.3. Corruption among the priests

The priests were not taking their ministry seriously. Some priests, according to Van Zyl and others (1979:210) had 'entered into marriages with foreign women'. These marriages were viewed as threatening. Furthermore, the priests had neglected their office. Because of non-payment of temple tax by the people, they left their sacred duties and sought employment. There was no respect and reverence for holy sacrifice, the priests were either careless or indifferent regarding the quality of the sacrifice. Defective sacrificial animals were offered (Mal 1:8,13), which violated the laws of ritual cleanliness. The disrespect and indifference on the part of the priests were an offence to God. Mitchel *et al* (1951:26) state that the 'religion of the day was a hallow form, there was no deep conviction or uplifting devotion in it'. The behaviour of the priests and the manner of worship created a spiritual crisis for these people.

### 3.3.1.4. The Jews ran into local opposition

Those who escaped the Babylonian captivity did not welcome the returnees because the returnees were claiming the family property of their ancestors 'which had in many instances been taken possession by the poor who had remained behind or by foreigners and this created problems' (Van Zyl *et al* 1979:205). The returnees threatened the position of the Samaritans (those who had remained behind during the time of exile) with the Imperial

decree which strengthened their position in the claim of the land. All this resulted in the constant harassment by the locals who saw the returnees as intruders, foreigners and enemies. There was no attempt on the part of the Jews to make themselves accepted but they continually distanced themselves from the nations around them. They used the imperial decree to their advantage and isolated their neighbours.

### 3.3.1.5. Struggle of rebuilding the Temple and Walls of Jerusalem

The progress of re-building the Temple was slow. With the support of the prophet Haggai (2:10), the Jews rejected an offer of help by the Samaritans. The refusal was made on a technical point, that the people of the land were not mentioned in the decree, 'it was they, and they alone whom Cyrus had authorized to build the temple; cf 1:2-4... We cannot tell ... whether an inherently religious exclusivism also lay behind this politically understandable response' (Williamson 1985:50). The building had to be abandoned because of opposition, only to be revived later by Zerubbabel, the governor of Judah (Ezra 6:7). The Jews, under Nehemiah's leadership this time, worked in difficult circumstances to complete the building of the Temple. What the enemies thought could not be done was now brought to completion. The Temple was completed and restored in 515 B.C. It

was ceremoniously dedicated, but everything - even though the animals of sacrifice were provided by the state - was on a lesser scale than in the days of Solomon (Ezra 6:15-18) and for this reason the older generation was dissatisfied. It also fell far short of what Ezekiel had expected (Ezek. 40-43). But Haggai encouraged them with the promise of a great future for the new Temple (Hag. 2:1-9)...The Jews now once again had a central place of worship and the people were reunited anew (Van Zyl *et al* 1979:210).

The building of the Walls was also not without struggles. Kidner (1979:23) says the 'rebuilding of the walls, almost asks to be seen as a symbol of Israel's separatism: the material expression of siege mentality'. The Jews wanted to separate themselves from other nations (*goyim*), and as God's people they had to reconstitute themselves. Life was made difficult by people of the land by challenging the Jews through false accusation and threats of attack.

All the factors mentioned above point to a community in disarray, in a state of disintegration. The morale of the Jews had weakened, Judah was almost on the verge of passing into oblivion in its homeland. They were small in numbers and discouraged. This period is marked by repeated disappointment, animosity, mistrust, jealousy, confusion and search for identity and spiritual crisis. Coming back from exile became more of a pain and a crisis than a joy of being back home. All this led the Jewish people to be sceptical about God's love (Mal 1:1). The prophets had to show that there was nothing that warranted any doubt in the love of God (Mal 1:1-6).

It was during this critical stage that Nehemiah provided the much needed leadership and xenophobia was on the increase. He was to reverse the decline of life in Judah. Nehemiah, who was in Babylon, had heard reports about the deteriorating situation in Judah. He asked the Persian king to allow him to go to Jerusalem. Having been granted the permission, he was also appointed as governor of Judah (Neh 2:2 - 10). It was during that time that the returnees 'took every step possible to ensure that the exclusiveness of their claims was translated into actual practise' (Snaith 1949:72).

### **3.3.2. Allegations against other nations**

After having occupied the land, the Jews were fearful of its people (Ezra 3:3). They began to perceive them as enemies. They felt threatened by and accused others because of the following reasons: land claims, religious bigotry and charges of Jewish defilement.

#### **3.3.2.1. Land claims**

The Jews were of the opinion that the land they returned to and property were not for the nations. They felt other nations had occupied the land and taken the property of their ancestors. They strengthened their claim to the land by the fact that they had an imperial decree. The Gentiles had defiled the land by their impurities (Ezra 9:11). Nehemiah was of the opinion that other nations had neither the right, nor inheritance nor anything to do with

Jerusalem (Neh 2:20), in short Nehemiah was ‘denying to his opponents civic, legal and cultic rights in the Jerusalem community’ (Williamson 1985:193).

#### 3.3.2.2. Charges of idolatry

As we saw earlier on when we dealt with the nations, the Jews always perceived the other nations as worshippers of false gods. This is emphasised by Holmgren (1987:29) when he says that the nations were unacceptable to the Jews because ‘they [the Jews] considered these people to be unacceptable before Yahweh...[because] they served their god’. This again was reiterated by Ezra (9:10-12). The pagan religion was seen as a threat which could easily corrupt the religion of the Jews.

#### 3.3.2.3. Charges of Jewish defilement

The ‘trading [of the Gentiles] in Jerusalem on the Sabbath was offensive (in all senses of the word)’ (Williamson 1985:395). It contributed to the Jews diminishing observance or respect of the Sabbath. One of the ways in which the Jews did not keep the Sabbath was that they were working in the vinepress on the Sabbath (Neh 13:15). Williamson (1985:395) has this to say about this sudden change of behaviour of the Jews, ‘[I]f Gentiles living in the province could legitimately trade on that day, many must have felt that the law set them at an unfair commercial disadvantage’.

The Jews further defiled the Sabbath by buying fish on the Sabbath day (Neh 13:16). Blenkinsopp (1988:359) is of the opinion that this buying of fish from the Gentiles encouraged trade on the Sabbath. Kidner (1979:116) further emphasises that the ‘presence of foreign traders opened a loophole in the Sabbath law for one could argue that no-one in the covenant was being put to any work in buying from them. But the people could now see that the tone and spirit of the day were being threatened’.

As we shall see when we deal with intermarriages, children born of alien mothers influenced Jewish children not to speak Hebrew and this was a very serious issue especially for

Nehemiah. All this resulted in the Jews viewing the other nations as sinful, likely to defile the 'holy race' (Ezra 9:2).

### **3.3.3. Actions taken against other nations**

The Jewish leaders felt it was important for them to counter the above situation so that it could not influence or may at least have little influence on the Jews. They acted by making sure that the other nations were isolated, so that the Jews might have no contact whatsoever with them.

#### **3.3.3.1. Refusal of cooperation**

The Jews rejected an offer of help by their neighbours in rebuilding the Temple, as already stated. The other nations were regarded as enemies (Ezra 4:1). For designating those who offer help as enemies from the outset implied 'that the author understood their offer to be interested and disingenuous' (Blenkinsopp 1988:106). In order to give a response that would not be seen as offensive, the Jews gave a politically sound reason for the refusal, namely that other nations were not mentioned by the decree that was issued by Cyrus (Ezra 4:3). The Jews alone had been given the right to build by Cyrus. Van Zyl *et al* (1979:209) are of the opinion that 'the rejection was based on the fact that their [i.e., the nations] worship of the Lord was not pure ...By this they were being told that they were not Jews - leave to rebuild the Temple was given to Jews alone'. The returnees did not want to be associated with people worshipping false gods. They saw pagan religions as having corrupted the religion of the Jews. Their mission as Jews was to continue 'with historic Israel whose name and inheritance were carried on by this remnant (cf Ezra 2:2b), and secondly, separation from taints of heathenism' (Kidner 1979:21). Thus a sincere and friendly gesture was perceived to be offensive. Kidner (1979:48) is quick to point out, however, that we should not have the impression that the refusal of an offer was a

rude rebuff to sincere and friendly gesture. Instead, we are meant to see it as the opening of a battle of wits: the first round in an assault on the integrity of the nation-church, an attempt which would be pressed home with every kind of tactic, disarming or menacing, defamatory or obstructive, but always geared to the one objective.

### 3.3.3.2. Use of derogatory names

The first contact with the other nations after the exile did not yield good relationships between them and the Jews. The Jews had a negative impression about these people: they viewed and called them names such as enemies (*tsare*) of Judah (Ezra 4:1), wretched people (Ezra 9:13), our pagan enemies (Neh 5:9). They were dirty and defiling (Ezra 6:21). Their lifestyle was referred to as abominations (Ezra 9:1-5). For Williamson (1985:131) abominations is 'a technical term, taken over from the Pentateuchal text, for foreign practices' such as lifestyle and worship that are considered unacceptable before Yahweh. The names other nations were called meant that there could be no meaningful, healthy relationship between these two groups. These names tried to prove that the other nations were not to be reckoned among the chosen, the people of God.

### 3.3.3.3. Refusal to talk peace

The refusal by the Jews to allow other nations to participate in the building of the temple led to strained relationships between them and other nations. Realising that the relationships were strained, the people of the land wanted to talk about peace. This gesture and invitation of goodwill was rejected by a suspicious Nehemiah (Neh 6:4) for the following reason:

The "plains of Ono" (v2), where they wish to meet him, is some distance from the protection of friends in Jerusalem, and therefore Nehemiah, no doubt, feels insecure. Believing they wish to harm him –that their request is only a show of friendliness – Nehemiah refuses their invitation to meet (Holmgren 1987:115).



His given reason for refusal was that he was too busy with the building of the wall of Jerusalem (Neh 6:3-4). He was suspicious, however, fearing that they would harm him if he accepted to meet with them at the venue they had proposed; he felt insecure. It was only after the fourth invitation that the local people dropped the pretext of friendliness. When they could not secure the meeting with Nehemiah, they changed their tactics and they 'sought to achieve the same end by a form of blackmail based on unfounded rumor' (Williamson 1985:255). We should remember that the version of events that we have on this matter is Nehemiah's, where he is trying to show that the nations were frequently bent on threatening the very existence of the Israelite community.

In spite of the fear the Jews had of the people of the land (Ezra 3:3), the firmness and determination of Nehemiah saw the walls of Jerusalem built and completed. He armed the Jews. By assembling the entire corps of builders in a military or paramilitary parade, according to Blenkinsopp (1988:249), Nehemiah was reacting to the threat. The 'purpose was less to deter threatened attack than to boost the morale of the workers, which had reached a dangerously low point'. The building of the walls had to continue until it was completed.

#### 3.3.3.4. Forbidding intermarriages and encouraging divorce

Having built the Temple and the Walls that separated the Jews from other nations, a spiritual revival was the next step. Physical separation was translated into spiritual separation and formation. We see this with the arrival of Ezra. The Jews were a well-defined community now because they had their own leaders who exercised judicial and punitive powers (Ezra 10:8, 14). They had their own assembly (Ezra 10: 8-12), and they participated in the temple cult (Mal 2:1-11).

The spiritual formation was revived by Ezra, who was a prominent member of the religious scholars, Scribes, in Babylon (Ezra 7:6). The office of the scribe had developed in exile. Its main aim was to teach the faith to the Jews, it was to keep their faith alive and retain their national identity. Ezra, 'the tenacious loyal lover of the institutions of his people' (Welch

1935:279), a man experienced in the Law of Moses, came to Jerusalem. He brought with him a set of scrolls containing the Torah so as to introduce the Law of Moses to the people. The Jews had a casual attitude towards religious obligation. The Jewish community had to be rescued from this and for this rescue to take place, drastic steps had to be employed. The Torah became central, a foundation, an identity document and a charter of this community.

The leaders of the Jews approached Ezra. They confessed and complained about intermarriages (Ezra 9:1f). It is interesting to note that the people who objected to mixed marriages did not include Ezra but were the leaders of the Jews. They saw the other people as an occasion for sin, a threat likely to cause defilement to the “holy race” (Ezra 9:2). This sin was compounded by the fact that even leaders were among the offenders. It was felt that by loving and marrying daughters of other nations, Judah would be unfaithful, committing a grave sin and defiling the sacred inheritance of Yahweh (Mal 2:11), corrupting the holy seed (Neh 9:2).

What is clear is that many Jews had intermingled with people who did not share their religion and this was viewed as a danger to their identity. Welch (1935:251) is of the opinion that the people who were guilty of being involved in mixed marriages were males. He has this to say to support it, ‘[T]he lists of the men of the Return, and the natural probabilities of the case prove that the large proportion of the newcomers were males, who must have had difficulty in finding wives among their fellow-Jews’. Nehemiah was convinced, according to Holmgren (1987:155), ‘that the Jews involved in such marriages were selling the birthright of the children born in these marriage bonds. What was this birthright? It is a chance to live in a Jewish home where one’s life is guided by Torah—God’s gift to every Jew’ (Holmgren 1987:155). Thus, avoiding mixing with other nations would help in limiting their influence and would further strengthen and preserve the Jews’ faithfulness to God, their purity and identity as a nation. This demonstrates that avoiding intermarriages was based and founded mainly on fear and racial prejudice.

Earlier on, when we dealt with other nations, we mentioned that the Jews were prohibited from intermarriages but this prohibition was not always kept. Williamson (1985:130) confirms this and brings to our attention that

marriage with foreigners in itself was not forbidden in the Mosaic law, and indeed not a few of the patriarchs and other heroes of the faith of Israel are said to have contracted such marriages (see, e.g., Gen 16:3; 41:45; Exod 2:21; Num 12:1; 2Sam 3:3 etc.). However, there was recognized the particular danger that affinity by marriage with the indigenous population of Canaan would almost certainly lead to religious apostasy or syncretism; cf. Exod 34:11-16, Deut 7:1-4; 20:10-18. Such marriages were therefore expressly forbidden, and it is of interest that even the patriarchs are portrayed as being aware of this danger (Gen 24:28:1-9)...As already noted, the Pentateuch sees the danger in the possibility that the foreign wife may entice the husband away from firm loyalty to God. Of course, if as in the story of Ruth, the wife was converted to the religion of her husband, the problem did not arise. Such a solution is not envisaged here.

This quotation demonstrates that intermarriage always constituted a central and major problem for this closeknit and separatist nation.

It is important also to observe how Ezra reacted when he was told about intermarriages: He was horrified, sat in silence and became 'more deeply ashamed of the national guilt than any of [the Jews]' (Kidner 1979:69). He tore his garments and mantle, pulled his hair from head to beard and sat down very much aggrieved (Ezra 9:3). Ezra's actions were a conventional expression of mourning (2 Sam 13:19; 2Kings 22:11). This public demonstration of grief put so much pressure on the people that they gathered around him filled with fear and became aware of their sin (Ezra 9:4).

In his prayer, according to Kidner (1979:69), Ezra 'allowed the word of God to frame its own indictment'. He referred to Deut 7:1-3, when the Israelites entered the promised land. He quoted it as a commandment forbidding marriage outside the community of Israel. Nations had to be rejected not because they were inherently wicked but because of their connection with worshipping false gods (Ezra 9:10-12). Blenkinsopp (1988:184) is quick to point out that we need not look for this commandment in the prophetic books. The

prophetic books - with the exception of Mal. 2:11-12 - nowhere contain this prohibition ...The basic text, reinterpreted to apply to the contemporary situation in Ezra-Nehemiah, is the Deuteronomic law forbidding marriage with the native populations (Deut. 7:1-5). But the quotation given here is put together from a wide range of sources ...”the land which you are about to enter to take possession of it (Deut 7:1); a land rendered unclean by the pollution of the local inhabitants (the term *niddah* occurs in ritual law dealing with the woman’s menses in Leviticus and Numbers and, by extension, to any source of ritual contamination e.g. Lev 20:21; Ezek. 7:19-20; the term is not used in Deuteronomic law...do not give your daughters etc. (Deut 7:3); do not ever seek their welfare or well-being (Deut 23:7[6]); that you may ... eat the good things of the land (Deut 6:11; as an inheritance for your children for ever (Deut 1:38-39))’.

Ezra’s actions and prayer were effective to such an extent that the Jews responded positively and they pledged to do away with foreign women and their children (Ezra 10:1 -2). After fasting and prayer, Ezra appointed ‘a commission of inquiry into the actual condition of affairs and this commission confined its scrutiny to the returned exiles. Among these only 113 persons were found who had contracted such marriages’ (Welch 1935:253). He asked the Jews to separate from the people of the land and the Jewish men were to divorce their Gentile wives and forswear not to get into mixed marriages again (Ezra 10:10). The divorce that was proposed by Ezra and accepted by the Jews was nothing new in Israel. Divorce

was permitted in Israel, though not without some serious cause (Dt 24:1); and broken marriages had been rife at this time for the very opposite reason: i.e. there had been a scandalous number of Jewish wives abandoned in favour of heathen women (Mal 2:10-16). While divorce is always hateful to God (Mal 2:16), and a witness to human ‘hardness of heart’ (Mk 10:5), the situation described in Ezra 9 and 10 was a classic example of one in which the lesser of two evils had to be chosen. If a serious reason for divorce could exist, this had a better claim than most to come within that category (Kidner 1979:71).

The decision to divorce did not take into consideration the negative impact the divorce would have on the family life and the children, on relations with the Samaritans and other nations around them. The religious obligations and the identity of the nation were the basis of the objection to marriages with foreigners. These were viewed as of paramount importance even more than marriage itself. The Jews were conscious of being different from other Israelite nations because of their history, religion and morality. If the Jews were to be

absorbed by the cultures around them, they would lose their distinctiveness as the 'holy race' (Ezra 9:2; Mal 2:15). Loyalty to God would be influenced and compromised. That is why marriage and mixing with other nations was discouraged. Mixed marriages were allegedly pulling the Jews away from worshipping the true God: 'to marry outside the society of Israel', according to Brown *et al* (1990:361), meant 'to be unfaithful both to Yahweh and to one's fellow Israelites'.

The fear of the Jews which led them to exclude foreign women is partly understandable, since the mother has a greater influence on the child's education and religious upbringing. It seems that only a Jewish mother could give birth to a Jew. If the child was born, in a physical sense, by a Jewish mother, that made him/her not only a Jew by language but by definition. On the other hand the identity (Jewishness of a child) of a child born from non-Jewish mother was suspect. The child could somehow not belong to God's people. The only way to guarantee the safety and purity of God's people, it therefore seemed, was to live in isolation. Even though intermarriage was primarily discouraged on religious grounds because the concern was religious identity, however, it was obviously motivated by racial prejudice. The language used shows that the Jews saw themselves as racially pure and exclusive. Those who were Jews and belonged to the Jewish community were those who came from the Jewish bloodline.

#### 3.3.3.5. Consequences of non-compliance

The refusal of some Jews to separate from foreigners posed a "dangerous" situation for the community and the community felt bound to make sure that its members complied. For those who refused to comply with the decree, sanctions were imposed (Ezra 10:7-8). 'Anyone who did not come within three days ... would have all his goods seized and would himself be excluded from the community of the exiles' (Ezra 10:7-8). These sanctions are also mentioned by Malachi (2:11-12), saying that a person who had married the daughter of an alien god would be cut off from the tents of Jacob and from the company of those who presented the offering to Yahweh Sabbath.

Through these actions, the Jews excommunicated their fellow Jews, excluded them from the social and religious life of the Jewish community. In other words they were to be socially and cultically cut off since they were viewed as offenders against God's commandment. Blenkinsopp (1988:190) is of the view that this punishment was 'less severe than on a similar occasion during Asa's reign (2 Chro.15:13). ...The other punishment, excommunication from the *golah* community, is closely related since the province constituted, in effect a temple community in which title to real estate was contingent on participation in and, of course, support of the cult (cf. Ezek. 11:14-15)'.

Children from mixed marriages were prohibited and discouraged from speaking the languages of the nations (Neh 13:25). When Nehemiah found the children of the Jews born from intermarriages unable to speak Hebrew, he was shocked to such an extent that he reprimanded them, called down curses, struck several of them and tore out their hair (Neh 13:23-24).

We have indicated earlier that the mother's influence on a child during her/his formative stages cannot be underestimated. The children spoke a foreign language because they had learnt it from their mother. But for Nehemiah it was not so much the foreign language that disturbed him, it was the fact that they could not speak Hebrew, the language of their Jewish ancestors. This meant that they would be unable to have access to the Word of God and this would "paganize" them. Therefore, they would not be able to identify with the Jews. Such a 'situation is unacceptable to a community that treasures Torah as the way of life, because Torah will not continue to be the center of the community if an increasing number of children are growing up without full knowledge of Hebrew' (Holmgren 1987:154). The survival of the nation was at stake, a nation that 'exist[s] by divine favor, by the grace of God' (Blenkinsopp 1988:185). The use of language went hand in hand with the identity and survival of this nation.

One can see that Ezra's coming to Palestine had far reaching results. Not only did he make the Jews accept the Law, he encouraged avoidance of foreign association by refusing

intermarriage with the Gentiles. Snaith (1949:19) described so well the impacts of Nehemiah and Ezra

Nehemiah's building of the wall was the first step in that separatist policy which characterised post-exilic Jewry. Ezra's work set to seal on what Nehemiah had forwarded, and at his death Judaism was established, distinct and exclusive. From his time the breach between Jew and Samaritan was inevitable and soon came to be complete.

This idea of being exclusive and separate from the people of the land is seen in the first Passover that was celebrated after the return. Ezra 6:19-22 describes how this Passover was celebrated and the people who took part in it. The Levites purified themselves. The following ate the Passover: the Israelites who had returned from exile and all those who, having broken with the impurity of the surrounding peoples joined them. For Snaith (1949:72) this demonstrates that

the returning exiles were not able to maintain the absolute strictness which they originally sought to establish. They did admit to their company certain others who had never been in Babylon but may well have been men who could show that, even though they had continued to live in Palestine, they had never married, nor their fathers before them, a woman whose blood was not as pure as their own. On the other hand, Ezra 21 may be an indication that there was slackness possibly even in the first days, which the more rigorous Jews sought later to counteract.

#### **3.3.4. Response of the people of the land to Jewish allegations and actions**

We have seen earlier that the Jewish presence caused great anxiety among the people of the land. The term people of the land

is a classification rather than a group of people, of religious rather than social origin. Originally the term was applied to the populace, the citizenry, the 'people' in a quite neutral sense (Gen 23.7; 42.6; 2 Kings 11.14; 21.24), but from the time of Ezra, the phrase acquired a derogatory meaning... So 'people of the land' came to be used disparagingly of anyone who did not know, or study, or care, about the Law (Marsh 1981:87).

#### 3.3.4.1. Offer of assistance

As already seen the people of the land made an offer to the Jews to assist in the building of the temple. However, they were turned down. According to Holmgren (1987:28) ‘They appear[ed] to be friendly and supportive of the Jews and their building activities. They [said] “Let us build with you; for we worship your God as you do, and we have been sacrificing to him ever since the days of Esarhaddon [680-669B.C.E.] king of Assyria who brought us here ... ’. Holmgren (1987:28) feels that there is no reason to doubt this statement. He does not understand, therefore, why they were called ‘adversaries [*tsare*] of Judah and Benjamin’. Their offer to help was refused, as we have seen earlier, on a technicality that they were not mentioned on the decree from Cyrus. Though this action was the initiative of the people of the land and did not appear as a response to the xenophobia of the Jews, the reaction of the Jews to the request does indicate that the Jews were already hostile to them.

#### 3.3.4.2. Offer to talk peace

The Jews’ refusal of assistance in building the Temple led to tension between the two groups. When this tension intensified the people of the land tried to initiate some talks. However, it was Nehemiah who turned them down because he was suspicious of the venue where the talks would be held (Neh 6:4), as already explained. For Williamson (1985:254) Nehemiah should be regarded as a stumbling block to peace.

#### 3.3.4.3. Blackmailing the Jews

‘Unable to secure a meeting with Nehemiah, [the people of the land ] changed [their] tactics. [They] sought to achieve the same end by a form of blackmail based on unfounded rumor’ (Williamson 1985:255). The Jews were now viewed by them as intruders, foreigners and enemies. Because of the antagonism that existed between the Jews and the local people, the people of the land discredited the Jews and frightened (Ezra 4:4) the Persian king. They



wrote a letter in which they falsely accused the Jews of planning a rebellion. It was suspected that once the reconstruction of the Walls was complete the Jews would not pay taxes (Ezra 4:13). Instead, they would encourage rebellion that would result in the loss of the territories of the whole area Beyond the River (Ezra 4:16). Though this looked absurd,

in troubled years through which the empire was passing, such rumours about a distant part of the empire would no doubt have been sufficient to cause alarm, and the authors of the letter play on their awareness of this likely reaction (Williamson 1985:63).

Bruce (1963:105) further supports this conclusion when he says

The returned exiles, at some point early in his [Artaxerxes] reign, began to rebuild the walls of Jerusalem. This was something which could not legally be done without royal authorization, and the officials of the province of Samaria knew that no such authorization had been given. They therefore sent a letter to the court, drawing attention to Jerusalem's seditious record in the Assyrian and Babylonian periods, and warning the king that this rebuilding of the wall was but the prelude to a declaration of independence. If it was allowed to proceed unhindered, they said, Jerusalem would be a focus of unrest and disaffection in that part of the king's domains.

The hostility and reaction of the people of the land that prompted them to discredit and ridicule the Jews managed to find support from the Persian officials in Samaria. These officers, according to Ezra, were bribed (Ezra 4:5). This support immediately put Jews in opposition to the authority. Their good standing was undermined because the Persian authority sided with their enemies and the construction was stopped (Ezra 4:21). The authorities did not listen to the Jews. The alleged spiritual stance of the Jews was interpreted as a political one. The attempt to reconstruct and fortify Jerusalem was met with suspicion.

#### 3.3.4.4 Physical destruction of the wall and attempt to attack the Jews

The locals did not only send a letter to the king but also began to break down the wall. Bruce (1963:105) states,

It may well be that the Samaritans, not content with communicating the royal interdict to the wall-builders, took the opportunity to demolish the part of the wall that had already been built knowing that no action would be taken against them for this zeal on behalf of the king's interests. This may explain the situation to which we are introduced in the twentieth year of Artaxerxes (445 B.C.) when his chief cup-bearer at Su sa, a Jewish favourite named Nehemiah, received a visit from some of his kinsmen from Judea. When he asked how matters stood at Jerusalem, he was told that the Jewish community there was 'in great trouble and shame; the wall of Jerusalem is broken down, and its gates are destroyed by fire [Neh 1; 3].

Just as the local people had become objects of contempt, the Jews too were called names by local people, names such as wretched Jews (Neh 3:34). These words were uttered in anger to mock the Jews who were busy continuing with the building of the walls.

For the local people to plot to blackmail the Jews was not enough; they began to threaten them as well. They even had intentions of fighting and killing the Jews in order to stop the work (Neh 4:1-8). To stop this threat Nehemiah had to arm his people to guard the building of the walls.

What is clear here is that the presence of the Jews also threatened the people of the land, though the Jews too were fearful and suspicious of them. Life was also made difficult for them. From the beginning, both parties could not relate to each other. There was no attempt to come closer to each other. Suspicion about each other kept them apart.

### **3.4. CONCLUSION**

In this chapter we have been made aware of the role played by religion and socio-economic factors in promoting xenophobic attitudes and actions. The Jews understood that their "election" by God gave them an identity and way of life that were different from those of other nations around them. The cultural, doctrinal and linguistic differences with non-Jews

ended up promoting parochialism and nationalism. The Jews understood themselves to be possessors of all that was good and holy, that was threatened by non-Jews and had to be protected; while non-Jews represented all that was bad and defiling.

When the Jews returned from exile they were still influenced by this notion of “election” in their dealings with other nations. This notion, together with non theological factors (political, social and economic elements) such as the land issue, unfavourable social conditions, and the building of the temple, also contributed significantly in influencing negatively the attitudes and the behaviour of the Jews towards other nations around them. In trying to keep their holiness and distinctiveness, coexistence that manifested itself in mixed marriages was frowned upon and discouraged. It was seen as defeating what the Jews were trying to achieve, the unity, purity of their nation and order in their society. Though some actions taken by the Jews were not a full expression of intolerant behaviour, they did display and reveal intolerant attitudes on their part.

## **CHAPTER FOUR**

### **COMPARISON OF XENOPHOBIA IN POST-EXILIC ISRAEL AND POST- APARTHEID SOUTH AFRICA**

#### **4.1. INTRODUCTION**

We have analysed, in the preceding chapters, the historical contexts of post-apartheid South Africa and post-exilic Israel as well as the factors that were taken into account to justify xenophobia in those contexts. Having done that, it becomes necessary to compare xenophobia as it occurred in those two situations. Although the two historical contexts are different (one being in the past and the other in the present) the similarities between them seem to outweigh their differences. The two situations are compared here in order to highlight the similarities and differences in the factors they used to justify their xenophobia and to discourage association with those who are or were foreigners.

One cannot deny that certain social pressures contributed in exacerbating the problem. The Jews were more influenced in their attitudes and actions by religious factors, such as belief in God, religious laws, the temple, the land and other socio-cultural factors. These factors largely formed their identity and were seen to be more important than forging relationships with other peoples. In fact, religion was understood as discouraging and frowning upon such relationships. The salvation history of the Jews seems to have determined with whom they could relate.

South Africans, on the other hand, have not allowed history to determine with whom they could relate, but are motivated mainly by socio-economic factors of the here and now. In both the South African and Jewish situations, those who are different are seen by some as a threat and are denied the opportunity to participate in a meaningful and positive way in the reconstruction of the new order. For the Jews the differences were ostensibly measured according to religious beliefs and practises, though this ended up as a racial matter. South Africans have not had difficulty in identifying who is the “other” in their midst. Colour, language and appearance are some of the factors which determined who they could relate to.

The following key factors have so far come to the fore as largely contributing to the manner in which non-Jews and African immigrants experience(d) xenophobia from both the post-exilic Jews and post-apartheid South Africans.

#### **4.2. IDENTITY**

During the process of reconstruction in both post-exilic Israel and post-apartheid South Africa, the issue of identity is a very important, central and popular one. It becomes a matter of social, religious and political solidarity. Identities of both South Africans and Jews are threatened and are in crisis; foreigners are seen to be breaking and disrupting community life and relations which are in existence or being constructed to give identity to these nations. Casey (1991:11) describes identity as follows

By the identity of a group I mean everything which is perceived to make it that group and not another group. By an identity factor I mean any single feature of that group which is perceived to make it that group and not another group. For example, Sabbath observance may reasonably be treated as an identity factor of Judaism, because most Jews observe the Sabbath (Shabbat) on Friday evening and Saturday, while most Gentiles do not, and Jews and Gentiles generally perceive Sabbath observance as a feature of Judaism. From an individual's point of view, the identity factors of a group are the features which make the individual a member of the group or an outsider. Thus on the whole anyone who observes Shabbat is Jewish, and those of us who do not are Gentiles.

The need to (re) define who belongs becomes central. People feel more comfortable with their shared identity which gives them a sense of belonging and bonding together as a group, be it Jewish or South African. The differences that exist between the insiders (South Africans and Jews) and outsiders (African immigrants and non-Jews) are highlighted and maintained. This makes one to echo the words that indeed, 'Identity is thus marked by difference' (Woodward 1997:9) and also by social practices that usually exclude the outsiders. Anyone who does not fall within the group is seen as an outsider, intruder or enemy. This confirms what Woodward (1997:29) says, that 'identity is not the opposite of, but depends on, difference'. What insiders have in common is better understood and protected when they distinguish or spot those who are different. The understanding of others in negative terms presupposes a certain sense of identity. Identity is maintained, according to Woodward (1997:12), through symbolic and social marking. The symbolic in South Africa and Israel is that foreigners are given names that immediately exclude them from social relations, and materially they are disadvantaged.

#### **4.2.1. Jewish identity**

We pointed out in chapter three that the Jews understood their identity to be God-given through their "election". The belief in election was based on the notion that they were God's favourites, God's "chosen people", the people of the covenant and the Law. The Torah was their guide and they had to live according to it. They understood themselves as having been set apart to be holy and to worship one true God (2.2). The Jews understood themselves as having a common 'descent from a single ancestor Jacob who is also secondary Jacob' (Gottwald 1979:595). For the Jews, Jewishness is restricted to a person who is biologically related to the historic Israel. This understanding gave the Jews a sense of identity both as a people and a nation. This identity was transmitted biologically. This opinion is supported by Holmgren (1987:73) when he says 'Those who belong to the Jewish community are Jews - persons who come from Jewish bloodlines'. He goes on further to say

mixed marriage reflected concern not only for the individual who took part in this union; it had to do also with the future of the Jewish family and community. Marriage to a non-Jewish woman, it was believed, placed in question the Jewishness of the children born to that marriage.

The identity of the Jews was not ‘an on-going process of self making and social interaction. It [became] instead a thing – an entity or an object – to be possessed and displayed’ (Woodward 1997:302). They were pre-occupied with sameness which was fixed. The purity of the Jewish nation had to be preserved and the survival of the nation depended on the preservation of this identity. That could only be achieved by avoiding association with non-Jews. The rebuilding of the walls of Jerusalem was

not only for physical protection but for spiritual quarantine, to defend the Sabbath from violation (Ne. 13:15-22). It is also true that separatism was now being taken with new seriousness as a demand of the law (“I ..have separated you from the peoples, that you should be mine”-Lv. 20:26) and was thereby-not unlike the city wall itself potentially a means either of preservation or else, if it should loom too large, of constriction (Kidner 1979:23).

In short separation was to safeguard that identity of the Jews. Intermarriages were frowned upon because they also threatened this identity. As a threat they had to ‘be cut out by divorce’ (Kidner 1979:152). Though this identity was based on religious exclusion, it ended up bordering on racial exclusivism. Those who happened not to be Jewish in religion also happened to belong to different racial groups.

#### **4.2.3. South African identity**

Unlike the Jews, post-apartheid South Africans do not have a clear identity. Theirs is obscure and not yet unified. Though South Africans have much in common, things such as the constitution, flag, national anthem and others, they are still in the process of constructing their national identity. As President Mbeki once remarked, ‘We therefore make bold to say that South Africa is a country of two nations’ (Mbeki 1998:71).<sup>12</sup> The Jews knew what

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<sup>12</sup> This statement was made during a debate in the National Assembly, on reconciliation and Nation Building, Cape Town 29 May 1998.

they held in common, matters such as the understanding that they were God's "chosen people", the Torah, and so on. South Africa, on the other hand, has just emerged from the apartheid situation, a situation where divisions and differences were encouraged and enforced by law. All black people were perceived to be foreigners in their own land and a threat to white interests. Even though South Africa has attained democracy, South Africans are still to work out what they have in common as a people and a nation. 'In the early days of democracy, the one identifying feature they can all acknowledge is shared citizenship, which bestows on them equal legal status and rights' (Crush 1998:42). Reitzes (1995:20-21) explains this as follows:

Under apartheid, white South Africans generally defined blacks as 'other', Many black South Africans identified whites as 'other'...After apartheid, this relationship seems to have become paradoxically inverted: many black South Africans do not seem to blame whites for their socially and economically inferior positions and the frustration of their expectation - they (largely) blame the black outsider... Now that this fight is over [struggle against apartheid], black South Africans are entitled to the rights and entitlements associated with democratic citizenship. Recognition of the coincidence of South African citizenship with national boundaries may have resulted in identification of the 'other' as existing beyond these boundaries. The rights of South African blacks are, formally at least, no longer threatened by, but shared with, the local 'other'. For some, the newly perceived threat to these rights is the foreign 'other' who does not share their citizenship, and is therefore not legally entitled to these rights and entitlements (Reitzes 1995:20-21).

South Africans are able to recognise themselves when they see the other. The 'other' for some them are the African immigrants, since they come from beyond the national borders of South Africa. The words of Woodward (1997:9) that identity is marked by difference, become relevant; African immigrants 'become nothing but the bearers of the differences' (Woodward 1997:309). They are easily recognisable and threatening since most of them are more dark-skinned. Recognising and fearing the African immigrants makes South Africans understand themselves as South Africans and to be in solidarity with one another.



### **4.3. NOTION OF SUPERIORITY AND BEING DIFFERENT**

Striving to have a particular identity has unfortunately led both South Africans and Jews to see themselves as somewhat superior and different. This sense of superiority is not only expressed in terms of what one has materially and religiously, but also racially and culturally. In the Jewish situation superiority was measured ostensibly in religious terms while in South Africa it is measured in socio-economic terms. Being superior and different is motivated by a sense of entitlement and exclusiveness. These factors made sure that there is less or no interaction between those who are supposedly superior and those who are inferior. There is nothing wrong in one's understanding of oneself as being different, but once the difference is understood to mean that one is superior and has the right to undermine others, then it becomes problematic.

#### **4.3.1. Notion of Jewish superiority**

The Jews understood themselves as the people (*goy*) and other nations as peoples (*goyim*). This is because they believed that they were 'elected' by God. (2.2.4). Because they were a 'chosen race', a holy race (Ezra 9:2) and worshippers of a 'true God', a God who made a 'covenant to dwell among them, so that this divine presence would distinguish Israel from all other nations upon the earth' (Clements 1965:135), a God who had not dealt with other nations, since the Jews were a 'consecrated nation, separated and set apart from other nations' (Ezra 2.2), according to Williamson (1985:39), 'this concern for pedigree and purity turned the Jews to pride and superiority'. Other nations were not worshipping Yahweh; they were, therefore, viewed as worshipping false gods and regarded as inferior. The refusal of assistance from them in building the temple and the walls of Jerusalem was based on this notion (see 3.3.3.1 above). The 'election of the Jews' by God somehow gave them the natural right to have blood, a religion and a culture that were supposedly superior. Because they were "elected" this gave them the 'distinctiveness and purity of what they believed God had vouchsafed to them' (Williamson 1987:90).

The Jews were not only religiously different but also had external features that distinguished them, for example, from the Samaritans. How were the Samaritans recognised? A 'Jew could be discerned in three ways. First, His dress was that of a Jew, possibly including color. Further, [a Jew] undoubtedly spoke with the same ... accent...Finally, there were distinctive facial features marking off the Jew from the Samaritan' (Figart 1973:93). From this we can deduce that Samaritans could be identified by their facial appearance, the way they dressed, which was distinct from that of the Jews and also by the way they spoke. Total separation through the building of the walls of Jerusalem and forbidding intermarriages was to make sure that the superior and the inferior could not mix, Jewish hegemony was maintained, preserved and perpetuated. The interference of other nations had to be restricted since 'they regard[ed] all foreigners as potentially threatening' (Williamson 1987:90). Whatever was done by other nations was viewed as wrong, sinful and threatening to Jewish identity. The Jews were committed in living out their religious obligations but in the process of doing that, they undermined other nations.

The Jews also had a sense of entitlement to many things, and they based their claim on their "election". They had especially the land, religion and identity which had to remain pure and uncontaminated.

#### **4.3.2. Notion of South African superiority**

South Africans are not so explicit about their superiority but it is implied in their negative perceptions of African immigrants. African immigrants are understood to be poor since many of them fled war-ravaged countries (see 1.2.2 above) and others fled because of natural disasters (see 1.2.3 above) to try and start a new life in South Africa. They are seen by some South Africans as poor and inferior. They are also viewed as carriers of diseases like HIV/AIDS and Malaria (1.3.6). Because some of them are darker, and because they are unable to speak local languages, that is enough for them to be looked down upon and given derogatory names. All these attitudes imply that South Africans are perceived as better, different and superior.

Some actions taken by some South Africans also demonstrate that they see themselves as different and superior to African immigrants. Because of the perceived inferiority of the latter, they are treated like slaves by employers, they are given menial jobs, and paid meagre wages. Certain areas in which African immigrants live are deserted and in the eyes of some South Africans have lost their beauty and value because African immigrants occupy them (1.3.4).

African immigrants are aware of this superior attitude which South Africans display. Some of them have voiced (*Mail & Guardian* Oct 29 to Nov 4 1999) their hatred for the arrogance, the insensitivity and behaviour of South Africans, in treating people from neighbouring countries as if they are from South African colonies. One correspondent, in the *Sowetan* (February 26 2001), had this to say with regards to the superior status which some black South Africans think they have:

Ironically, apartheid tried to persuade the people that South African blacks were superior, better, more intelligent, cleaner and more advanced than their brothers and sisters on the rest of the continent. Up to this day, there are blacks from South Africa who talk of the countries to the north as minor and not important.

Some South Africans, because of their status and the rights given them by the Constitution, think they have exclusive claim to jobs, social services and other privileges. They do not see these rights as matters to compete for with African immigrants.

#### **4.4. NEGATIVE UNDERSTANDING OF OTHERS**

Understanding themselves as superior to their neighbours led both South Africans and Jews to a negative understanding of outsiders. The physical appearances and religious differences that foreigners had with Jews and (still have with) South Africans led to prejudice against them. Prejudice, according to Allport (1954:10) is an antipathy based upon a faulty and inflexible generalization. It may be felt or expressed. It may be directed toward a group as a whole, or toward an individual because he is a member of that group.

Many of the prejudices of post-exilic Jews and post-apartheid South Africans are based on fear, anger, frustration and insecurity, and these (have) led to over-categorization and generalization. The presence of the 'other' (the foreigner) is often understood and experienced as a security issue, the 'other' is seen as a threat to the well-being of a person and to his or her cultural, religious and social life. Ills that happen on the cultural, social and economic life have resulted in frustration and are blamed on the 'other'. It is true that those who are blamed (scapegoats) 'need not be lily-white in their innocence, but they always attract more blame, more animosity, more stereotyped judgment than can be rationally justified' (Allport 1954:238). Derogatory names are some of the ways of venting this frustration. African immigrants and non-Jews are made to feel bad about themselves. Sincere and friendly gestures of offering help are rejected since they are done by people who are supposedly bad, inferior, ugly and undesirable and instead are deemed to be offensive.

#### **4.4.1. Jewish prejudice against non-Jews**

The Jews understood the people of the land to be a threat to their culture, religion and their identity (see Chapter three). They were considered to be worshippers of idols (see 3.3.2.2) and defilers of Jews. The Jews alleged that non-Jews hampered them from keeping and respecting the Sabbath (2.3.2.3). As a threat non-Jews were feared and they made the Jews insecure. As a way of alienating and making sure that non-Jews were viewed negatively by Jews, names such as pagans, wretched people and enemies of Israel destined for destruction were given to them in pursuit of these intentions.

Because of social and religious ills which confronted the Jews, frustration and suspicion led them to believe that their situation was bad because of their association with other nations. The Jews were a minority (3.3.1), and they believed that associating with other nations posed the threat of being overwhelmed. They found themselves confronted with the problem of assimilation through cultural fusion with other nations. Mixed marriages were viewed as a shame (Ezra 9:6) and a crime (Ezra 9:7) and thus threatened the survival of the nation and

such love relationships caused great anxiety. 'Intermarriage necessarily produces people who are ethnically partly Jewish and partly Gentile' (Casey 1991:16). Those who married foreigners were sometimes not regarded as Jews. This is confirmed by Casey (1991:14) when he says, 'Jews may be perceived as Gentiles, especially if they marry gentiles and do not circumcise their male children'. Laws preventing this 'pollution', making sure that the Holy race did not mix with the people of the land, were enacted. The Jews had no intentions of surrendering themselves; they had to resist assimilation by such people. That is why speaking the languages of other nations was galling to Nehemiah because it was viewed as assimilation and as speaking languages of inferior nations. Negative terms that were used were intended to make sure that those Jews who related to Gentiles knew that they were dealing with non-people, those who were not the 'chosen of God'. Viewing them as such meant that there could be no meaningful relationship with them. This meant also that they had to ever look down upon them.

#### **4.4.2. South African prejudice against African foreigners**

Frustration because of unemployment, shortage of housing, and other social needs and services has led to African immigrants in South Africa being perceived as having a negative impact on the socio-economic sphere. They are referred to as plunderers of resources because they compete with hawkers, allegedly take jobs (1.3.3), make use of hospitals and schools (1.3.2) and some of them commit crime. They are, therefore, seen as bringing about a decline in the newly found democracy. Crush (1998:41) attests to this when he says 'For some, the newly perceived threat to the rights and entitlements of citizenship is the foreign "other" who does not share their citizenship and is therefore not legally entitled to these rights and entitlements'.

Fear of the influx and presence of African immigrants in South Africa has led South Africans to see them as bringing diseases such as malaria and Aids (section 1.3.6). Through these diseases, the South Africans perceive them as unhealthy and therefore as necessary to be kept away from the country. Millions of rands are therefore spent to stop this tidal wave of the poor (1.6.4).

Foreigners in South Africa are 'defined negatively and exclusively in terms of what they are not: South African citizens' (Crush 1997:45). This understanding happens to be mainly racial and ethnic. Those whites who are outsiders do not get the same treatment as African immigrants, they are treated with respect. As we have already seen, those who are harassed and their rights violated are only African immigrants. This new apartheid reveals also that the bulk of South Africans tend to hate, disrespect, and distrust their fellow black people and instead put their trust on those who are white.

Allport observed that 'One's reputation, whether false or true, cannot be hammered, hammered, hammered, into one's head without doing something to one's character' (1954:138-139). He mentioned some of the actions that are likely to occur, such as the following: insecurity, strengthening in group ties, slyness and cunning, prejudice against out-groups and fighting back: militancy. In both South African and Jewish xenophobia we have seen all these actions in play. The response of the African immigrants and non-Jews include many of these actions.

#### **4.5. POWER**

The negative perceptions about the 'other' in both the Jewish and South African situations, have led to certain negative actions being taken against foreigners. These negative actions demonstrate how power is exercised over those who are perceived to be outsiders. They have varied in their intensity from least to most energetic. Power is used with the aim of disadvantaging those who are different. While the aim of the Jews and South Africans was or is to safeguard their borders, preserve and protect their identity and their resources, the actions taken adversely affected those who were (are) perceived to be different, in both situations the question of power and its use becomes crucial. It is used to propagate that the 'other', who is the outsider and different, is an enemy that is not welcome. Allport (1954:14-15) mentions five ways of acting out prejudice or use of power in xenophobic situations. They are:

Antilocution: This is when people who are prejudiced talk negatively about others.

Avoidance: Those who are prejudiced avoid those they dislike, they prefer to withdraw from them.

Discrimination: Those against whom prejudice is felt are excluded from all the social privileges.

Physical attack: Pain and injury is inflicted on the victims

Extermination: For Allport (1954:15) extermination marks the ultimate degree of violent expression of prejudice.

Many of these ways of acting are applicable in both the South African and Jewish situations. In many instances those to whom pain and injury are inflicted find themselves helpless and powerless. Though the aim of exercising the power is to safeguard self interest from outsiders, it leads to fear and instability in society.

#### **4.5.1. Use of power by the Jews**

Prejudice was acted out by the Jews through antilocution, avoidance and discrimination. Apart from refusing cooperation with non-Jews (3.3.1) and refusing to talk peace with them (3.3.2.2), the Jewish actions were largely aimed at the Jews themselves. The power was exercised in appealing to or putting pressure on their own people to isolate and have nothing to do with other nations. These actions were taken in order to express disapproval of what they understood to be defilement and contamination of their nation and religion. The power the Jews had could only be exercised effectively on themselves. The Jews were suspicious and fearful of the non-Jews but they could not confront them directly since the Jews were a minority (Ezra 2:6ff) and numerically they could not match those they found in the land (see 3.3.1.5).

Forbidding intermarriages and encouraging divorce are classical examples of this (3.3.2.3). Discrimination and avoidance were enforced by sanctions; for instance those who refused to divorce their foreign wives were threatened with excommunication. This threat of excommunication was to make sure that the Jews complied with the demand and decision of the Jewish nation. The effects of divorce on the families were not considered but

the distinctiveness and purity of the Jewish nation were seen as more important since they were at stake.

Another incident of avoidance and discrimination was a decree that was issued by Cyrus in allowing the Jews to go back to Judah and build the Temple (see 3.3.1). This decree was used to reject an offer of help by non-Jews (see 3.3.1.5). Non-Jews did not take kindly to this and they made life unbearable for the Jews by being somewhat sly and cunning.

More intense hostility of the Jews was reflected in the antilocution of name calling. Through these names, non-Jews were made to look bad and were despised, thus being isolated from the Jews.

The actions that were taken somehow reflected a position of people who were under siege and helpless. They kept 'well apart from everyone, since otherwise they ran the danger of being quickly swamped by the larger numbers of those, whose aims and ideals were incompatible with theirs' (Williamson 1987:90). Keeping a distance was an effective way of dealing with the enemy. What we discover is that while the Jews only dealt directly with their people, they avoided direct confrontation with or use of force on those who were not Jews.

#### **4.5.2. Use of power by South Africans**

In acting out prejudice against African immigrants, South Africans have also employed strategies such as antilocution, avoidance and discrimination. Antilocution we saw in name calling and allegations that are made against African immigrants. Avoidance has been experienced by deserting places where African immigrants live, while discrimination is evident when they are refused social services.

Unlike the Jews, South African residents have not been afraid to confront and attack African immigrants. In some instances South Africans have used their power in an aggressive manner with the intention to harm and injure non-South Africans. They have



insulted the African immigrants, robbed them of their belongings, beaten and in some instances killed some of them. Some of the various actions taken have been barbaric. Barbarism, according to Murray (1960:13),

threatens when men cease to live together according to reason, embodied in law and custom, and incorporated in a web of institution that sufficiently reveal rational influences, even though they are not, and cannot be, wholly rational. Society becomes barbarian when men are huddled together under the rule of force and fear; when economic interests assume the primacy over higher values; when material standards of mass and quantity crush out the values of quality and excellence (Murray 1960:13).

Some of the actions of South Africans have been aimed at making life unbearable to the immigrants. Some African immigrants described to the Human Rights Watch (1998:4) how their physical confrontations were accompanied by verbal abuse. As Human Rights Watch reports

Foreign hawkers, often asylum applicants with temporary residence permits have repeatedly been the targets of violent protests and other forms of intimidation as local hawkers attempt to “clean the street of foreigners.” During repeated violent protests in Johannesburg, South African traders and ordinary criminals have brutally beaten foreign hawkers, and stolen their goods. Hawkers...who were targets of such abuse universally complained to us that the police had done little or nothing in response to their complaints. In many areas around Johannesburg, such as Kempton Park and Germiston, foreign hawkers have had to abandon their trade after repeated attacks and looting incidents in which police failed in their duty under both international and domestic law to protect all persons (Human Watch March 1998:4).

The incidents mentioned here show the power South Africans have against African immigrants and how it has been exercised. South Africans, unlike the Jews, have both the political power and numbers and these have been used effectively to discourage the foreigners. Though one cannot say that xenophobia is a national policy, some actions were also taken against African immigrants by some government officials to implement the Aliens Control Act, which was ‘an archaic piece of apartheid legislation, at odds with internationally accepted human rights norms and the South African constitution’ (Human Rights Watch March 1998:4). At times there has been a disproportion between what is

objected to by South Africans and the action often taken to express this. For instance people were killed by a mob for selling goods in the train, as already seen earlier.

#### **4.6. CONCLUSION**

It is clear from the comparison that we have done above that xenophobia in post-exilic Israel and post-apartheid South Africa has much in common. This comparison shows that those people who are engaged in reconstructing and restoring what they regard as theirs, tend to be separatists. There is a sense of feeling morally bound to protect what is theirs and a sense of fear as well. They are prejudiced against those who are different and perceive them as threatening and inimical towards themselves and their cause.

Perceiving the other as different and threatening brings about a sense of identity and solidarity. What initially started as a natural reaction to those who are different assumes an intense hatred and hostility that end up as a culture of xenophobia and promoting nationalism. In both camps, fear of the unknown, accompanied by a sense of single-mindedness to get rid of the stranger has led to insensitivity to the plight and aspirations of those who are different.

## **CHAPTER FIVE**

### **JESUS' PERIOD AND HIS RELATIONSHIP WITH FOREIGNERS**

#### **5.1. INTRODUCTION**

The present chapter and the next one are meant to provide the ethical tools for assessing the situations and attitudes described in the preceding chapters. These chapters serve as a bridge between our analysis and understanding of the two contexts, on the one hand, and their evaluation and search for solutions, on the other. The search for solutions in chapter 7, however, will focus only on South Africa, for obvious reasons.

During the time of Jesus, the Jewish mentality of regarding themselves as a people and nation was still much alive and dominating. Their understanding of themselves as the chosen people still guided the manner in which they related to other people. In this chapter we show how Jesus, as a Jew, had to develop and challenge His own people to move away from their negative perception of other people.

We first situate Jesus in a historical context, the socio-political world in which He lived. The Gospels and other sources will be used to report on His words and actions, with special emphasis on how He related to those who were not Jews, how His ministry benefited or did not benefit those who were different and what were the guiding principles for Him to do so. The principles and values he espoused in confronting the negative attitudes His people had

relating to non-Jews will also be examined. Whatever comes into the fore shall be looked at and appropriated for evaluation of the South African and Jewish situations in chapter seven.

## **5.2. THE POLITICAL AND RELIGIOUS CONTEXT IN WHICH JESUS WAS BORN**

Jesus was born during the time when the Jewish nation was under the rule of the Romans. Palestine was colonised in 63 B.C. when Pompey, the Roman general, entered this land. Pompey entered Palestine because he was asked to intervene by factions within the Hasmoneans (Maccabees), who were fighting for leadership of the Jews. The Maccabees had wrested power from the Greeks who had overthrown the Persian rulers in Palestine. Mattathias and his sons, Judas Maccabeus, Judas 'the hammer' - Jonathan, and Simon fought the battles that finally compelled the Greeks to give freedom of worship to the Jews (Mathews 1937:71).

The day 'when Simon Maccabeus rode into Jerusalem as the conqueror of Israel's foes (141 B.C.) with the waving of palm branches, with lutes, cymbals, and zithers, with hymns and songs' was never forgotten. It was significantly reenacted by the crowd when Jesus rode into Jerusalem on Palm Sunday' (Marsh 1981:69). The coming to power of the Maccabees 'meant a considerable political freedom for the Jewish inhabitants of Judea, Galilee and neighbouring territories. For the first time in hundred years, they were governed by the rulers of their faith' (Cassidy 1978:88). That also meant they were, as a nation, free to be loyal to their God, the law and the covenant. The Hasmoneans became popular within the Jewish community because of this victory. Cassidy (1978:88) brings to our attention that as soon as they settled in power, they consolidated their position by taking under their control both the religious and political offices, they assumed the office of the high priest and exercised the power of government.

A quarrel arose because of infighting for these positions. The Hasmoneans appealed to Rome to intervene in their dispute. It was through Pompey's takeover that Palestine became one of the Roman provinces. The Romans brought to an end the political independence that was fought for and won by the Maccabees, independence which was a basis for a truly Jewish way of life. The takeover meant the ascendancy of new rulers, who were foreigners, who were religiously and politically different from the Jews, and that signalled a threat to the Jewish way of life (Cassidy 1978:88).

The Roman Empire was divided into provinces and Palestine was one of them. Though Palestine was one of the Roman provinces, there was a certain degree of independence granted to it. It was because of 'their peculiar national character [that] the Jews were dealt with [in] a special manner. The Romans had always taken into account the national character of the Jews and their religious views' (Van Zyl *et al* 1979:258). When it came to administrative organisations, religious practices, parties and sects, they were left on their own. The Jews were not entirely independent, however, but were accountable to Rome.

Though the Jewish community appeared to be peaceful, it was internally in turmoil. Many Jews were opposed to Roman rule and had intentions of liberating themselves by overthrowing the Romans and restoring the kingdom of Israel. Because of such intentions and revolutionary practices, many revolutionaries were crucified by the Romans. The Romans were seen, therefore, without doubt as the enemies of Israel. Not only were they enemies but they were outsiders as well (Mathews 1937:79). This revolutionary attitude placed the Jews among the most difficult people to govern. Various groups existed to make sure that their independence, religion, identity, and culture were preserved.

### **5.2.1. Formation of sects and how they related to foreigners**

During the time of Jesus, Judaism 'was extra ordinarily diverse. There were many variations of Jewish law and doctrine. Different Jewish groups attempted to establish the ideal sacred community' (Wylen 1996:133). The era of sects in Judaism, according to Wylen (1996:134), was 165 BCE to 70 CE and various groups originated during the rebellion of

the Maccabees. The sects and groups came about because there was a lack of a legitimate Jewish leader and there was a need for Judaism to adjust to a Hellenistic culture which started with the advent of Alexander the Great (333 BC) and ended with the invasion of the Romans under Pompey (63 BC).

Many 'Jews were so hellenized that they dropped several of the identity factors of Judaism. Some even removed the marks of circumcision, a drastic repudiation of Jewish identity, while intermarriage is also clearly attested (cf. e.g. Macc1:11-15)' (Casey 1991:32).

The Greeks had, through Alexander the Great, conquered the Persian Empire. Wherever he conquered, Alexander carried with him Greek customs, civilisation and rulers. The primary vehicle of their civilisation was their language, Greek. The Greeks did not bother to learn the language of their subjects and they conducted their business with their own language. Though conquered, the Jews also continued to speak their own language, but they still had to use Greek for business. Derett (1977:49) testifies to this fact by saying that the Greek language was better in every way than their own and they borrowed vastly from it. 'Moreover since Greek-speaking rulers were in charge of the land of Israel the language had a snob value ... Greek in Palestine was the language of the realms of higher education and fashion'.

The Jews felt the Greek influence and they were divided on the question of Greek culture. For many Jews it was not compatible with their own culture. For those in Palestine, the Greek culture that they disapproved of presented them with a more serious problem. The Greeks, in Jewish eyes, did not only have a way of life that the Jews viewed as pagan, but they also

brought with them the worship of their gods. Jews believed that their covenant with God required them to keep the land free of the pollution of idols. They had striven to keep themselves pure in their devotion to the one God. Now these Gentiles planted their temples, holy places and idols throughout God's land. Would God be angry and withdraw the divine blessing from the people of Israel? Jews worried greatly about what they saw as the spiritual pollution of their land, which was God's land (Wyllen 1996:35).

The Jews were scandalised by that paganism, which, through its thoughts and fashions, had seeped into Palestine and among Jewish people.

The rise of Greek as a universal language pushed the use of Hebrew as a written language into the background to some extent. From half way through the third century up to the first century B.C. we find a great deal of Jewish-Hellenistic literature. Examples of this are the Book of Wisdom, which was strongly influenced by Stoic thought (Van Zyl *et al* 1979:221).

In the social sphere the influence could also not be underestimated; it was visible. Even though the Jews could take part in the government of the Greeks,

they came to realise that they were part of a larger community, a world community. The influence of the Hellenistic gymnasia cannot easily be overestimated. The gymnasia were not merely the seats of physical exercise, but also social centres for young men who formed a guild, the *epheboi*, which was an extremely important prestige group recognisable by the distinctive uniform which they wore (Van Zyl *et al* 1979:222).

During the time of Jesus, the Greek influence was still evident. For instance, of the three languages that were used in the inscription on the Cross of Jesus, one of the languages was Greek (Lk 23:38). Some of Jesus' disciples, Philip and Andrew had Greek names. The New Testament was also later written in Greek (Mathews 1937:77).

What brought about discontent among the Jews and led to revolution was when King Antiochus IV (175 B.C. –163 B.C.) decreed that all in his empire should use the Greek way of life, language and worship Greek gods. A number of Jews organised themselves to resist the decree that compelled them to worship and hold beliefs that were contrary to their own and it was that way of life that the Hasmoneaus resisted (Casey 1991:18).

Various groups originated during that time to resist the Greek and foreign influence which they viewed as the greatest threat, and which were still in existence during Jesus' time. Let us examine some of these groups and give attention to their understanding of Jews and their

relation to foreigners and to Roman rule in particular. Some of those groups that were in existence were the following:

#### 5.2.1.1. The zealots

The zealots were ‘political activists in contrast to the Pharisees who were political quietists and Sadducees who were political diplomats’ (Marsh 1981:76). They (Zealots) were Jewish revolutionaries concerned about the liberation of Israel. They ‘were filled with “zeal” for the law, the temple and their land (Palestine). Their respect for the sovereignty of God as the only King of the Jews constituted the basic motive for their zeal’ (Van Zyl *et al* 1979:263). The Roman rule, which was foreign, together with its people, was seen as being incompatible with God’s law and therefore had to be resisted. The zealots were thus a religiously inspired revolutionary organisation, they were nationalists who were preparing for a physical rebellion so that political and religious liberation could be ushered in.

#### 5.2.1.2. The Pharisees

The Pharisees were a group of puritans, the ‘holy’ ones. The word ‘Pharisee’ meant the separated or the distinguished one (Nolan 1977:12, Van Zyl *et al* 1979:262). They were people who were concerned with maintaining the law, this law for them was binding to all Jews, both Priests and laity. Cassidy (1978:12) observed that their effort ‘to strengthen the law’s role in the life of laity [helped] to increase the average lay person’s dedication to it’. They supported an oral tradition for interpreting the law. This oral interpretation put them in opposition to the Sadducees. The Pharisees believed that ‘God had abandoned them to Roman yoke because of Israel’s unfaithfulness to the law and the traditions of the fathers’ (Nolan 1977:12). They wanted to reform Israel through the maintenance of the law. They had adopted an attitude of indifference regarding rulers but they would ‘aggressively counter any transgression of Jewish law by the Roman governors’ (Cassidy 1978:123). They were



not in favour of physical rebellion but preferred separation from the Romans and their way of life.

#### 5.2.1.3. The Essenes

This group, the Essenes, strived for perfection more than the Pharisees did. They ‘may have originated when a group of priests and levites left the Temple to protest the abuses under Hasmonean high priests’ (Cassidy 1978:125). They believed the end was near and withdrew from society, lived a celibate and ascetic life. They worked as scribes, copying religious writings on long leather scrolls. These transcriptions have been recently discovered in 1947 and they are known as the Dead Sea scrolls. The Essenes also ‘rejected everyone who did not belong to their “sect” ... All Jewish outsiders were to be hated as the sons of darkness ... They alone were the faithful remnant of Israel’ (Nolan 1977:13). As a sectarian group, they were preparing for the coming of the Messiah who would destroy the sons of darkness, ‘the first of the sons of darkness to be destroyed would be Romans’ (Nolan 1977:13).

#### 5.2.1.4. Sadducees

The Sadducees were a group that consisted of high priests who controlled the Jewish Council called the Sanhedrin. They held firmly to Jewish traditional beliefs. According to Cassidy (1978:116) the ‘Sadducees believed that the law was to be interpreted exactly as it was written without the benefit of any explanatory tradition’. The Sanhedrin was entrusted by Roman governors with considerable authority for the administration of everyday Jewish affairs and was given responsibility for the Temple and its worship. This group used the Temple as a spiritual and moral treasure of the Jews, for their own personal ambitions. It was their exclusive monopoly to get power and wealth. The ‘Sadducees were too Hellenist, too collaborationist, to be narrowly nationalist. Yet without their religiously convinced and politically adept powers of negotiation, which secured such useful measures of autonomy from Rome, the national lot would have been much harder than it was, and the outlook much

less hopeful' (Marsh 1981:72). That enabled them to accept Roman rule cautiously, since they had established good relations with the Romans.

These four groups demonstrated the diversity that existed in Judaism on how to engage and influence foreign rule. When it came to the relations with foreign powers, we can categorise the groups into three groupings, i.e. the revolutionaries, the non-violent and non-collaborators and lastly those who favoured the policy of collaboration. Even though there was disagreement on that level of relations, there was agreement as far as their religion was concerned. It was to be free from foreign influence. Theirs was to preserve and teach their faith. These goals as we have seen, already contributed much in their distinctiveness towards Jewish identity as a nation. It is this identity, their distinctiveness and the purity of the nation and their religion that they sought to preserve. Whatever differences they had on the interpretation of the law, that did not lead them to compromise their religion in relation to the people around them.

### **5.2.2. The socio-political context in which Jesus was born**

From the above sections we see the dominant attitudes of Jews which ranged from aloofness, fear, disapproval and hatred, of those who were dominant over them. These attitudes were the result of various issues on which they differed with those who had 'colonised' them. Some of the socio-cultural attributes that were brought in by both Greek and Roman rules were in conflict with the Jewish way of life. The following are some of those attributes:

#### **5.2.2.1. Religion**

The Jews as the 'people of God' were united in their view of their God. They worshipped an invisible God whom they believed was all-powerful. They viewed the Greeks and the Romans as pagans, people who were 'godless, rejected by God, as worthless in his eyes as chaff and refuse' (Jeremias 1958:40) since they worshipped their own gods whom the Jews regarded as inferior to their powerful God. Even though the Jews under both regimes were free to exercise their religion, they were not happy with the worship of pagan gods in their

land (Wyllen 1996:35). They abhorred idolatry, which according to them was practised by other nations, because it was a violation of the first commandment that says ‘You shall have no gods except me’ (Ex 20:3). By practising idolatry the other nations were viewed to be interfering or questioning and influencing the monotheism of the Jews and this put them in opposition to the Jews. Jews understood idolatry to include, among other things, ‘oaths, images, or inscriptions which conveyed or seemed to convey to a living creature the honor due to God alone. [These things] were strictly forbidden, and dedicated Jews were committed to oppose any practices that brought “idols” into the life of the community’ (Cassidy 1978:94).

#### 5.2.2.2. Land

As already seen the Jews believed that the land in which they lived had been given to them by God. Unfortunately, it had the presence of the Gentiles whose religion and life was completely different from that of the Jews. As if the presence of the Gentiles was not enough, there was also a foreign military presence: There was always a military presence of the Romans, whose purpose was to maintain law and order (Van Zyl *et al* 1979:259). It was reinforced, especially ‘during the great feasts of the Jews when the danger of revolt threatened’ (Van Zyl *et al* 1979:259). The military presence was a constant reminder to the Jews that they were a nation subjugated to the Romans and their political independence and their land had been taken away. This land, they felt, was defiled by the presence of the foreigners and their army.

#### 5.2.2.3. Tax

It was the custom for the Romans to collect tribute from the provinces by levying both direct and indirect taxes. Each person who lived within a province or its territory had to pay tax. The Jews were heavily taxed. They were taxed by both the Romans and the Temple authorities. They paid 30 percent of their income in taxes. These taxes were collected by the corrupt and infamous tax collectors (Cassidy 1978:96; Jeremias 1969:32, 57,124-125).

The Jews hated paying taxes. 'For most Jews, paying taxes to the Roman overlord meant giving to Caesar what belonged to God, namely, Israel's money and possessions' (Nolan 1977:95). The people who collected the money were not hated for living a bad life but for a patriotic Jew, they were viewed as traitors who had sold themselves to the Romans to benefit from a fellow Jew. They were also understood to be involved in these practices for self-enrichment at the expense of local people.

#### 5.2.2.4. Culture

The Greeks, and the Romans after them, brought their culture, which was not compatible with the Jewish culture. The Jews viewed them as 'steeped in vice, they were given over to every form of uncleanness, violence and wickedness' (Jeremias 1958:40). This culture, according to the Jews, sought to corrupt and endanger Judaism. They were seen as pagan and unclean. Because Greek and Roman culture was so influential, it was felt that it threatened the Jewish culture by the increase of mixed marriages, which were a threat to the very identity of the Jews. What threatened the Jewish culture even more were the traders who passed through, since Palestine was a vital commercial and military link with Africa, Asia and Europe. This passing through of other people made the Jews accustomed to these people's way of life, which at times was in conflict with theirs (Mathews 1937:39).

#### 5.2.2.5. Rulers

The Romans ruled the Jews through puppet kings and governors. There was no monarch. Rome exercised a certain level of control over those who governed. The control by the Romans meant regulating the everyday life of the Jews. The Jews rejected this kind of subordination. The Romans tried to appease them by allowing them to retain the office of the High Priest. The rulers in general, whether Greek or Roman, were seen as reinforcing pagan rule and way of life since they did not 'understand and respect the religious commitments of their Jewish subjects' (Cassidy 1978:93). Mathews (1937:79) best expresses the Jews' problem under Roman rule as follows:

How am I to combine obedience to God who commands the conduct of my life with obedience to an alien rule that often orders me to do things contrary to His will? This problem did not arise inside the other religious cults, rival worships, and mystical faiths within the Roman empire, because - unlike Hebrew religion - they did not believe in any all embracing, all-controlling, moral law ordained by the Creator of the universe. To the orthodox Jew salvation depended on obeying the divine law. Rome ordered him to break that law. There lay the dreadful dilemma for the Jew .

The rulers were a representation of the life which was hated, incompatible and endangering the Jewish life.

Even though the above, with the exception of religion, represented different spheres of life such as political, social and economic life, for Jews there was no 'distinction at all between political and religious. Issues which we would classify as political, social, economic or religious all [were] thought of in terms of God and his law' (Nolan 1977:93).

All that has been discussed here represented, during Jesus' time, a pagan way of life which was in opposition to God and God's law. The Greeks and the Romans were not just seen as oppressors who were foreigners but also as pagans, sinners and enemies of the Jews. If they were the enemies of the Jews, they were also the visible enemies of God. Their vices made the Jews suspicious, caused them to hate and distance themselves from foreigners, to be rebellious and to have a revolutionary frame of mind.

### **5.3. THE JEWISHNESS OF JESUS**

It was in the above-mentioned context that 'Jesus of Nazareth was born near the end of the reign of Herod the Great (37-4 B.C) hence *ca* 6-4 B.C' (Brown *et al* 1990: 1319). Jesus was a Jew because his parents were Jews. He was given a Jewish name "Jesus",

the new form of "Joshua", the name of the great leader of Israel who, after the death of Moses, led his people into the land of promise. Yet this new "Joshua" was to outdo by far the exploits

of the former leader, for he was to take a new people of God into the final land of promise that has no physical boundaries to be printed on any geographical map' (Marsh 1981:106). The name Jesus means 'Yahweh rescues, Yahweh is salvation' (Bühlmann 1982:37). Matthew in his Gospel, chapter one, traces the genealogy of Jesus Christ, Son of David, back to Abraham. As a Jew, he was circumcised on the eighth day after his birth and an offering required by law, so that he could enter into the sacred covenant of Abraham, was made for him (Lk 2:22-24). His parents, according to the Gospel, could not afford the lamb and they settled for two doves (Lk 2:24). At the age of twelve he accompanied his parents to the celebration of the Passover (Lk 2:41-42). This is where he had an opportunity to sit with, listen and ask question to the doctors of the Law to such an extent that they were amazed at his understanding and answers (Lk 2:46-47). His province was that of Galilee and his hometown was Nazareth. Galilee, according to Marsh (1981:108), was known as 'Galilee of the Gentiles'. That was not without reason. 'The presence of a large Gentile population in the tetrarchy made the Jews more nationally self-conscious and Rome more alert to rebellious tendencies'.

Jesus grew up as a Jew and was made to understand the Jewish struggle and the Jews' hatred for the Romans. He was also aware of the Gentiles around Palestine and the attitude of his people towards them. Jesus exercised his ministry when Jewish belief and way of life were threatened by the Roman and Gentile influence. The context was, therefore, not a hospitable one to aliens or strangers but a hostile one. Jesus found himself being brought up and had to minister in such a context, a context that had a negative view of the Gentiles. He knew the anguish and anxiety of his people.

Let us look at how the Gospels themselves and other sources provide us with their understanding of aspects of Jesus' ministry to his people in relation to aliens.

#### 5.4. JESUS' MINISTRY

Jesus started his ministry in Galilee where he proclaimed 'The time has come; and the kingdom of God is close at hand. Repent and believe the Good News' (Mark 1:15). In the synagogue in Nazareth he made his intentions clear. He read for the first time in the synagogue and, reading the prophet Isaiah 61:1-2, Jesus stopped reading just before the words 'and the day of vengeance of our God'. According to Sanders (1985:212),

Judaism in the time of Jesus uniformly regarded God as one who would destroy all those who were impure and disobedient and that includes the Gentiles. Jesus deleted the note of vengeance and destruction from the idea of the kingdom and thus "transformed" Judaism by introducing the idea of God as "a loving and forgiving father rather than ... a God who will have dealings only with the pure and the righteous and who will exact retribution from the impure and the wicked". Such a God is God of both Jews and Gentiles.

For Bühlmann (1982:39), Jesus 'proclaims a new world order, which is now become reality through him, where the hopeless receive the gift of hope and salvation, where the lordship of God will burst brilliantly into the world'. One can say Jesus' message was both religious and ethical.

Jesus also proclaimed this new world among the Gentiles. There were plenty of Gentiles that Jesus met and came into contact with in his ministry especially in places like Jerusalem and the lake of Gennesaret. This is supported by Jeremias (1958:26) when he says,

Even without overstepping the boundaries of Palestine, Jesus must often have come into contact with non-Jews. Although Gentiles may have been comparatively scarce in the hill-country of Galilee, they were much more numerous about the Lake of Gennesaret, and still more so in Jerusalem.

There were times when his Jewish upbringing influenced his approach and dealings with the Gentiles. But many a time he resisted and opposed and challenged the attitude of his people.

### 5.4.1. The Judaistic approach

Having been born in a Jewish environment to a certain extent made Jesus display some strong characteristics of the Jews towards the Gentiles. This Judaistic approach in his ministry is evident in the following instances:

#### 5.4.1.1. Jesus' mission

When Jesus was sending his disciples (Mt 10:5, Mk 6:7-13, Lk 9:1-6), He imposed a limitation on where they should go. In Matthew, they were forbidden to go to the roads of the *Gentiles*, he sent them to the lost sheep of Israel: 'Do not turn your steps to pagan territory and do not enter any Samaritan town; go rather to the lost sheep of the House of Israel' (Mt 10:5). He had a deliberate choice in confining his mission to the Jews. Though the Samaritans were close and related to the Jews, as we shall see later on, they were put on the same level with the pagans. They were not regarded as the lost sheep of Israel. Did this explicit restriction not reinforce the negative attitude the disciples had towards the Gentiles, to see them as people who had to be shunned?

Who were the lost sheep of Israel? They were the 'Jews who had fallen away from God and who did not observe the law as they should. Another trajectory is that of poverty. The lost sheep were evidently not rich Jews assimilated into the Greek world in cities like Sepphoris, but poor Jews in the towns and villages of Galilee' (Casey 1991:60). Jeremiah (23:1-8) also provides the answer. For him, the lost sheep are the people of Israel under the misrule of their kings and leaders. In another immediate context, Jesus speaks of them as sheep without a shepherd (Mt 9:35-36). In other words they were Jews without any leadership at all. The term 'shepherd' is another significant symbol. The old Testament portrays both God and accepted leaders of Israel as shepherds contrasting them with existing shepherds who do not look after the people (cf e.g. Ezek 34, Zech 11.4-17, Ps 78.70-72)' (Casey 1991:30). What one discovers is that this term, 'sheep' has both political and religious connotations.



Jesus' ministry being primarily to the Jews, is further demonstrated by the fact that it was within the borders of Israel and he never went to Gentile towns. According to Matthew, He himself testifies to this when he reluctantly heals the daughter of the Canaanite woman. He says, 'I was sent only to the lost sheep of the house of Israel' (Mt 15:24). This clearly confirms his mission to the Jews and rejects that he is sent to the Gentiles.

The number of disciples that Jesus chose was 12, according to the gospels, a number which has direct reference to the twelve tribes of Israel (Casey 1991:68). This was a clear demonstration of his patriotism, his commitment to his people, their history and their struggles. During his time, the Jews 'embraced only two and a half tribes, hence the number twelve includes also the nine and half lost tribes of the Northern Kingdom, whose restoration formed part of the final restoration. Thus the twelve disciples are the representatives of the people of God in the ultimate restoration' (Jeremias 1958:21). Jesus' ministry was thus primarily to the Jews since his worldview was that of the Jews and no one who reads the Gospel can doubt that.

But how do we reconcile this restrictive mission with the picture we have of Jesus? Figart (1973:106) gives several possible answers. He states that because the time of Jesus on earth was short, there was no time or room to go beyond the boundaries of Canaan. The second reason is that the disciples were still not well prepared and the third interpretation is 'to place emphasis on the need for a central base from which to work and then spread out from that base at Jerusalem to Judea, Samaria, and eventually to the whole world. This was exactly the plan He gave after the resurrection in Acts 1:8'. Bühlmann (1982:42) seems to be supportive of the third reason when he says,

It becomes clear that Jesus' restriction of his ministry to Israel was not nationalistic but strategic. Evidently Jesus hoped to bring Israel, by enticements and warnings, under the lordship of God first, and then open the way to others.

The answer to evaluate this restrictive commission, according to Figart,

must take into consideration the larger context of the Book of Matthew as it presents the purpose of Christ in offering Himself to the Jews as their Messiah. Even the immediate context shows that the message of the disciples was to be that “the kingdom of heaven is at hand” (Matt. 10:7). They were given miraculous credentials to demonstrate the truth of this message. Little wonder then that Christ commanded them to go only to the lost sheep of the house of Israel; what would the Gentiles understand of such a message? ... Our conclusion, therefore, is that this commission to His disciples was made with the purpose in mind of presenting a Jewish message of their Messiah as “at hand.” There was no racial prejudice involved at all; and in the future when his message is received by the Jews, all the Gentile nations will benefit and the whole world will be filled with knowledge of the Lord (Matt 12: 18-21) (Figart 1973:107-108).

#### 5.4.1.2 Attitude to Gentiles (Lk 12:29, Mt 6:31, Mk 10:42, Mt 20:25f)

Jesus put the Gentile life in a bad light. Even though all human beings seek material things and tend to do good to their compatriots, in the Gospels the Gentiles are often portrayed by Jesus as being concerned with material needs (Mt 6:32). Their generosity does not extend beyond their compatriots (Mt 5:47). Figart (1973:105) says that this is Jesus’ ‘way of indicating that the heathen have no interest in God, only in materialism; so the believer should not emulate such an attitude’. Jesus reinforces the view that their worship is empty by saying that their prayers are a mere repetition (Mt 6:7). They are destructive people who always seek to use their power to subjugate Israel (Mk 10:42).

Nolan (1977:69-70) is of the opinion that when ‘Jesus characterises the power of domination as typical of Gentile rulers, He must have had Caesar and Pontius Pilate in mind as well as the Gentile kings who feature in the Scriptures as oppressors of the Jews, especially the rulers of the great empires’. An explicit contrast is made by Jesus between Jews and Gentiles in Matthew (5:46). These remarks make a clear distinction between the Jewish way of life, which is portrayed as good and the Gentiles’ supposedly bad life. For Figart (1973:105), there is ‘no racial prejudice intended...He was just using them for the sake of comparison’. One cannot dispute the fact that the aim of Jesus’ teaching was for the

Jews not to emulate what was viewed as bad. They had to be perfect, just as their heavenly Father, and avoid being materialistic but to be generous and humble. Jesus' comparison, however, even if it was not so intended, seems to have contained a racial prejudice and this portrayed the Gentiles as symbols of low morality.

#### 5.4.1.3. Selective healing ministry (Mk 7:24-31)

He displayed some reluctance to heal Gentiles. The Gentiles had to persuade Jesus or others on their behalf had to plead with Him to exercise his ministry of healing on them. Instead of Jesus being moved by compassion, He seems to have found it rather difficult to implement his principle of neighbourly love to those who were not Jews. His mission to the lost sheep of Israel and this neighbourly love began to wrestle within his mind.

In the story of the Syro-Phoenician woman, we are confronted with the unwillingness of Jesus to respond to the request to alleviate human suffering. He became silent when the woman first approached him. When she persisted, He gave a reason saying he had been sent to the Jews and not to pagans (Mt 15:24). Even worse still, this refusal for the third time is accompanied by strong, harsh terms and he uses derogatory words that express scorn. According to Mark (7:27), Jeremias (1958:29) and Witherington III (1987:65), He says it is not right to give children's food to the dogs. Jeremias (1958:29) is correct when he says, 'just as no one would think of feeding the dogs with children's food, so Jesus could not entertain the proposal to give Israel's food to Gentiles (Mk 7:27); nor should it be forgotten that even today in the East, the term "dog" is the supreme insult, and even if we allow for the fact that Jesus used vivid imagery to make his refusal clear'.

The Jews did use the term dog to refer to the Gentiles (Witherington III 1987:65; Marsh 1981:154). Some Christian writers, such as Shepherd (1926: 170), have come in defence of Jesus in using this term. This is what they have to say in this regard:

I wonder if this word 'dog' was my Saviour's word or did He pick it up from the disciples that He might cast it away again for ever? Did He use it that He might reveal its ugliness and so

banish it from human speech? As Jesus and His disciples came along the road the master walked before them. 'And, behold, a Canaanitish woman came from out those borders'. And the disciples whispered to one another, and His tender spirit grieved ... Is there not something half ironical in our Saviour's use of the word? When He spoke of the woman as a 'dog' and the disciples as 'the children' would there not be something significant in His very looks and tone? These cold, unfeeling men 'the children' and this tender yearning woman 'the dog'. When the Lord used the disciples' word they began to be ashamed, and in the fire of their shame their self-conceit was consumed.

Figart (1973:109) also comes to the defence of Jesus when he says that there was no racial prejudice intended, but

Jesus told this Gentile what he had told a Samaritan woman that at this time all were dependent on Israel for the Messiah and his blessings (John 4:21-23). Jesus had healed Gentiles on other occasions, but here in Phoenicia he had to be careful not to give the impression that he was abandoning Israel (cf. Mt. 4:24, 8:3)". So it was that Gentile woman who recognized the plan of God for that time perhaps more clearly than many do even today as they look back upon the scene. She further realized, however, universality within the restrictions of that plan...So she claimed a portion in Christ as the Lord of the Gentiles also, and her faith was rewarded. Far from being a case of racial prejudice, then, this incident is in reality just the opposite: it is revelation of the grace of God to anyone who comes with genuine faith, no matter what the circumstances may be which seem to prevent it.

The faith of this woman, in Jeremias's view, is a turning point in Jesus' ministry. It 'shows him what is now God's will for him. In that case, Jesus' sharp refusal of the Syrophenician woman's request would represent a last revulsion in his mind from such a revolutionary change in his outlook as the acceptance of Gentile mission would represent' (Jeremias 1958:32). One wonders what effect it had on those who were called dogs. Did it not reinforce to them that negative understanding of people less than Jews or did it make them realise that it was not good to use the term?

#### **5.4.2. The universal approach**

On the other hand the gospels also suggest that Jesus did not strictly follow the narrow-mindedness of his race towards the Gentiles. Luke records that when he was offered as a child in the temple, Simeon prophesied that he was 'a light to enlighten the pagans' (Lk 2:32). In John (10:16-17), when Jesus interprets the parable of the Good shepherd, he exclaims that he has 'other sheep that are not of this fold: and these I have to lead as well, they will listen to my voice, and there will only be one flock and one shepherd' (Jn 10:16-17). The 'other sheep are surely Gentiles and this is a prediction of the entry of Gentiles into the community' (Casey 1991:28). These texts suggest and demonstrate that he also had a mission to the Gentiles. The pull of the Gentile world, in the heart of Jesus, to be the shepherd of Gentiles too, is evident in his preaching and dealings with them as reported in the gospels.

As a child Jesus was forced to leave his own country for a foreign land and to live with foreign people. Herod, the gospels show, rejected him and sought to kill him. Jesus and his parents were therefore forced to be refugees in Egypt (Mt 2:13ff). They had to learn what it meant to be dependent and helpless. In Luke's gospel Jesus also experienced being rejected by his own people for speaking favourably about other nations. His people were so angry that they almost killed Him (Lk 4:25ff). In short Jesus knew what it means to be the 'other', to be threatening, upsetting and therefore unwelcome.

Jesus' positive way of dealing with other nations whom the Jews viewed as pagan, dirt and threatening is evident in the following actions:

#### 5.4.2.1. Admiration for the Gentiles

He portrayed Gentiles in a good light. In His parables, Jesus presents the Samaritans and the Gentiles as appreciative (Lk 17:5-18) and compassionate people (Lk 10:25-37).

Who were the Samaritans? When we dealt with the post exilic period we pointed out (Chapter three) who the Samaritans were and their relations to the Jews. They were the

descendants of a population that stayed behind when the Assyrians conquered the kingdom of Israel. There was intermarriage between them and the Assyrians who settled there (II Kings 17:24). For this action, the Samaritans incurred contempt, anger, rejection and non co-operation from the Jews. Though the Samaritans regarded themselves as descendants of the Jewish patriarchs, the Jews forbade 'marriage and trade with the Samaritans whom they stigmatized as a mixed race' (Jeremias 1958:43). The Jews called Samaritans 'Cutheans, descendants of the Median and Persian colonists ...in order to refute any Samaritan claim to blood affinity with Judaism' (Jeremias 1969:355).

In matters of religious observance the Jews placed them on the same level with Gentiles and this was further exacerbated by the construction of their temple on Mount Gerizim. This led to their being 'suspected of an idolatrous cult from their veneration of Mount Gerizim as a Holy mountain. The fundamental reason for their exclusion, however, was their origin and not the cult of Gerizim' (Jeremias 1969:356). Marriage between Samaritans and Jews was forbidden. One can see that the Jews, through this, expressed the depth of their contempt for Samaritans. For the Jews, the Samaritans were heretics, impure, corrupt and corrupting.

Figart (1973:89) is of the opinion that the racial hostility did not exist through the Assyrian invasion but it had its beginnings through various tensions and struggles that existed between the Northern Kingdom and the Southern kingdom. It was after the death of Solomon that animosity broke out in the open. The kingdom of Israel was divided between the South and the North. As soon as Jeroboam gained control of the Northern Kingdom he deliberately formed his own system of religion. 'It is not surprising, therefore, that when the Assyrians brought in foreigners from Babylon, Cuthah, Avva, Hamath and Sepharvaim to repopulate the land, the remaining Israelites found it easy to syncretize their religion and indulge in intermarriage' (Figart 1973:90).

We saw in chapter four how the Jews were able to recognise a Samaritan, that is, through the colour of the skin, their dress code and the way they spoke. These characteristics were able to distinguish them from the Jews.

In the Gospels Jesus later extolled such people above His own people and even above official Judaism. This we see in the gratitude of the Samaritan leper (Lk 17:5-18) whom Jesus describes as a foreigner. Ten lepers had asked him to heal them. Jesus told them to go and show themselves to the priests. According to the story, on their way they were healed. Only one returned to give thanks and that one was a Samaritan. The chosen people, on the other hand, showed no gratitude.

In the Parable of a Good Samaritan in Luke (Lk 10:25-37), Jesus speaks favourably about the compassion and generosity of Samaritans, contrasting it with the lack of mercy and compassion among the Jews. Jesus is telling his listeners that 'neighbourly love [does triumph] over deep-rooted national hatred' (Jeremias 1969:358). Jeremias (1969:358) goes on to say that while the Jews emphasised blood, Jesus exalted character. He exalted it so much as to declare, to their bewilderment and shock, 'The kingdom of God shall be taken from you and shall be given to a nation bringing forth the fruits thereof'.

According to Jeremias (1969:358), though the Samaritans were people who had no true religion in the eyes of the Jews and since they had 'no law nor even the remains of the law [which made them] contemptible and corrupt' (Jeremias 1969:358), they were now fulfilling the Shema after the pattern of God's love (see Deut 10:12-20; see 7:13; 15:20). For Jesus to refer to them as a model of gratitude and of neighbourly love, should have been for his listeners shocking, painful, and uncomfortable, and provoked anger. In one incident in Luke (4:25-27), in his hometown Nazareth, Jesus is said to have been so provocative when He spoke positively about Gentiles that the Jews intended throwing him down the cliff (Lk 4:25-27). Firstly when he read from the Prophet Isaiah, he omitted the last part which read, 'and to proclaim the way of vengeance of our God' (Isaiah 61:2). His people were 'not astonished, but enraged. "They protested with one voice and were furious because he (only) spoke about (God's year of) mercy and omitted the words about the Messianic vengeance"...The good news was their stumbling block, principally because Jesus had removed vengeance on the Gentiles from the picture of the future'.

Jesus had compared the hardness of heart of the Jews with the receptivity of the Gentiles. He further provoked them in his sermon, by looking at and quoting from historical incidents where Gentiles had benefited from God's mercy and favourable treatment instead of the Jews (Mt 21:43). Jesus states in Matthew (8:1) and Luke (13:28) that the Jews would be excluded from entering the kingdom while the Gentiles would enter (Mt 8:1, Lk 13:28). For Sherpherd (1926:172) these utterances 'were no mere provocative declarations, but the utterances of One who from the first was determined His Gospel would know no distinctions of race, whose favourite title was "Son of Man" and who took as His field, "the world" '.

At one instance the Samaritans did not support Jesus. In Luke 9:15 ff the Samaritans could not receive Jesus as he was on his way to Jerusalem. His disciples (John and James) wanted him to send fire from heaven (Lk 9:51ff). We do not know the reasons for their (Samaritans) refusal. But Figart (1973:99-100) gives us three possible answers. It could be because of the general animosity that existed among Jews and Samaritans. Secondly they rejected Him because he was 'bypassing Mount Gerizim, the Samaritan center for the worship of Jehovah ... A third possibility is that they refused to receive Him because He had too many followers for them to feed and house for the night'. Whatever the reasons may be, it prompted anger from the disciples, but Jesus forbade an act of revenge (Lk 9:51). He demonstrated that burning or weapons could not force people to be hospitable or solve differences which people have but would only lead to hatred.

By speaking positively about the Gentiles, the gospels show that for Jesus some of them were people with dignity who deserved to be respected, motivated by love and compassion and they were capable of doing good just like the Jews. By this he was trying to dispel the notion that they were without God and, therefore, sinners and doomed. Jeremias (1969:358) has this to say regarding the impact of Jesus' words on his listeners when he spoke favourably about Samaritans:



He put before these Jews the picture of a Samaritan as a model, humiliating for them to contemplate, of gratitude (Luke 17:17-19) and of neighbourly love triumphing over deep-rooted national hatred (Luke 10:30-37).

#### 5.4.2.2. Healing the Gentiles (Mk 7:27, Mt 8:5f, 15:26, Jn 4:46-53)

Jesus also healed the Gentiles. The initiative to heal, as the gospels show, did not come from Jesus, but was a request from the Gentiles. It was a plea by both the woman of Canaan and the centurion discussed in the gospels.

The Gentiles benefited from Jesus' healing activity only after some struggle. The Syrophenician woman whose daughter was ill fell on the feet of Jesus and pleaded for her daughter to be healed (Mk 7:24-30). The woman recognised the reluctance in Jesus but also 'recognises Jesus as the giver of the Bread of life (7:28) and this confession of faith overcomes his reluctance (7:29). But Jesus does not grant her request until she has recognised the divinely ordained division between god's people and the Gentile' (Jeremias 1958:30). Even though from a distance he healed the woman's daughter, was Jesus perhaps afraid to defile himself?

In some instances Jesus is said to have healed without a struggle or reluctance (Lk 7:1-10). The centurion, in Luke (7:3), spoke through Jewish elders and friends for Jesus to heal the slave that was sick. A centurion was an officer in the Roman army commanding a hundred men, an army which the Jews viewed as subjugating them. The Jews did not find it degrading, however, to carry the centurion's request to Jesus. He was the friend of the Jews. He loved their nation and he had built a synagogue for them (Lk 7:5). One has to remember, as we have mentioned earlier (chapter three) that there were Gentiles who wanted to share in the enlightened Jewish belief of one God rather than continue with idolatry and corrupt moral standards. For the centurion to build and finance a synagogue was to commit himself to this ideal. Another thing which is revealed in this story about the centurion was that he was a person who cared when someone was sick. He was a person with a big heart. The positive response of Jesus to come and heal the slave surprised the centurion. He was quick to realise the extra-ordinary consideration Jesus was prepared to

make. He displayed sensitivity to Jewish customs, afraid that Jesus might render himself unclean by coming to his house. Bringing his conception of the authority of military command to his faith, he felt the word would do the healing: 'give the word and let my servant be cured' (Lk 7:7). This was an act of faith. According to Matthew (8:10) when Jesus assessed the man's faith, he found it to be above the level of that of the Jews: 'I tell you solemnly, nowhere in Israel have I found faith like this' (Mt 8:10). It is important to note that a tribute was paid to Jesus while he was on the cross and this was done by a centurion (Mt 27:54, Mk 15:39, Lk 23:47).

After having come into contact with the Gentiles, especially their request to be touched or healed, Jesus was always amazed by their faith and this brought joy to him. For Jesus, this demonstrated faith that had not been found in Israel (Lk 7:9). John states that because of his healing and teaching the Greeks had desired to meet Jesus (Jn 12:20). This request made Jesus comment significantly about His impending death and resurrection.

#### 5.4.2.3. Reclaiming the Gentile temple space (Mk 11:15-17)

Jesus fought for the area of the Gentiles during the cleansing of the Temple. The Jews had transformed the court of the temple into a market place. The selling and buying was happening at the place known as the Court of the Gentiles. The Gentiles were allowed into the First Court of the Temple and this is what gave it its name of 'Court of the Gentiles'; if they were found beyond that place, it could be a death sentence. This death sentence was carved on stone written in Greek, forbidding the foreigners from entering. It read as follows

Let no foreigner enter within the screen and enclosure around the Holy Place. Whosoever is taken so doing will himself be the cause that death overtakes him (Mathews 1937:54).

The Jews sold and bought doves, sheep and oxen and exchanged money in this area of the Gentiles. For Jesus this was a desecration and 'abuse of the divine institution' (Sanders 1985:63), and by transforming it into a market place they were defiling it.

As we have discussed in chapter three, there were two types of Gentiles who were somehow acceptable to the Jewish community. They were the proselytes and the God-fearers. These were other groups of Israelites with slight blemishes. The proselytes were Gentiles who had been converted to Judaism and who had been circumcised, baptised and had offered sacrifice. On the other hand the God-fearers were Gentiles who confessed faith in one God and observed part of the ceremonial laws, without total commitment to Judaism. Both groups were still legally regarded as Gentiles. The Jews had taken over their space without regard and consideration for them.

When Jesus cleansed the Temple, one has to begin to question whether he was concerned about the Gentiles — or was he simply upset with what was happening, the defilement of the Temple ? Sanders (1985:68) argues that this gesture of Jesus had not ‘been directly concerned with Gentiles’. It was ‘coincidental and not determinative for the meaning of the event’. It was ‘primarily against the temple officers and the Sadducean party’ (Sanders 1985:69). Even if the cleansing was not primarily or directly a demand for physical and spiritual space for the Gentiles, it managed to halt the trading and to make people think. Jesus also made a point about the temple as a house of prayer for all nations (Mk 11:17). This saying and action would have triggered some reflection. The action conscientised the Jews. Indirectly and symbolically Jesus stood for the rights of the Gentiles. He wanted this space, which belonged to the Gentiles, to be used for spiritual and religious purposes.

#### 5.4.2.4. Reaching out to Gentiles

Jesus is portrayed in the gospels as having had an abounding courage. He challenged his disciples to transcend their narrow nationalism. He did this by sending them to buy food in a Samaritan village (Jn 4:7). One can imagine the feelings they had, fear of being rendered unclean. Figart (1973:94) is of the opinion that ‘during the time of Christ all Samaritan food was “declared lawful”, so that the disciples would have had no difficulty in buying food in the particular Samaritan village where they journeyed’. Bearing in mind that there were no healthy relations between the Jews and the Samaritans, however, this meant that His disciples had to be in contact and communicate with the Samaritans. While the disciples

were away Jesus also challenged a Samaritan woman when, as a Jew, he condescended and asked for water from her. The woman responded by saying 'How is it that you, a Jew, ask me, a Samaritan and a woman, for a drink? (Jn 4:9). For Marsh (1981:121) this saying meant that 'Jesus was breaking the racial and sexual conventions of his days'.

All these actions are a demonstration that he was capable of breaking the bonds of narrow nationalism. Through Jesus' love, reaching out and friendliness, the woman was liberated and she outgrew her own prejudice. Reaching out on Jesus' part brought about courage, there was bonding, there was conversion. The conversation with this Samaritan woman is the longest recorded conversation between Jesus and an individual. To the surprise and displeasure of his disciples when they came back, they found him speaking to the degraded Samaritan woman (Jn 4:27).

#### 5.4.2.5. Preaching to all nations

After his resurrection, according to Matthew (28:19), Jesus commanded that the Gospel was to be preached to all nations. This seems to contradict the initial instruction to his disciples, where Jesus had asked them to restrict their ministry to the lost sheep of Israel, i.e. to the Jews (Mt 10:5-6). The implication of this new missionary command, according to Jeremias (1958:39), is that 'with the death and resurrection of Jesus the eschatological hour has arrived. God no longer limits his saving grace to Israel, but turns in mercy to the whole Gentile world'. Through this command, it may be argued, Christ settled the issue of who could be a member of his church. Membership was open to all nations. For Figart (1973:118), this command 'was based on the universal love of God in sending His Son to die for men of all races (John 3:16) ... [I]t does indicate that Christ intended for men of all walks of life to become children of God'.

This openness to all nations is evident in the Acts of the Apostles, where other nations were accepted in the fold of the Disciples of Christ. The following serve as examples: Philip was led by the Spirit towards an Ethiopian, a man who was neither a Jew nor Samaritan. He baptised him and this was the first person outside the Jewish race to receive the Gospel.

Secondly Cornelius, a Gentile, became an acceptable member of the Christian community. All that was necessary for this was the faith in the risen Christ (Act 10). These examples seem to demonstrate that Christ does not exclude anyone on the basis of nationality. To him the differences that exist racially are irrelevant and nullified. The pagans, the *goyim* (nations), the non-people, have now, become the *goy*, the chosen people. All the peoples now, irrespective of who they are, have now become the people of God.

## 5.5. CONCLUSION

Jesus was born into a rather complex situation. His people were oppressed and were opposed to anything which was foreign, especially if it was of Greek and Roman origin. The various sects that existed projected themselves as the authentic voice of the Jewish people. Though they differed in their interpretation of Judaism, they were united in their opposition and hatred for the 'other'. The basis of that rejection was primarily religious, though it ended up being racial.

The "Jewishness" of Jesus was real, as reflected in the gospels. He was aware of the distinction that existed between the Jews and the Gentiles. There was a tendency in Jesus, however, to be both particular and universal. Both the Judaistic and universalistic approaches in his mission show that there was genuine tension in Jesus' ministry.

The influence of his people nearly restricted or narrowed his mission of reaching out and understanding those who were not Jews. Some of his hesitation to reach out to the Gentiles can be interpreted as a genuine tension in him. It is true that Jesus 'entered human history as a unique, unrepeatable event' (Bühlmann 1982:268). After an initial bias Jesus never allowed the prejudice of his people to completely dominate and determine the direction of his ministry.

Without acting provocatively, Jesus refused to bow to family pressures (Mark 3:31-5), or to religious powers (John 18:19ff) or to civil authorities (Luke 13:31-3) or even to those who threatened him with death. His sovereign freedom appears in his interpretation of the Law and tradition and in his attitude to social and religious preconceptions. Hence his supping with

tax-collectors, dealing with the sick, conversing with Samaritans and with foreigners ...He does not look to appearances, but shows God's way of acting with everyone (Moser & Leeres 1990:101).

He was able to transcend this through interaction, the request of and compassion for non-Jews. When he did reach out, he helped those in need and gave credit to them. Whatever the cases may have been, the initial reaction, what we see, is that Jesus helped and healed anyone in need. He gave credit where it was due irrespective of nationality.

He never chased the Gentiles away. He was able to acknowledge what was good in them. He was able to challenge the prejudices and practices of his people, their nationalism, its moral standards, its religious self-centeredness, its myths of race purity. This he did openly and in a more subtle manner by his teaching and by reaching out. Jesus became a saviour, healer and teacher of all nations. He displayed a quest for true humanity. What Jesus reveals

about this humanity, or what it means to be an authentic human being, was manifested in his own being, which was fully oriented to God and fully open and receptive to God's will and the needs of people. Consequently, when Jesus said that 'My Father and I are' (John 10:30), he was referring to this harmony of purpose and being between himself and God. African Christians can share in the claim that Jesus is the divine medium of the authentic humanity, inasmuch as he is both the medium and the embodiment of ubuntu (Mnyandu 1997:85).

Having been 'completely humanised [and] having acquired the fullness of ubuntu in his own life' (Mnyandu 1997:85), Jesus was guided by and he displayed the principles of value and respect for persons, openness to others, justice, love, compassion and forgiveness. Jesus was a person par excellence (*wayengumntu*). He did not bring only a new message to the Jews but His manner of behaving and acting was totally different from the people of His time. Because He was different, He left a deep impression and became an inspiration to many of those He met.

## CHAPTER SIX

### THE CONCEPT OF *UBUNTU/ BOTHO* AND ITS SOCIO-MORAL SIGNIFICANCE

#### 6.1. INTRODUCTION

As we attempt to find solutions to the problem of xenophobia in South Africa, an appeal may also be made to the African traditional and living culture of *ubuntu*. Just as Jesus challenged the Jews about their negative attitude towards non-Jews, I believe that an understanding and implementation of the principles and values of *ubuntu* can also challenge and inspire South Africans to view and treat African immigrants differently. In this chapter, we shall first attempt to define *ubuntu* by looking at its various definitions and examining its nature and characteristics, especially its understanding of a person, community and morality. There are many ways in which people express what is valuable to them and one of these ways is the use of language. Some African proverbs will help us illustrate and understand the concept of *ubuntu*, especially the respect and care that was accorded to strangers in traditional African society.

Although there is a diversity of African cultures, there are commonalities to be found in areas such as value systems, beliefs, practises and others. These areas largely reflect the African world-view. The most abiding principle of this worldview is known as the notion of *ubuntu/botho* (humanism- being human). *Ubuntu* is an old philosophy and way of life that has for many centuries sustained African communities in South Africa and in Africa as a whole. The word *ubuntu/botho* is found almost in all African languages in South Africa; *ubuntu* is IsiNguni, *botho* is Sesotho, in Shangaan it is *vumunhi* and in Venda it is *uhuthu*. It is interesting to note, according to Kamwangamalu (1999:25), that the concept of *ubuntu* is also found in many other African languages, though not necessarily under the same name. He writes,

[T]his concept has phonological variants in a number of African languages: *umundu* in Kikuyu and *umuntu* in Kimeru, both languages spoken in Kenya; *bumuntu* in kiSukuma and kiHaya, both spoken in Tanzania; *vumuntu* in shiTsonga and shiTswa of Mozambique; *bomoto* in Bobangi, spoken in the Democratic Republic of Congo; *gimuntu* in kiKongo and giKwese, spoken in the Democratic Republic of Congo and Angola, respectively.

*Ubuntu* continues to be a ‘a set of institutionalized ideals which guide and direct the patterns of life of Africans. It becomes a notion descriptive of a convergent set of desired goals which all or, at least most Africans entertain and towards which their activities are directed’ (Sogolo 1993:119). It is important, therefore, to have an understanding of what *ubuntu* is since I believe that its meaning and effects are still relevant today. This is confirmed by Broodryk (1997:22) when he says that *ubuntu* is ‘the whole complex of traditional behaviour which has been developed by the human race and is successfully learned by each generation ...Ubuntu cultural norms have been orally transferred from generation to generation over a long time, and have never been produced as literature or written form’ (Broodryk 1997:22).

## **6.2. DEFINITIONS OF UBUNTU/BOTHO**

The word *ubuntu* has not been immune to misuse and overuse. It is a strong, meaningful and loaded concept or value. African people consider *ubuntu/botho* as the most important quality of *umuntu/motho* (a human being). This leads us to ask the question, What is *ubuntu*?

Sebidi (1988:1) believes that it is difficult to define *ubuntu*. He says,

Defining an idea like “ubuntu” is akin to trying to give a definition of “time”. Everybody seems to know what “time” is until they are asked to define it or detail its essential characteristics without which “time” could not be “time”. This is based on the notion that *ubuntu* is something abstract, ... [a] non-perceptible, almost un-definable, quality or attribute of human acts the presence or absence of which can only be intuited by the human mind.



Saule (1996:85) concurs with Sebidi in this regard, when he says, '[I]t stands to reason therefore that a synthetic definition of *ubuntu* would always be inadequate. In their definitions scholars address those characteristics of the concept *Ubuntu* that mostly appeal to them'.

With the assistance of various descriptions and definitions of *ubuntu* by certain authors, we shall attempt to give what others understand *ubuntu* to be with the view of giving it a description or definition that will be all encompassing and embracing.

Buntu Mfenyana, who 'is a socio-linguist who is particularly interested in the origin of ISINTU, the African way of life' (*The Black Sash*, February 1986:18), traces for us the linguistic origin of the concept *ubuntu/botho*. He maintains that in order to understand the 'original meaning of ubuntu we must separate the prefixes and suffixes that surround the root NTU, or what to the Sotho's is THO ... The prefix UBU refers to the abstract [while] NTU is an ancestor who got human society going. He gave us our way of life **as human beings**' (*The Black Sash*, February 1986:18).

Chinkanda (1990:1) also traces the origin of *ubuntu*. For her, 'ubuntu is a term which derives from "*muntu*" meaning a person, a human being. It defines a positive quality supposedly possessed by a person. ([It is] An internal state of being or the very essence of being human)'. *Ubuntu* is not only about human acts, it is about being, it is a disposition, about values that contribute to the well being of others and community. Mnyandu (1997:81) best expresses this notion when he says that

ubuntu is not merely positive human qualities, but the very human essence itself, which 'lures' and enables human beings to become *abantu* or humanised beings, living in daily self-expressive works of love and efforts to create harmonious relationships in the community and the world beyond.

Broodryk (1997:8) defines *ubuntu* as a spiritual foundation of the worldview of African people, it is 'a determining factor in the formation of perceptions ... of African society about what is good or bad behaviour'.

Saule (1996:83-84) further reveals that '*Ubuntu* is something that springs from within oneself or better still, within society...*Ubuntu* could be viewed as a sum total of human behaviours inculcated in the individual by society through established traditional institutions over a period of time'. In this definition we are given an explanation on how *ubuntu* is attained.

These descriptions and definitions of *ubuntu/botho* show us where *ubuntu* originates, how it is achieved and how it manifests itself. Although there is no single definition of *Ubuntu*, all the definitions cited imply that *ubuntu* is more than just individual acts. It is the spiritual foundation, inner state, orientation, and good disposition that motivate, challenge and make one perceive, have feelings and act in a humane way towards others. It is a way of life that seeks to promote and manifest itself and is best realised or evident in harmonious relations in society.

### **6.3. THE NATURE AND CHARACTERISTICS OF *UBUNTU/BOTHO***

*Ubuntu* as a way of life finds meaning in the expression which recurs across the various African languages in Southern Africa, *umntu ngumntu ngabany' abantu (Xhosa)/ motho ke motho ka batho ba babang (Sotho)*: a person is a person through other persons. This is one of the basic and central tenets of the ethic of *ubuntu*. Sparks (1990:249) believes that this notion (expression) is in the African psyche and it helps to diffuse the individual ego and makes Africans less prone to acts which do not contribute to community building. It is this feature or quality of *ubuntu* that distinguishes a human person from other creatures.

The concept of *ubuntu*, which is abstract, is supported and concretised by some of the components that can be identified in the expression mentioned, components such as respect for persons and the importance of community, personhood and morality.

### 6.3.1. Understanding the person

The understanding of a person refers to beliefs and perceptions that Africans have of a person as an individual. A person in the *ubuntu* worldview is the basis, centre and end of everything. All other things (*izinto*) only make sense in relation to persons. Regardless of their social status, gender or race, persons are recognised, accepted, valued and respected for their own sake. Biko (1978:46) was correct when he said that a person is the cornerstone of society, 'not just his welfare, not his material well being but just man himself with all his ramifications'.

People have *isidima* (dignity), which makes a person divine and therefore to be respected and valued. Pato (1997:55) maintains that this *isidima* stems from the belief that 'a person is created by God even though this belief is not often expressed in explicit theological terms. It is equally believed that life is the highest gift of God to humanity'. Anything that undermines, hurts, threatens and destroys human beings is not accommodated in this way of life but is frowned upon since it affects the very foundation of society, the human person. A person is not a thing or a number but something valuable than these. Whether a person is known or not, respect is expected to be accorded to him or her. Respect for a person, which is accompanied by acceptable good behaviour, is very high on the notion of *ubuntu*. This is evident in the way people relate, talk and show courtesy to each other. It stems from the fact that people are recognised and regarded as equals.

Every individual in African society values being recognised and treated as an equal and with respect. This need for respect for persons becomes evident when one undermines or ill-treats another person. Others can simply intervene by simply asserting and reminding the perpetrator that the victim is a person or human being (*ungumntu*). The victim himself or herself can also directly intervene by asserting that *ndingumntu nam* (I am also a human being or person). If the perpetrator has a conscience, he/she will immediately refrain from such adverse actions. From this it is discernible that people are conscious of the fact that they have a common humanity, which has a certain dignity, integrity and value that needs to

be acknowledged, respected and valued; and that no one has superior or inferior humanity. A human person is a person irrespective of his or her status. The importance of one's worth as a human being is always regarded just as important as another person's worth. *Ubuntu* is averse to things that are hurting to a human person. Its fertile ground is only when persons are respected and honoured. What has been said so far also points out the need for mutual respect; what is important is not just the individual but the human worth of any individual.

Tefo (1998:4) argues that *ubuntu* is not special in any sense; there is nothing unique and extra ordinary about it compared to other philosophies of the world in this regard. He has this to say,

This philosophy is encapsulated in all the philosophies of the world, though it might be articulated and actualised differently. Effectively, therefore, it would be ethnocentric and, indeed, silly to suggest that the Botho ethic is uniquely African. The mere fact that the tenets that underpin this philosophy are intensely expressed by Africans, do [sic] not make those values exclusively African.

It may be true that there is nothing unique about *ubuntu* in this regard, since all societies and religions share the same values and since they also talk about upholding respect for human dignity. Motlhabi (1985:94) is correct and dives this point home when he says that the difference is that 'the concept of ubuntu place[s] emphasis on the person as the highest and intrinsic value'.

Steve Biko (1978:42) supports this idea in an article on "Some African Cultural Concepts":

We believe in the inherent goodness of man. We enjoy man for himself. We regard our living together not as an unfortunate mishap warranting endless competition among us but as a deliberate act of God to make us a community of brothers and sisters jointly involved in the quest for a composite answer to the varied problems of life. Hence in all we do we always place Man first.

Biko understood that the human person has dignity from cradle to and beyond the grave and has this to say:

There was no hell in our religion. We believed in the inherent goodness of man - hence we took it for granted that all people at death joined the community of saints and therefore merited our respect (Biko 1978:93).

*Umntu* (a person) constitutes the basis from which *ubuntu* can be developed and understood. A person is understood to be the basis of all ethical actions. For those people who see nothing uniquely African in *ubuntu*, it may be because *ubuntu* is a 'cultural ethos, a spirituality, which is not necessarily better, or superior, or for that matter inferior to those of other people, but from which others can learn and improve their understanding of one another' (Pato 1997:53).

When we deal with community as a constitutive element of *ubuntu*, we shall again see the importance of a person as a moral, social, relational, compassionate being and it is these attributes that make him/her attain his/her personhood.

### **6.3.2. *Ubuntu/botho* and community**

In the African worldview the community is the context for both *umntu* (a person) and *ubuntu*. The value and dignity of persons is best realised in relationships with others. One cannot be a human being alone but in community. An African individual is a communal being, inseparable from and incomplete without others. Mbiti (1969:108-109) explains this as follows:

[O]nly in terms of other people does the individual become conscious of his being, his own duties, his privileges and responsibilities towards himself and towards other people. When he suffers, he does not suffer alone but with the corporate group, when he rejoices, he rejoices not alone but with his kinsmen, his neighbours and his relatives whether dead or living. When he gets married, he is not alone, neither does the wife "belong" to him alone, so also the children belong to the corporate body of kinsmen, even if they bear only their father's name. What happens to the individual happens to the whole group, and whatever happens to the whole group happens to the individual. The individual can only say "I am, because we are;

and since we are, therefore I am.” This is a cardinal point in the understanding of the African view of man.

Everyone belongs and there is no one who does not belong. The sense of belonging is necessary, important and central in *ubuntu*. One belongs or finds community through being a neighbour, friend, relative, clan, tribe, nation etc. This African sense of community, Setiloane (1986:10) asserts, extends beyond the family, the clan or the tribe. ‘Exclusion of the “other” simply because it is “other” and different is a foreign western importation’. This means that one belongs to others by reason of their common humanity, the African worldview is inclusive.

There are always attempts in African society to accommodate those who do not seem to have relations and make them part of the community. People will make attempts to befriend such persons and to give them African or clan names to make sure that they are part of the community. We have seen in chapter one that Jean Baptiste, a refugee from Rwanda was given a Xhosa name, Thamsanqa. This name caused him to be identified and regarded as a person and a member of the group. Some White Catholic Missionaries, especially in the Eastern Cape, have also been given Xhosa clan names, such Gatyeni, Tshawe, Mgcina and others. Such naming makes one belong and to be incorporated into the community. A person is incomplete without others. He or she needs others to be fully human. He or she needs community to find fulfilment. For Africans community is not just a collection of individuals who just happen to be together, but

a group of persons linked by interpersonal bonds, biological and/ or non biological, who consider themselves primarily as members of the group and who have common interests, goals, and values. The notion of common interests and values is crucial to an adequate conception of community; the notion in fact defines the community. It is the notion of common interests, goals, and values that differentiates a community from a mere association of individual persons. Members of a community share goals and values. They have intellectual and ideological, as well as emotional, attachments to those goals and values; as long as they cherish them, they are ready to pursue and defend them (Coetzee & Roux 1998:320).

Individuals are made to consider themselves as integral parts of the whole, the community. A person is brought up to think of himself/herself as inextricably bound to others. One who does not belong or has not been made part of the community is considered to be a danger. This belonging does not only make one complete but it gives one a sense of identity and security. Seeing oneself as part of the community leaves little room for individualism. A loner is viewed with suspicion. She or he will be referred to as *inkomo edla yodwa* (a cow that grazes on its own). Such a person tries to thrive and achieve on his/her own and yet one's existence is intertwined with that of others. To Africans, a person, though he/she is other things as well, is primarily a being in community.

It is in a human community that an individual is able to realise himself or herself as a person. The personal growth of individuals happens in a community. One is able, through the co-operation, influence and contributions of others, to understand and bring fulfilment to one's personality. One is able to discover a sense of self-identity in reference to the community in which he/she lives. Schutte, when speaking about the African Conception of humanity (1991:189) drives a point home when he says that humanity

is not something that I can acquire, or develop, by my own isolated power. I can only exercise or fulfil my humanity as long as I remain in touch with others for it is they who empower me ..."remaining in touch" is not just a sociological notion but a moral one. It implies certain chosen attitudes on my part and qualities of relationship with others.

Even though personhood is biologically given, it is perfected and attained through a process of growth. From conception till old age a person is taught, moulded, nurtured (the process is either subtle or is unbridled indoctrination), and allowed to grow and increase in knowledge and moral values, especially values of respect for others, respect for community values, exercising self control and self sacrificing for the sake of others. In other words socialisation inculcates modes of behaviour that are expected from the individual.

### **6.3.3. Person, community and *ubuntu/botho***

Adherence to acceptable behaviour patterns helps in the maintenance of fellowship, oneness and identity. Moreover it points to the interdependence that exists among people. In *ubuntu* one's autonomy is understood and practised in relation to the community, it is tied to the role the community has assigned to the individual. *Ubuntu* is strongly based on the collective. In other philosophies, however, an autonomous person is almost completely independent, acts for his/her own interest and trusts his or her own judgement. An autonomous person, according to Hollis (in Sogolo 1993:131),

acts freely by definition. He acts freely only if he has good reasons for what he does (and no better reasons for doing something else). He has good reasons, only if he acts in his ultimate interests. His ultimate interests derive from what he essentially is. What he essentially is depends on what is essential to his being that particular person.

In *ubuntu* people are like one family. They are expected to be in solidarity with one another especially during the hour of need. It is during times such as these that *ubuntu* is more needed, is applicable and relevant. A person in need should be able to count on the support of those around him/her. It is at times such as these that an individual has to play one's role in contributing to the good of others and society. Individuals who somehow manifest qualities of individualism, selfishness and uncaring do not escape notice or go unnoticed. It is said of a person in possession of such negative qualities that *akanabuntu* (he or she lacks *ubuntu*) or *akangomntu/ ha se motho* (he/she is not a person). These are strong statements or observations to be made. Though this is seen as a "derecognition" of another person's humanity, it is only a way of expressing displeasure at his or her bad manifested behaviour or practise. 'Expressions like "ha se motho..." do not mean he is dead, - but that he has lost his "ubuntu" or humanity. "Ubuntu" can be lost completely – through one's anti-community behaviour' (Sebidi 1988:4). Compassion and co-operation, which are really regarded as essential virtues for the survival of community, are considered compromised. These individualistic and self-centred acts are not just seen as not contributing to the well being of both the person and community but they are viewed as bringing about harm, misery and pain to others. They are acts of which society does not approve, they are



manifestations of things society views as dangerous, disruptive and undesirable to its functioning and well-being.

Frowning upon such actions helps in bringing about discipline among members and also promotes coexistence. This statement, that *akangomntu* or *akanabuntu*, further shows that it is the community that defines a person, it is the community that is able to judge whether one has attained full personhood-/humanity- or not. Yes, a person has dignity, which is inherent, but part of being a person is to have feelings and moral values that contribute to the well being of others. To say a person *akangomntu* is to say one lacks the inner state of being, feelings of sympathy for others. This does not take away the human worth a person has. On the other hand, it also shows that one contributes to the definition of oneself by everything that one does.

One's identity or social status goes hand in hand with one's responsibility or sense of duty towards others; it is in relation to others. Frowning upon selfish acts challenges a person not to be enslaved by his/her own selfish interests. One can say *ubuntu* ethics is anti-egoistic, it discourages people from seeking their own good without regard for, or to the detriment of, other persons and the community. *Ubuntu* promotes the spirit that one should live for others; it further proves that all 'persons form a single person, not as parts form a whole, but as friends draw their life and character from the spirit of a common friend' (Smit, Deacon & Shutte 1999:48).

What we see here is that the definition of a person is not static.

It is dynamic ...For [Africans] human nature is capable of increasing or decreasing almost to a point of total extinction. There are actions or behavioural patterns that are conducive to the enhancement or growth of a person's nature, just as there are those which are destructive of a person's nature (Sebidi 1988:4).

Cochrane (1998:406) takes this point further by saying one's bad actions lead to alienation from oneself, 'self is understood as constructed in relation to the other whose distancing then implies not only a loss of the other in some degree, but to a proportional degree, also the

loss of self...[;] without the other there is no self'. What one discovers is that *ubuntu* rejects individualism, it is 'anti individualism [and pro communalism] while at the same time it is incurably religious' (Sebidi 1988: 3). Behavioural patterns that are incompatible with *ubuntu* lead to tension and conflict among people.

*Ubuntu* is a philosophy of tolerance and compassion and that also embraces forgiveness. If one persists in actions which are undesirable, that person can be ostracised and rejected. This raises the question whether it is not the time that *ubuntu* should be demonstrated to the one in need of forgiveness. In *ubuntu* there is room for forgiveness and not to have capacity for forgiveness would be to lack *ubuntu*. There are sayings such as "umntu akalahlwa" (one cannot completely discard a person for wrong doing) or "umntu akancanywa" (you cannot give up on a person). For Saule (1996:93) this is so because 'a person without *ubuntu* would have no peace of mind and might continue to hurt himself if he/she is not checked'. These two sayings promote and encourage forgiveness. The concern of these sayings

is not retribution or punishment but...healing of breaches, the redressing of imbalances, the restoration of broken relationships. This kind of justice seeks to rehabilitate both the victim and the perpetrator, who should be given the opportunity to be reintegrated into the community he or she has injured by his or her offence. This is a far more personal approach, which sees the offence as something that has happened to people and whose consequences is a rupture in relationships (Tutu 1999:51-52).

The sayings express a hope that a person will improve and mend his or her ways. Attempts are always made to make sure that one is within the community and abides by the values, norms and practises of that particular community. Pressure will be exerted to make sure that good relations are maintained. From this

it follows that there need not be any tension between individuality and community since it is possible for an individual freely to give up his/her own perceived interests for the survival of the community. But in giving up one's interest thus, one is also sure that the community will not disown one and that one's well-being will be its concern. It is a life of give and take...For

the community is founded on notions of an intrinsic and enduring relationship among its members (Coetzee & Roux 1998:295-296).

Even though a person has been declared to be *akanabuntu* or *akangomntu*, the transgression that has been committed does not mean that one is not a member of the community. Furthermore it does not mean that one does not have a human nature or human dignity; his/her intrinsic value as a person is still there and that cannot be taken away. The only thing wrong with that person is the refusal to make use of his/her inner state, the state of being human, to do good acts for the well being of others and society. This sentiment is best addressed by Netshitomboni (1998:6) when he says

This idiom [*umntu akalahlwa*] underscores the need for respect for human life and dignity whatever the circumstances. No matter what wrong an individual has done to the community, that individual remains a human being worthy of humane and equal treatment.

#### **6.3.4. The moral edge of *ubuntu/botho***

*Ubuntu* is not an individualistic, abstract, cold and irrelevant spiritual way of life. It is being neighbourly, it has a strong social consciousness. This was said by Biko (1978:42) to be ‘a deliberate act of God to make us a community of brothers and sisters jointly involved in the quest for a composite answer to varied problems of life’. Individuality only makes sense in so far as one relates to others in a humane and concrete way. Living

in relation with others directly involves a person in social and moral roles, duties, obligations, and commitments which the individual person must fulfil. The natural relationality of the person thus immediately plunges him/her into a moral universe, making morality an essentially social and trans-individual phenomenon focused in the well being of others. Our natural sociality then prescribes or mandates a morality that, clearly, should be weighted on the side of duty, i.e. on that which one has to do for others (Coetzee & Roux 1998:332).

*Ubuntu* is inclusive and best realized and manifested in deeds of kindness, compassion, caring, sharing, solidarity and sacrifice. These acts produce positive results for both individuals and community. They make it possible for an individual to count on and expect

the meaningful support of fellow human beings. People are enabled to share resources with which they are blessed. These values furthermore maintain and preserve the community together because they contribute positively to those in need.

A person in possession of such good qualities is considered *ungumntu, unobuntu* (a person who has humanity or humaneness). This recognises and affirms one's humanity. This recognition and affirmation reveal

that it is only through the awareness that others have of us that we can become aware of ourselves as self-determining agents. Nor can the awareness that the other has of us be of just any kind at all. It must include the recognition that we are persons and, what is most important, a consent to us as such. In other words the other person must have an affirmative attitude to me, must recognize my value. Without this normal personal awareness and activity are impossible (Hartin *et al.* 1991:190).

The idea that one *ungumntu* (is a person) shows that to have full personhood is to have managed to live out and demonstrated positive qualities which are beneficial to good neighbourliness, to have matured in positive human relations. Carrying out duties that contribute to the well being of others transforms and confers on an individual a full status of being a person. His/her humanity has been discovered and recognised through good relations and interactions with others. This affirmation further gives recognition to the growth, gifts and abilities that one has been endowed with, the gifts that oblige one to positively contribute to the well being of others. This further demonstrates that self interests are sacrificed and the other takes priority. 'Resources ...were used as markers and determiners of *ubuntu*' ( Saule 1996:87).

*Ubuntu* is a call to service and participation. It is to serve humanity in a practical way. Through the positive actions mentioned, one is connected, linked and bound to others. A practical communal action to alleviate human suffering is the best way one can demonstrate his contribution to society. It is a form of a principle of subsidiarity, where those who are strong help weaker members. *Ubuntu* deals with many feelings of compassion, of making life more humane for others, especially caring for the disadvantaged: the sick, the bereaved,

the poor and strangers. There is a concerted effort and commitment to advance their interests. These acts help to 'bring sense not only to one's own life but also to the lives of others' (Broodryk 1997:74). Sebidi (1988:5) drives a point home when he says 'ubuntu is humanism with the accent on the humane. It is, perhaps, this aspect of ubuntu which prompted the Senegalese ex-President, Leopold Senghor, a wee bit when he writes: emotion is African; ... ubuntu is primarily emotionally or feelingly humane'.

#### **6.4. UBUNTU/BOTHO IN RELATION TO STRANGERS**

Having explained what *ubuntu* is or is about, especially its components of respect for people and the need to be in community in order to be able to assist one another, we now turn to the attitudes of Africans towards strangers. These attitudes, as one would realise, are underpinned by respect for persons and all that goes with this respect. The attitudes of Africans towards foreigners or strangers in the past were those of tolerance and benevolence. Strangers were made to feel welcome and to move with ease within the community.

Strangers were referred to as visitors, guests (*iindwendwe*) or aliens, sojourners (*abahambi*). These words have positive connotations. They aroused feelings of saying, you are welcome, we will help you and we respect you. The position of these people as *abahambi* or *iindwendwe* made it easier for the hosts to welcome them because they were people who come today and would be gone the other day (Shack & Skinner 1979:37). They were not part of the family, tribe or group and their stay among the group was temporary. These people were treated with respect and were shown hospitality. *Iimbacu* (refugees), as people who are homeless, alienated from their land and families, were treated with compassion and kindness. They were regarded as *abantu abahlelekileyo* (people who are deprived, poor). Because of their position of deprivation, they were given special treatment, such as being allocated land. Some of them merged with the local people. Their security at times lay in their absorption through cultural assimilation and intermarriages.

It was inculcated into people's minds to be conscious of strangers. There are proverbs that call upon people not to ill-treat or close a door to a stranger but to show him/her hospitality. One of the proverbs is, *unyawo alunampumlo(Xhosa)/ Lotoo ha lena nko(Sotho)* (lit. the foot has no nose); that is, one should beware of one's unkind actions since they have a way of turning against the doer. Since no one knows when one will be a stranger in a foreign land and in need of hospitality or good treatment, one, therefore, should not place a stumbling block or be a hinderance to a stranger. This proverb means that one has an extensive obligation to admit, and to be generous and supportive to strangers. Similar words were uttered some years ago by a refugee from Sudan, when he said,

The manner in which we now look to you for help today may be the way you will be looking to others tomorrow. We must realize that whatever we are able to do for People on the Move while we have the opportunity, we are doing for ourselves as well as for others (Kifle 1991:260).

Even though this proverb seems to be based on self interest – reciprocity, because caring will be advantageous to one one day - it is instilled as an obligation of love and caring. This was not just a matter of justice but of love. For a person to be harmed while staying or passing through a particular village, that would bring a sense of shame, grief and scandal to the whole area. A stranger was a good advertisement for a particular family or village, especially if he or she was treated with openness and friendliness. On his or her way home and back at home, the visitor would be able to talk positively about the hosts and the good treatment one had received.

People are encouraged to be generous and to give food to strangers: *Isisu somhambi asingakanani, singaphambili, ngemva ngumhlonzo* (Lit. The stomach of a traveller is not big, it is only in front, it is limited by the spine). This proverb tells us about the people's readiness to help, feed and protect a stranger. This is confirmed by Saule (1996:86) when he says, 'In any Xhosa household a stranger or a visitor is a respected person. He/she is treated cordially, given water to wash, food to eat and a place to sleep. He/she would in turn spread the good news about that particular household'.

Indeed travellers or strangers were served with food unreservedly. Their presence was seen as more of a blessing than a burden and this further brought joy to children since they knew that best meals would be served. That is why among the Batswana there is a saying, *Moeng goroga re je ka wena* (come visitor so that we can feast through you). This proverb is a call to be ever generous to a stranger. It is also a revelation about attitudes one needs to have in using resources that one has acquired. Giving food to strangers was more than just satisfying their physical hunger but was a 'barometer of social relations and a powerful mechanism for both creating sociability and alternatively, for destroying it' (Martin and Davids 1997:1104). It was a challenge to the host to open one's boundaries and be receptive and generous to the stranger.

These proverbs demonstrate and reveal the moral lesson and values, friendliness, benevolence and the deep concern of African people towards strangers. Strangers were accepted, trusted and seen as people who had dignity and, therefore, needed to be accorded respect. Their needs were recognized and there was a genuine attempt to meet them as far as it was humanly possible. There was a feeling for their plight of being away from home, of being in need of food, shelter, rest, protection and so on. Attempts were made for them to socialise and to give them solidarity. They were made to feel at home and shown hospitality. Such positive attitudes and actions also created stability because strangers knew what to expect and what was expected of them.

What one discovers here is the fact that the presence of the other did not threaten or inhibit. But it aroused feelings of respect, compassion, reaching out and acceptance. In essence, *ubuntu*, indeed, made all people each other's keepers. This also demonstrates the value of hospitality that was espoused by African society. This society was not individualistic and selfish but practical and beneficial to the one in need. Hospitality 'was a public duty toward strangers where the honor of the community was at stake and reciprocity was more likely to be communal rather than individual [...].hospitality ...was a sacred duty' (Martin and Davids 1997:501). This sense of hospitality was combined with making sure that the guest was protected from being harmed during the length of his or her stay. Such protection demonstrates that there is a greater respect for human life and human beings were to be

protected from inhuman abuses. These proverbs further reveal that strangers had rights and privileges that needed to be guaranteed and guarded. The proverbs referred to further demonstrate that

no one is a stranger. The world is our common home, the earth the property of us all. Because human life only exists by being shared, so all that is necessary for that life, for living and living well, is shared by the human family as a whole (Hartin, Decock & Connor 1991:189).

One has to agree with Shack and Skinner (1979:8) when they say that it 'would be romantic fantasy to suggest that prior to [the colonial and apartheid era] the receptivity to African strangers by their African hosts was in every situation characteristically amicable and devoid of hostility. This is not so'. Among the AmaXhosa, for example, all non-Xhosa speaking Africans, that have not been assimilated are still referred to as *iintlanga* (other nations). It has a negative connotation. It makes social distinctions among Africans real. This word has also acquired a derogatory meaning and it is discriminatory. It refers to strangers as some kind of second class people. They are seen as outsiders, as the 'other' since they have a culture and a language which are different from the 'norm'. Just like the attitude of the Jews as described in chapter three, the AmaXhosa are the nation and the 'people', others are the nations and peoples. To be human is to belong to this group. As Shack and Skinner (1979:41) point out, though, 'overt expression of such distinction through hostile acts never received official sanction'. These people, though labelled, moved with ease. They were still entitled to hospitality and respect.

One can see that though *ubuntu* is an important value, it is an ideal which is sometimes very difficult to fulfill. In spite of all this, *ubuntu* has managed to create a society which, according to Biko (1978:46), is 'a true man-centred society whose sacred tradition is that of sharing'. For a person to have *ubuntu*, among Africans, is considered to be highly important. It is a sign of being and becoming a person.

## **6.5. NEGATIVE INFLUENCES ON *UBUNTU/BOTHO***



In the above pages we explained *ubuntu/botho* as a concept that promotes respect for persons and challenges people to be a community that is caring, accepting and compassionate. One can begin to ask, Why, (in the light of xenophobia and other bad things that are happening) are people behaving as if this spiritual foundation is non-existent or seems to be diminishing among South Africans? One has to agree with Pityana (1999:142) when he states that moral virtues, values and obligations change:

The changing moral rules may not always be noticeable. They change even as those who abide by them insist that they are conservative. It is only that they do not notice. When they get noticed, there may be resistance. The very nature of morality, therefore, is that it is conservative because it seeks to preserve the structure of society.

*Ubuntu*, like all philosophies of life, has not escaped unscathed by the influences of certain events and factors in life. These influences and changes on *ubuntu* have not been so gentle or unnoticed. Through the centuries, African culture has always been threatened, challenged, misused and almost destroyed. Saule (1996:86) has this to say in this regard, 'Traditional religious forms of worship and customs of which kings and chiefs were custodians, were destroyed. Needless to say these forms were the very roots of *ubuntu*'. The following factors contributed to a certain extent to what Biko (1978:96) calls the 'process of bastardisation' of *ubuntu* or loss of *ubuntu* as a value.

### **6.5.1. Colonisation**

Through their generosity to white strangers, black people in Africa lost their land and 'all that goes along with it. Land is the basis of African self respect and creativity. ...The loss of land meant, therefore, the enslavement of black people, their exploitation and political domination and loss of political power' (Mofokeng 1983:23). This also meant a loss of or alienation from their culture which was the embodiment of values that brought the community together. Their culture was 'judged to be inferior by the culture of the conqueror and accepted to be so by the black vanquished people' (Mofokeng 1983:23). Moyo *et al* (cited by Saule 1996:89) acknowledge and emphasise this point when they say

Colonialism, wherever it sprung, did not only bear political experience but more fundamentally the pollution and destruction of traditional practises of the indigenous people. The values and cultures of such people were profoundly disturbed and confused. It divorced itself from the traditional needs of people.

The era of colonisation was succeeded by the even more brutal system of apartheid in South Africa.

### **6.5.2. Apartheid**

Apartheid was a policy that was introduced by the National Party government in 1948. As a political policy it came to an end in 1994. Though no longer entrenched in the statute books, its effects are still alive and felt even today. For many years it dominated all spheres of South African life, be they political, economic, social and cultural. Racial domination and exploitation of black people and the safeguarding of white supremacy and interests were some of the aims of apartheid. Barney Pitso (1999:143) is of the opinion that the purpose of the apartheid system was

that Africans should have a doubtful sense of identity and self-respect; their cultural systems and values were subordinated and marginalised in the land of their birth. What this suggests is that it is possible for culture to be used for immoral ends.

Through this system the inherent dignity of black people was undermined and black people in general were made to look with wonder and awe at white achievements and values while despising their own way of life and values. The policies which were in place, such as migratory labour, forced removals and many others, disrupted and almost destroyed African family life. Family life is the centre for educating children by parents about values and norms of society. 'Traditional education is characterised by *apho kubantwana ebebephantsi kwabazali* (where children were under the strict control of the parents)... ' (Saule 1996:91). This African traditional structure was destroyed by apartheid with its disruption of African family life.

### **6.5.3. Urbanisation**

Deacon (1999:32) is of the opinion that *ubuntu* currently exists ‘mainly in South African rural areas, it being a value lost through the processes of urbanisation’ because in the urban context the ‘African person becomes entrenched in the reality of (western) Capitalism’ (Deacon 1999:35). With the advent of colonisation and apartheid, black people were left with almost nothing but to look for employment from white people. They started moving away from their families and heading for greener pastures in urban areas and that separation took its toll on the African culture. By coming in contact with western values, African culture was influenced and changes began to take place. Because of acculturation, Africans began to adopt the way of life of the people they came into contact with. This view is supported by Saule (1996:84) when he says ‘European culture and new ideas ... resulted in change in the people’s lives and thinking’. That reduced the effectiveness of African tribal life as a caring system for its members.

### **5.5.4. Struggle against apartheid**

Attempts to overthrow the apartheid government at times undermined and threatened the values people were fighting to restore. For instance, the value of life was undermined and threatened through a practice known as “necklacing” in the last years of the struggle. “Necklacing” (putting a burning tyre around the neck of a person, killing him or her) was done to those who were perceived as being against the struggle for liberation. ‘This was a time of desperation during which man was reduced to bestiality’ (Sparks 1990:103). In ‘this situation *Ubuntu* took a back seat as more aggressive and abrasive competition for survival emerged’ (Saule 1996:103). Values such as compassion and respect for human life were harmed. Smit (1999:24) mistakenly interprets such actions as the dark side of *ubuntu*.

Because it [ubuntu] seeks the greatest happiness for the greatest number, it can easily slight the rights of individuals. The majority may forget the interests of the minority. The solidarity of ubuntu may be for wrong reasons. Kangaroo courts and necklacing could be a result of this. It lends itself to intimidation. It is very hard for an individual to distance himself from mass action.

One wonders if practises such as those mentioned were *ubuntu*-inspired or they were simply actions of people who went overboard in their manner of acting. There is certainly no *ubuntu* about what is described here.

The above are some of the factors which negatively affected the social fabric of society on which *ubuntu* operated. Since *ubuntu* is culturally based, it became influenced and vulnerable. *Ubuntu* 'may have been battered nearly out of shape by the belligerent [events] it collided with, yet in essence' (Biko 1978:41) it is still in the hearts and blood of most black people.

## 6.6. CONCLUSION

Without claiming to have said everything pertaining to the value of *ubuntu* in this chapter, it is clear that it is a deeply involved phenomenon; it is a *sine qua non* of African living. It is a philosophy and way of life that has held society together because of its beliefs and practises and has put the person at the centre of life. There is a clear concept of morality which contradicts the manner of behaviour which is prevailing today. *Ubuntu* has values that have to do with both the character and behaviour of a person.

Though *ubuntu* is difficult to define, it becomes partially understood through certain human acts or an absence of those acts. These acts are motivated by a good inner state or disposition. One of the aims of *ubuntu* is to conserve, develop and perfect a human person. It is also about self understanding, self preservation and growth. The role of the community in doing what we have described above is to help in shaping and defining a person. A person has rights to be respected, to be helped, protected, fed and shown compassion and love. There is no discrimination when it comes to these rights; one qualifies because one is a human person.

The rights that one had were not understood as statements about entitlement but were for giving one responsibility and obligation towards others. According to the value of *ubuntu*

priority is given to both duties and rights one has as a person. People in need have a right to be helped and reached out to, while others have a duty and obligation to render their services. This is not charity, but people morally feel that they should do something for the needy. This is based on the notion that the presence of the other arouses feelings of respect, kindness, compassion and sacrifice. A person's responsibility is not concealed through group effort, but one has to participate as an individual. This participation in community either enhances or decreases the individual's self-respect or recognition as a person. A person is a person by what one does. One's action either makes one *umntu olungileyo* (a good person) or *umntu ombi* (a bad person). A human person is understood as a person who possesses good qualities and puts them to good use. The inner state, a divine gift that grows through being nurtured and nourished by the constant challenges individuals and society pose to the individual, needs to be externally expressed through good actions. The potential of the individual is understood when revealed and actualised, when one reaches out to others. The understanding and carrying out of the obligations that one has, enabled by the community, were to avoid things which were destructive and harmful to other people.

A human person in isolation is understood to be incomplete; one is truly complete in community, in relation to others. There is no discrimination in this community. The community, according to *ubuntu* philosophy, is an authoritative source for ethical actions. Concern is not just about the individual but about the common good, the common good which is primarily about the person. The human society expects and tolerates certain types of acceptable behaviours from people. There are values, such as human persons, solidarity, cooperation and compassion, that are considered to be inviolable and indivisible. The conscience, the inner state, and feelings for the other are constantly encouraged, challenged and nourished.

Nothing can be closer to the truth than the words of Broodryk (1997:6), that 'if people could become more ubuntu conscious, it should lead to a more ordered, caring society based on humanity'. *Ubuntu* would be what Biko (1978:47) refers to as a special contribution to the world in the field of human relations, a great gift of 'giving the world a more human face'.

## CHAPTER SEVEN

### XENOPHOBIA IN THE LIGHT OF THE GOSPEL AND *UBUNTU/BOTHO*

#### 7.1. INTRODUCTION

In examining the factors and actions that contributed to xenophobia among South Africans and Jews in their respective contexts, we discovered how socio-economic, political and religious factors played a major role in making them xenophobic. These factors led them to engage in actions which we shall critique in this chapter. We will do so through the principles gained from Jesus' dealings with the people of His time and through the philosophy of *ubuntu*. We are conscious of the warning issued by Pato (1997:55) that we should not treat the values of Christianity and *ubuntu* as if they were uniform in every detail. Both are appropriate to the South African situation, however, since the majority of South Africans are steeped in both African and Judeo-Christian values.

One will discover that Christian moral principles and the principles of *ubuntu* are complementary to each other. Pato (1997:55) supports this idea when he says, 'It must be pointed out though that although there is such a diversity of detail, there is an astonishing congruity in African cultures and [Christian] religion when one considers the substratum of values and attitudes'. Values such as respect for human persons, human rights, reciprocity, love, compassion, forgiveness, hospitality and community are common concerns that are represented in both Christianity and *ubuntu*. When internalised, these values or principles

empower people by serving as guidelines for their conscience and challenging them to grow. What one can say about the values that follow is that they are not only common to Christianity and *ubuntu* but they are broadly humanitarian.

Before we make use of these evaluative norms and principles, we shall first review their basis in the Gospel and *ubuntu*. We will adopt the following approach: first we will review the relevant ethical norms and values from the perspectives of both the gospel and *ubuntu*. This will be followed by a critical evaluation of the attitudes and behaviour of the Jews and the South Africans, in their respective contexts, towards foreigners. The evaluation will be made on the basis of the values reviewed in the chapter. In some of the sections dealing with values such as reciprocity, compassion and hospitality, the xenophobia of the post-exilic situation will not be evaluated. During this period the Jews were less disposed to practising these values in relation to foreigners, as should have become clear in our investigation so far.

## **7.2. HUMAN DIGNITY**

Respect for human persons is of paramount importance in both Christian values and the African value of *ubuntu*. In the Christian and *ubuntu* traditions, one respects the other person, whether a believer or non-believer, known or unknown. This respect is accorded because human beings are understood to be equal, are a reflection of God, are related to each other and have a common human dignity. 'Human being' is the 'term we use to distinguish ourselves from the vegetable kingdom and the animal kingdom' (Bühlmann 1982:182). The human dignity demands that human life be respected and protected.

### **7.2.1. Human dignity according to the Gospel**

Human beings have a nature that distinguishes them from other created beings, such as animals, because they are believed to be created in the image and likeness of God. For human beings to be created in God's image, according to the Bible, was but a privilege in which they could not lay a claim; it was God's own choice and doing (Gen 1:26). Jesus

further attests that God is the Father of us all (Mt 5:45). Human persons are, therefore, a reflection of God and children of the same God. For being created in the image of God has given 'all [people] special value and a position of equality' (König 1994:106). All persons, equal in dignity before God's eyes, are to be regarded as having equal worth and dignity since they have a common God. Which part of the human person is created in the image of God? König (1994:107) says that 'the person as whole is the image of God, indeed, the image of the whole God'. The human dignity is central and common to all human persons without regard to specific features, such as colour, age, sex and religion. No one can argue that there are no differences among people, be they physical, anatomical, psychological, and cultural, but they do not take anything away from the human dignity and equality of people and the respect they are supposed to have because of these.

Through some of his parables, which put Gentiles in a good light, Jesus began to show by his teaching to the Jews that nationality has nothing to do with the goodness of a person (5.4.2.1). Any person, irrespective of the nationality and group he/she belongs to, has dignity, is capable of doing good and needs to be accorded respect. This respect and goodness in people was demonstrated in the positive way in which Jesus spoke about the good things that were done by the Samaritans, the people whom the Jews looked down upon. In speaking positively about Gentiles, Jesus was challenging His people to view them as people who were not less in dignity than the Jews. Speaking positively almost cost him his life, the Jews wanted to kill him. They were outraged by the respect he gave to the Samaritans; even so, Jesus did not retract his words.

St Paul, when emphasising the dignity of the human person uses a powerful image, 'Your body, you know is the temple of the Holy Spirit, who is in you since you have received him from God' (1 Cor 6:19).

Being the image of God, according to König (1994:107), challenges us to be like God; 'to love one another as Christ loves us, we must like Christ live in love', we must be forgiving, merciful, patient, respectful. König (1994:108-109) is of the opinion that



[t]he essence of humanity is determined by these relationships. This means that people are relational beings, and their relations must be lived in love, because God is love. It means that they must be committed to God, to other people and to nature. Because all have the same human nature, all are equal. Christians will therefore work for an open, free, just society in which people have equal rights and opportunities, in which, above all, they care for one another as individuals and as groups.

The dignity of human persons gained its respect through the creation of humanity and Christ's incarnation and it calls on all not to harm, injure and undermine, but to love and respect each and every person. Archbishop Tutu (1999:154-155) takes this further by saying

Each person is not just to be respected but to be revered as one created in God's image. To treat anyone as if they were less than this is not just evil nor just painful – it is veritably blasphemous, for it is to spit in the face of God. And inevitably and inexorably, those who behave in this way cannot escape the consequences of their contravention of the laws of the universe.

### **7.2.2. Human dignity in *ubuntu/botho***

In chapter five we have already, in detail, tried to explain the centrality of the human person in the philosophy of *ubuntu/botho*. According to Pato (1997:55), in *ubuntu* terms human persons have dignity because they are created in the image of God 'though this belief is not expressed in explicit theological terms'. Being created in the image of God gives human beings their identity, their worth and humanity. Tefo (1988:4) says, 'the essence of man in ubuntu or African humanism lies in the recognition of man as man, before financial, political, and social factors are taken into consideration. Man is an end in himself and not a means. He is a touchstone of value'. *Umntu* is a term that refers to a human person, a human person who is the centre of everything. Human persons deserve respect and honour just because they are persons (*abantu*). There is no room for humiliation, discrimination and ill-treatment, but equal treatment and respect which is supposed to be given to all human persons. We further discovered in chapter five that other people have a responsibility of protecting and defending those whose dignity is trampled upon.

### 7.2.3. Evaluation

It seems as if some South Africans and Jews have (had), according to our examination so far, abandoned or neglected their understanding of a person, as given by the values of *ubuntu* and the gospel. If they have (had) not abandoned it, then they have<sup>13</sup> an inadequate understanding of who a person is when it comes to African immigrants and non-Jews. They have both hurt, broken and despised the image of God, indeed the whole image of God, as reflected in these people.

The Jews had difficulty in ascribing the *imago Dei* to Gentiles because for them the only people who reflected God's image were themselves as the "chosen people"; the Jews were the *people (am)* and the *nation (goy)* (see 3.2.4). Non -Jews represented what was considered to be bad, unholy and defiling. They were therefore despised and treated as inferior. They were not given full recognition as human beings with a God-given dignity. The Jews could not ascribe the image of God to Samaritans because they were of mixed blood, practised a different religion (see 5.4.2.1) and were different culturally, socially and religiously. The Jews could not respect or associate with them as persons.

Discrimination was advocated on the basis of the Jewish religion or theology of election. The theology of election of the Jews, according to Bühlmann (1982:124) became the ideology of election. 'It was an ideology of election that allied itself with might, generating a mentality of supremacy, exclusivism and intolerance, with devastating consequences'. Instead of preaching the equality and oneness of human beings, the Jews condemned the Gentiles and

<sup>13</sup> Although reference to the Jews should be in the past tense, the present tense will often be used in this chapter to avoid awkwardness in reference to the two different contexts simultaneously.

exalted themselves. What we can infer from this and is quite disturbing, is the understanding that the inferiority of non-Jews, according to the Jews, was willed and sanctioned by God. The Gentiles were seen as worshippers of idols, and since they were allegedly prone to idolatry, the Jews perceived them as people who could do nothing good. The Jews regarded them as unbelievers and, therefore, as non-people. This resulted in Jews insulting and demonising the Gentiles as pagans.

Though South Africans have cultural, religious and theological grounds in understanding that all human beings, including African immigrants, are creatures of God, created in God's image and likeness, some of their actions have led African immigrants to be stripped of their dignity and made poor. The poor 'are those in the relationship of domination, are dominated, the instrumentalised, the alienated' (Dussel 1988:22); they are weak, have no power, are unable and not allowed to satisfy their basic needs. They are negated, depersonalised, marginalized and hemmed by social prejudices and actions.

Some South Africans, just like the Jews, have negatively and seriously affected the dignity of the African immigrants as persons, firstly by discriminating against them. African immigrants are easily recognisable largely because of the colour of their skin and the way they generally speak. Instead of being recognised, respected and honoured on these bases, they have been rejected, despised and discriminated against. Because they are discriminated against on the basis of appearance, they are therefore robbed of their individuality and furthermore their equality and diversity is suppressed. Other groups than black people are regarded and promoted as seemingly better and superior. Blackness is no longer seen as Beautiful. It is the opposite of what Maimela (1987:65) attests to when he affirms it, saying,

Blacks have now come around to accept themselves without apologies as a people; it means positive affirmation of what one is as a Black person and to affirm that 'blackness' is not only a legitimate form of human existence authorized by God the Creator of all human beings, but above all it is to affirm that to be *Black is to be Beautiful*, and that 'blackness' is something

one should feel good and proud about. And this affirmation of 'blackness' [is] something good and a legitimate form of human existence in a world dominated by 'whiteness'.

Blackness is now the cause of the discrimination, avoidance, misery and suffering for many African immigrants. Blackness has now seemingly become a curse, something to be ashamed of. For some black South Africans it is a symbol of poverty, evil and wretchedness. To be black is almost tantamount to lacking God's image, it is to be without the God-given human dignity. Human beings, for South Africans, are seemingly only fellow South Africans and white immigrants because it is these people who are treated with respect and acceptance. It is as though the words of Malcolm X were being confirmed when he said, 'the black man loves the white man more than the white man loves himself' (as portrayed in the film 'Malcolm X').

Secondly the dignity or worth of African immigrants is annihilated, this is evidenced by the derogatory terms by which they are often referred to. They are disparagingly known as *amakwerekwere* /*grigambas* /*kalangas*. While Jesus was uplifting Gentiles and nullifying degrading names, in South Africa they seem to be deemed relevant and they are upheld. The very use of these names labels and undermines these people as second-class people who are not up to South African standards. These derogatory names label, insult, stigmatise, undermine and injure the dignity of these persons.

As has been rightly pointed out, words 'can be deeply offensive, humiliating, hurting, demeaning and undermining [to] the self esteem of the individuals' (Mnyaka 1998:44). These also, convey hate and contempt, they disrespect the uniqueness and the integrity of these individuals. It is interesting to note as well that the people who coined and keep using these derogatory terms are fellow Africans. Ironically black South Africans have also in the past been referred to by various names by white South Africans, names such as *kaffir* and *Bantu*. These terms meant that blacks were not part of the South African establishment, they were outsiders, and they were less than human persons, second-class citizens, dirt and strangers in their own land. Many black South Africans are now doing exactly what was

done to them not so many years ago. African immigrants are in a sense new *Kaffirs* and *Bantus*. These terms are an attack upon their honour and reputation (UDHR 12).

Being called names, besides being hurtful, embarrassing, humiliating and insulting, is outrageous and upsetting. These names are expressions of hatred and contempt, and they rob African immigrants of their identity as persons. Even though looked down upon and seen as non –people, however, African immigrants *ngabantu nabo* – they are human beings too – like other people.

One cannot deny that some African immigrants are often involved in crime, just as some South Africans are, but to begin to define and identify them with evil is to refuse to ascribe to them the *imago Dei* which is not ours to bestow. Some South Africans understand them only as people who commit crime which is evil to society.

Thirdly, human dignity requires that human life be respected. The lives of African immigrants have often not been respected. Such disrespect has been shown through the harm and pain that has often been caused by South Africans through various actions, such as using them for dog training, as we have seen in the case of six policemen who were charged; pouring acid on them; beating and killing them (1.4.8.). Even though South Africans can justify these actions by saying they are a protest against the presence of African immigrants and the ills they are committing, indeed they are sheer savagery and destruction of human life. The lives of foreigners are no less sacred than those of South Africans. Do the words of *ubuntu* not cry out in the ears of South Africans when they ill-treat African immigrants, that *nabo ngabantu* (they are also human persons) (cf. Hugh Masekela's song).

African immigrants have also been given the most menial tasks by employers, tasks, which South Africans deem as degrading and dehumanising. Worse, still they are often paid low wages or often refused payment for their services. It is people that one disrespects that one would treat as such. These practices have reduced them to a level of slaves, they have become 'mere objects, labour units like pieces of machinery' (Nolan 1988:53). These kinds of treatment also impact negatively on their dignity. Perhaps African immigrants have

been treated as such because they are seen and understood to be coming from poverty-stricken situations and are people who have fled from wars, therefore, refugees. They are perceived to be desperate and that is why the perpetrators of harmful deeds on them do not see the need to respect their human dignity but instead trample on it by words and actions.

Despising and attacking Gentiles and African immigrants has resulted in reducing their self-image and this has been a direct violation of both biblical principles and the principles of *ubuntu/botho*. These principles understand persons to be sacred, to be the highest and intrinsic value, persons are understood to have, and have, common dignity since they are created in the image and likeness of God. The self understanding of both Black South Africans and Jews as better and superior persons (has) led them to disvalue and disregard the life of African immigrants and Gentiles. If being created in the image and likeness of God brings about dignity and equality among all peoples, however, this requires that African immigrants – as should the Gentiles in post-exilic Israel have been before them – be affirmed no less than South Africans and Jews. It entitles them also to a claim in all the rights that others enjoy.

### **7.3. THE RIGHTS OF PERSONS**

The concept of human dignity is more connected to and intertwined with the language of rights and freedoms of persons. Comblin (1990:48) has this to say with regards to human dignity and human rights

The dignity of the human person requires freedom ...it belongs to the dignity of the person to be able to act freely, without coercion, and to be protected from the tyranny of authority. Without protection there can be no freedom... Freedom has become constitutive of the human person.

Human rights affirm the value the human person has. They are about freedom and participation. Rights further enable people to demand their due, to meet their basic needs, so as to survive and flourish as people. Discriminating, oppressing and ill-treating the other is restrained when rights are guaranteed and protected.

The Universal Declaration of Human Rights and other related documents bestow and guarantee the same rights universally to all human beings. 'For the first time in the history of the world all human beings are possessed by the passionate wish to have the same human rights as everyone else' (Bühlmann 1982:268). According to the National Action Plan for the Promotion and Protection of Human Rights (NAP 1998:75), the International Human Rights Law and the Constitution of South Africa give many rights to lawful aliens and refugees. These include the right to dignity, life, freedom and security of persons, to residence or to receive shelter, economic and social rights. Refugees are not like ordinary citizens, since they have lost the protection of the country of their origin. Because of the peculiarity of their situation refugees enjoy specific rights. Their rights include the right not to be sent back to a country where their life or physical safety would be in danger, the right of access to a procedure, to determine whether they are refugees, the right not to be penalised for entering the country illegally, the right to an identity document and travel document. Illegal aliens too have the right to dignity, life, freedom and security (*Track two*, 2000:10).

In South Africa these rights are not only implicitly bestowed by *ubuntu* and the Gospel but are enshrined in the South African constitution. The South African Constitution, in its Bill of Rights, does extend quite a number of rights not only to South African citizens but to 'persons'. Persons include those who are not South African citizens. There is a clear mention of rights which are reserved for citizens only, e.g. section 22 (s 22), 'Every citizen has the right to choose their trade, occupation or profession freely. The practise of a trade, occupation or profession may be regulated by law'. An example of a right, which includes all persons, is s 10, 'Everyone has inherent dignity and the right to have their dignity respected and protected'. From this, one can infer that non-citizens do have constitutional rights in South Africa.

### **7.3.1. Rights in the Gospel**

We saw Jesus in chapter three cleansing the Temple and in the process of doing so, fighting so that the Gentiles could occupy the Court of the Gentiles, which was used by the Jews as

a trading place. This act of trading by the Jews deprived the Gentiles of the place where they could gather and worship as a people. The Gentiles were deprived of their rights through coercion or trading. In today's language we would say Jesus denounced evil and fought for the right of Gentiles to associate, assemble and to worship. Jesus fought for the freedom and participation of these people. When he spoke well of the Gentiles and Samaritans, he demonstrated that all people are entitled to a good name and to honour. One can say that Jesus was concerned with and was an activist for human rights.

When do people acquire these human rights and who confers them on human beings? In *Pacem in Terris*, Pope John XXIII has this to say in answering these questions:

[E]ach individual man is truly a person. His is a nature, that is endowed with intelligence and free will. As such he has rights and duties, which together flow as a direct consequence from his nature. These rights and duties are universal and inviolable, and therefore altogether inalienable (Paragraph 9).

In section 7.2.1. above we argued that people receive their identity and nature from God. Rights are therefore conferred by God who creates people. Villa-Vicencio (1992:157-158) supports this by saying 'Theologically understood, they (rights) are God-given rights, intended to enable human beings to become fully human...The human rights struggle [is] part of [ the church's] obligation to proclaim the gospel'.

### **7.3.2. Rights in Ubuntu/botho**

When we dealt with *ubuntu*, we discovered that by virtue of their humanity, human persons, whether known or unknown, are entitled to or can claim certain privileges and rights. Some of these rights are the rights of those who are vulnerable, weak and poor and are invoked in order to protect the weak. They include freedom from slander and defamation, as it was pointed out in 6.3.1. These rights seek to promote respect for the human dignity of persons, rights to fairness and equal treatment. Strangers (6.4) in particular have rights to hospitality, good treatment, freedom of movement without fear of being ill-treated, and the right to be offered protection and fair treatment. Through these rights good relations and harmony among people are created. What one can infer from all this is that human beings have these



rights, which have to be respected by virtue of their humanity (6.3.1); they are part of the “natural law” and therefore God-given.

### **7.3.3. Evaluation**

In the light of what Jesus stood for and what *ubuntu* professes, in this section we look at the actions of South Africans and Jews towards foreigners in the light of human rights.

When mixed marriages were prohibited by the Jews, that affected what one would consider the right to family life, the right to choose, love and marry a partner of one’s choice. The religion, purity and unity concerns of the Jewish nation militated against these notions. The interests of the wives and children were sacrificed and became less valuable, since the good of the nation was seen to be at stake. Mixed marriages were considered an assault on the religion and good of the nation, and for the sake of self preservation this need or right became irrelevant.

South Africans have violated quite a number of rights which African immigrants are supposed to enjoy. There have been calumny, slander and defamation through the use of derogatory names. This affected negatively the honour and right to a good name, which is self esteem and self-respect for others. According to the value of *ubuntu* persons have the rights to a more human life which should be respected by others. Sadly, this has not always been the case in South Africa. We saw in chapter one that some foreigners understand the negative actions of South Africans as results of frustration from many years of oppression and the level of poverty they are experiencing to this very day. Even though there is frustration, however, there is no justification for these actions, which are cruel, inhuman and degrading.

The right to fair labour practice continues to be violated by those employers who give African immigrants meagre wages or employers who do not want to pay but cheat and exploit, calling the police to arrest them for their illegal status when they demand their wages. There is often no just and equitable salary since there is no correspondence between service rendered and salary given or offered. Even though they may be illegal and have no right to employment, the labour practise of some employers who exploit aliens by refusing to pay them, or paying them meagre wages, reduces them to slavery and servitude, thus violating section 13 of the South African Constitution,<sup>14</sup> which states that ‘no one may be subjected to slavery, servitude or forced labour’, and section 23, which gives them the ‘right to fair labour practise’. This unfair labour practice, though it creates economic benefits for South African employers, causes harm to the unemployed of South Africa and the illegal aliens themselves.

There has also been unjust violation to the property of African aliens. There has been unlawful destruction and unjust appropriation of what belongs to them through theft, malicious destruction of their stalls and robbery. This we saw when people often stole from the African immigrants and when they were also deported by the police. African immigrants are thus often denied the chance to own property (s 25). They cannot improve or develop freely for their own welfare. When people steal their belongings, that is to deny them the right to property.

When immigrants report their cases of stolen belongings to the police or when they are not paid a fair wage for the work they have done but instead are arrested, they are denied the right and opportunity of being equal before the law and this is a violation of sections 9, 13 and 23 of the South African Constitution. By these actions the police violate the constitution, which requires them to ‘prevent, combat, and investigate crime to maintain public order ...’ (s 205(3)). Torture of African immigrants by the police is also a violation of the July 1999 South African Police Services (SAPS) non-torture policy, which defines torture as ‘any cruel, inhuman or degrading treatment or punishment, or any act by which severe pain, suffering or humiliation, whether physical or mental, is intentionally inflicted on a person for

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<sup>14</sup> It was adopted by the Constitutional Assembly on 8 May 1996, and signed on 10 December 1996.

the purposes of obtaining from him or her or third person information or a confession' (Policy on the prevention of torture and treatment of persons in custody of the South African Police Service).

The refusal to act when necessary or lack of interest by the police seems to condone actions against African immigrants and migrants. The denial to protect them seems to come from the misconception that immigrants are criminals who are not supposed to be here and therefore have no protection from the law.

As human beings we 'need to understand ourselves and our world, for such knowledge frees us from many material and social constraints and gives us the power to more fully control our lives' (Kammer 1988:100). When children of African immigrants are denied access to education by being blocked or refused admission, it is their right to education that is violated. It is also a deprivation of the rational needs of the children. They are deprived of education, which helps in human development

From the explanation given on the understanding of human rights, persons are understood as bearers of rights no matter what side of the fence or border they are. If it is so, why, in South Africa, have some African immigrants' rights been infringed, why have these people been viewed or treated as if they have no rights?

There are three reasons that one can think of. Firstly, African immigrants are treated as such because of the bad law, namely, the Aliens Control Act (ACA) of 1991 amended 1995. This act was introduced in the dying years of the apartheid regime. Though it is so, it was rooted in racism, which sought to promote white interests and supremacy. This act did not guarantee rights to African immigrants because at that time the white establishment viewed black people as having no rights in South Africa and as a threat to white interests. Although the act was amended in 1995, in the light of the new Constitution, the bulk of it is still based on the apartheid era; and this we see in the application or administration of this policy, which leaves a lot to be desired. As Crush describes it,

[The] Aliens Control Act is extremely opaque in its language and structure, so that it is difficult to decide what procedures should be followed or what rights detainees hold. It also confers an unacceptable level of administrative discretion. Procedures used to process applications are not contained in the act, or in regulations made under the act, but in internal documents that are not publicly available or legally binding" (Crush 1998:14-15).

This makes it easier for the immigration officials to abuse, who in their 'role as "gatekeepers" have in particular been groomed to perceive their task as that of "weeding out" undesirable or vulnerable non-citizens' (Track Two *Volume 9 no 3 November 2000*, p 22). This clearly demonstrates that there is a dichotomy between what is policy on the one hand and administrative practises on the other hand.

Secondly, South Africans view African immigrants as outsiders who are competing with them in the provision of jobs and services. They are perceived as undermining and threatening what South Africans are entitled to. South Africans see themselves as defending their rights, which they understand to be violated by African immigrants. Their defence has constantly been through the use of force. Use of force, though, according to Cronin (1992:14), is no means to gain respect for rights but it is only through insights and imagination that one is able to do so. In short it is through persuasion. As outsiders, somehow it is implied that African immigrants have left their rights behind, where they come from.

Thirdly, African immigrants seem to be viewed as non-persons. We saw this in the names that they have been given which imply that they are non-persons. Since they are perceived as such, they are viewed as not entitled to South African human rights. Recognising a person as a person is the basis for recognising his or her human rights.

The last two reasons are not policy but perceptions or sentiments which South African people have. They either imply that African immigrants do not have rights in South Africa or if they do, South Africans are deliberately failing to respect them. For South Africans to fail

to respect human rights is to abuse the gift of freedom written into one's very nature. Treating other people badly is to insult God in whose image they are made. Wronging another person can also harm those who love him because they share in his suffering. Since God is said to love men and women infinitely and to identify with their suffering – “what you do to the least of these you do to me” –it is arguable that God is wronged by the violation of human rights (Cronin 1992:173).

The actions described demonstrate that the government of South Africa is not only dealing with alleviation of poverty but also a growing 'army' of angry and frustrated unemployed people who need to be condemned and prosecuted for their terrible deeds. These actions are a violation of the right to dignity and life of others. One is conscious that the immigrants are here because of human needs. They do not need to beg or fight, for they have been given rights which are theirs by virtue of being human. If South Africans expect immigrants to respect their rights, they are also expected to reciprocate rights which immigrants have.

#### **7.4. RECIPROCITY**

In the previous section we pointed out that all people have rights that are supposed to be respected by others. We want to emphasise, in this section that even though one has rights, one has obligations as well to respect other people's rights. Guaranteeing and respecting of rights has to be reciprocal. In other words, the language of rights, according to Outka (1976:40), implies between persons a 'state of reciprocal consciousness. A maximum of reciprocity, where mutuality is fully conscious'. This principle of reciprocity is connected and related to rights of persons. Human rights are not a private affair, they are legislated, guaranteed and exercised among other people, and exercising them requires that one should be conscious of others. The principle of reciprocity is not just associated with and regarded as safeguarding the interests of all persons. There is more to it than that. It is a moral principle that wants to make sure that there is justice, that relations among people are developed and maintained, and it commits individuals to the basic needs of others and helps individuals to uphold their integrity.

### **7.4.1. Reciprocity in the Gospel**

Our understanding of reciprocity is best captured by the Golden rule ‘so always treat others as you would like them to treat you’ (Mt 7:12). Something similar to the Golden Rule is the commandment of love. At the end of the list of the commandments required to enter eternal life, Jesus adds ‘and love your neighbour as yourself’ (Mt 19:19). Paul in the Letter to the Galatians further quoted this commandment (Gal 5:14).

Wattles (1996:57) brings to our attention that Jesus’ teaching on reciprocity calls for higher standards than returning favours. He has this to say,

Although someone might associate the golden rule equation of self and other with the custom of exchanging favors, Jesus’ responses to good and evil do not follow a policy of doing favors only for friends and getting even for injuries. He insists that beneficence not be restricted to returning favors: “If you greet your brothers and sisters, what more are you doing than others”.

What is reflected here is good conduct towards others and this does need one to understand the other person. One needs to have a feeling, one needs to be considerate and compassionate. For reciprocity to happen requires that one first recognise the other person as a person who deserves respect and fair treatment. One needs to take the initiative, the ‘Christian is to be the first to begin loving, in agreement with Jesus’ commands e.g. 5:38-48’ (Luz 1989:430). A Christian should sacrifice one’s rights for the sake of others and embrace others ‘as an expression of mutual care and strengthening of another’ (Villa-Vicencio 1992:175). Treating others will further create a habit of care and co-operation among people whose intention is to seek the well being of others. This further helps in eliminating pain and discord among people. It further creates a habit of co-operation among people whose intention is to seek the well being of others.

The reciprocity that comes through the Golden Rule seeks to lead to the creation of good personal and social relations.

#### **7.4.2. Reciprocity in *ubuntu/botho***

In chapter five, when dealing with *ubuntu*, we saw how the principle of reciprocity helped strangers to be welcomed, protected and fed. In return, this brought about a good name for and guaranteed the host the same treatment. This principle was best expressed in the saying *unyawo alunampumlo* (the foot has no nose). There is an element of truth in saying that for one to reciprocate is not only motivated by lofty moral reasoning but also by practical considerations. One often respects the other because one fears the consequences of not doing so, and individuals are restrained from doing as they wish to others lest they receive the same bad treatment in return. One can say this is motivated by reasons of self-interest and self-preservation. When dealing with *ubuntu* we realised that when one reciprocates or fails to do so, the integrity of the individual is affected. When one does good, one is acknowledged, affirmed and given high praise that *ungumntu* or *unobuntu*. Reciprocity has to do with self-love, which has to do with accepting, respecting and promoting one's self through promoting others.

When one reciprocates, one demands recognition of and respect for one's own rights and those of other peoples'. Reciprocity calls, seeks and fosters equality or justice. It promotes application of the same standards to all people. It seeks equal treatment and distribution of welfare to all. But, above all, one gives to the other what is due to him or her. Self-interest, with no regard for others, leads to tension and misery

#### **7.4.3. Evaluation**

Just as the Jews did when they were in the "Promised Land", South Africans have forgotten that they have been strangers or refugees in some African countries. The system of apartheid compelled many of them to leave their country, and they were provided with protection at tremendous costs to those countries. The South African government of that time destabilised those countries. They hardly had enough money to support their own people; and yet they were ready to assist South Africans in their war against apartheid. South Africans were given special rights and privileges (2.2.1). Failing to remember has

made some South Africans unable to reciprocate the compassion, hospitality and generosity they received. Thanks be to God, there are people like President Mbeki who have not forgotten to remind South Africans to reciprocate what was done for them (2.2.1).

The picture that continues to emerge about South Africa's treatment of other nationals is a disturbing one. Negative reports about abuse of refugees, asylum seekers, illegal immigrants and migrants do not give South Africa a good publicity. The reports impact negatively on its image and integrity. There is plenty of written and video material on the abuse of African immigrants. These demonstrate that there has been no goodwill towards them on the part of many South Africans. These South Africans have developed an unrestrained individualism which takes into account their own good while forgetting about the plight of others, about the obligations and duties they have towards others. Instead of reciprocity, many South Africans have caused African immigrants pain, fear, anxiety and loss of life. Self-interest has led to the perpetration of injustices, which have led to bad actions.

In human rights, everyone has claims and needs that have to be considered. Reciprocity seeks to safeguard the basic needs and interests shared by everyone by committing one to make sure that one's actions do not trample over other people's needs. 'Someone who has obligations, say, to respect a human right of another, is by that very fact a candidate for having the same right' (Cronin 1992:181). This commits one to promote the needs of others; to see one's needs as related and attached to other people's needs. Considering the negative manner in which South Africans deal with African immigrants, what do they expect when they visit some of the African countries? Do they expect good treatment or to have their rights guaranteed and protected? One begins to feel even more for those South Africans who may be mistakenly deported from South Africa as illegal immigrants because of the darker colour of their skin. One can only hope that they will not receive the same treatment in another African country as African immigrants often receive here in South Africa.

Depriving another person of what is due to him or her leads to instability. This we saw when property belonging to immigrants was stolen or when they were evicted from their homes.



They organised and mobilised themselves to beat up South Africans (see 2.6.6). Reciprocity is a deterrence to bad experience and it safeguards all people's interests. It is a *sine qua non* for a just society.

Reciprocity is an ideal, but is subject to and is contending with other ideals or ethical principles such as love. What Outka (1976:81) says about the relationship between justice and love is true of reciprocity and love. This is what he has to say, 'Love has justice as its "pre-condition," love can never neglect justice, and loving actions are never performed at the expense of justice but "only beyond and through" it'. In other words love settles every claim of right and adds to it.

## 7.5. LOVE

In this section we need to answer the following questions: What is love? What does it mean to love as Jesus loved? Does *ubuntu* also have love implications or not? How have South Africans and Jews in relation to African immigrants and non-Jews fared in the area of love?

Childress & Macquarrie (1986:354) contend that love is the most used, misunderstood and discredited word. This is so because it is commonly used and it carries various meanings to various people. In

common English usage love means a sentiment of strong attachment entertained toward a particular object or class of objects. A person may be said to love anything in which he or she takes special delight -the sea, flowers, birds, music, and poetry. When the object of love is personal, it is usually individual rather than generic: we do not naturally speak of loving musicians or poets' (Childress & Macquarrie 1986:354).

There are four types of love, according to C.S. Lewis (1960), and they are described as follows:

- *Storge* (affection): This is habitual love, love that exists among those who are related.

- *Philia* (friendship): It is a kind of love that is found among those who are equals, love among friends. It is love that can be reciprocal.
- *Eros* (being in love): It is love that makes others the means of one's enjoyment. It is egocentric, emotional, passionate and seeks pleasure.
- *Agape* (charity): This is a special kind of love. 'It is not love of oneself; it is love for the other as other, for the sake of that other and not for my own sake, with a respectful attitude toward the person of the other as a being that is sacred and holy. Thus the authentic relationship among persons as persons is that of love, but love with respect, or agape' (Dussel 1988:10). This is a Christian kind of love. It is unselfish love. It can be said to be Theocentric. This is the love which Christ sought to instil among his disciples. It will be seen when we deal with community that this type of love is the soul of the community (7.9)

### **7.5.1. Love in the Gospel**

Christ spoke about love (agape) as an effective way of overcoming racial, social and religious differences that existed between the Samaritans and the Jews. The commandment of love is one of the concrete ethical instructions of Jesus. It is the centre of Christianity. It was a new commandment in the New Testament even though Leviticus (19:18) originally stated it. The fact that love has been made a commandment, according to Moser and Leers (1990:103) demonstrates that love in practise is not something spontaneous and easy to experience. According to Outka (1976:113), this love, which is central in Christian ethics, ought to govern all attitudes and actions of the agent towards the neighbour.

Who is my neighbour whom I am supposed to love? Rudman (1997:268) explains the neighbour as follows

Neighbour is an inclusive category. Someone is my neighbour before she or he is a woman or a man, a Christian or a Muslim, of Afro-Caribbean or Anglo-Saxon origin, a member of this or that class. This is an important point, which is easily overlooked. It is a category, which, without appearing to do so, can subvert any ethic, but yet at the same time confirms the ethical domain. Who is my neighbour? There are no limits.

Any human person qualifies to be a neighbour. This is what Jesus demonstrated by the parable of the Good Samaritan. The basis of love is human dignity, which we have by virtue of being created by God in God's likeness, and therefore equal before God. Even though people are different and belong to different groups, they have a common humanity and dignity. All people therefore have to be loved as equals 'because they are loveable precisely as persons (all beloved by God, all objects of the command to love them as we love ourselves)' (Hamel & Himes 1989:67). Love embraces all people, it is all embracing love. No one can be deprived of love because one is different. In other words there is no comparison of people, since comparing people is a stumbling block to love.

Love has certain demands and it is unconditional. Childress & Macquarrie (1986:37) are of the opinion that love 'conforms to grace when it is unconditional: nothing a person does in particular qualifies or disqualifies him or her from respect and active help'. Dussel (1988:11) calls this type of love, love of benevolence, since it is respectful, wishes and seeks for the good and the well being of the other even though it cost me my life. This love seeks to affirm, devote and be faithful to the other person.

Jesus commands his followers to love their enemies (Mt 5:44, 12:39). This is an acid test for Christians. Love of enemies 'was Jesus' extravagant demand' (Sapp 1993:50). For Rudman (1997:268), 'Love of the enemy is not ethical but a "supra-ethical" standard' and this is where the newness of this commandment of love begins to show. In the story of the Good Samaritan, the enemy becomes the neighbour. The Samaritan did not compare or look for the group to which that person belonged but he saw a human person who was in need of love. This means, therefore, that one has to recognise and accept another person as a person.

In love there is a notion of self-sacrifice, self-denial or self-renunciation. 'There is no greater love than this, to give one's life for his friends' (Jn 15:13). Love is not just a pious wish, it is practised in concrete situations. This self-sacrificing or self-giving is done for the sake of the other person. It responds effectively to human needs. In other words love takes into

account the reality or the situation of the one who is loved. This love does not seek for its own interests (1Cor 13:4). It has a phenomenon of altruism,

the flow of favourable attitudes from one man to another without the hope of reciprocation. Does human altruism really exist and on what grounds would a person act for the good of another without expecting some reward? It is difficult to go by empirical evidence in answering this questing. Generally, the assumption is that there are ample instances of selfless service, when men go all the way to act solely for the good of others even when it is obvious to them that reciprocation, no matter how ultimate, is unlikely to follow. There are martyrs, it is believed, who commit altruistic suicide, philanthropists and charity workers who do favours for people with whom they have no acquaintance' (Sogolo 1993:134).

St Paul in the Letter to the Corinthians (1Corinthians 13:4-7) summarises some of the characteristics of Christian love as follows:

Love is always patient and kind; It is never jealous; love is never boastful or conceited; it is never rude or selfish; it does not take offence, and is not resentful. Love takes no pleasure in other people's sins but delights in the truth; it is always ready to excuse, to trust to hope, and to endure whatever comes.

### **7.5.2. Love in *ubuntu/botho***

Mbennah (1988:12) is of the opinion that *ubuntu* is 'humane, natural and man-centred, and to that extent, it is not the same as Biblical love'. He bases his argument on the fact that a person is 'treated, respected, appreciated or helped to the extent that that person lives within the *ubuntu* expectations of the community'. Why should it be the same anyway? To force each kind of love to be the same would be to deny cultural pluralism and cultural relativism.

Love is an important African value and is woven in the fabric of society. The saying that *umntu ngumntu ngabanye abantu* expresses and contains the essential teachings about love as understood in *ubuntu/botho*. The basis and object of love is the human person irrespective of who he or she is. Every person is a neighbour.

One can first describe this kind of love as respectful love. People are accorded respect and love for what they are, that is human beings (*bangabantu*). They are equal and are seen as related. To undermine a person because of his or her social or economic status is a violation of love since love does not seek to undermine but to embrace all people. It is therefore an all embracing love.

This love can also be described as caring charitable love. Kindness and friendliness are not only extended to those who belong to the same clan or community but to strangers as well. The call to treat strangers with kindness is to say that every person is a neighbour who deserves love. The human need transforms the one who reached out from being a stranger and enemy to be a relative, brother, sister or neighbour. This attitude does not seem to be the same as that which is expressed by Mbennah (1988:12). This caring for the needy irrespective of who they are yields results that are good for the community, results such as friendship and affection. This sense of service calls for self-renunciation or self sacrifice on the part of the one who is serving. Those who reach out are said to possess *ubuntu/botho*, they contain the essence of being human rather than merely demonstrate love.

### **7.5.3. Evaluation**

Many South Africans and Jews have not embraced all people in the same way. Non Jews in post-exilic Israel were rejected on the basis of racial and religious differences. They could not be seen as objects of love because of these differences. The attitude and actions of Jews towards them were governed by this negative understanding instead of by love, and remaining distinct was seen as a priority.

In both the Jewish and South African situations those who were/are different and outsiders were/are regarded as enemies. For Jews, non-Jews were enemies not because they had done anything wrong but because they were ‘worshippers of idols’ and, therefore, were a potential danger. For South Africans, African immigrants are enemies because of political, economic and social reasons and therefore unwanted. Instead of these reasons being the

acid test of love for both Jews and South Africans, they resulted in actions which were the opposite of love. The Jews preferred to be indifferent and to isolate non-Jews. They further promoted hatred by prohibiting intermarriage between Jews and non-Jews. Non-Jews, because of their ancestry, could not be loved but were despised. Purity of the nation controlled, dominated and determined those who could be beneficiaries of *philia* (friendship), *eros* (being in love) and *agape* (charity). Allegiance to the group (Jewish) superseded love.

In South Africa White immigrants have generally been welcome and treated differently and with respect because they are seen as potential investors (see 2.2.2). 'Neighbour' for most South Africans is also the fellow South African, because they have common citizenship, they speak languages with which they are all familiar. One can say South African love has been conditional only upon what South Africans can benefit. While it is wrong to compare people, we can also say that white immigrants are not loved but preferred since they are considered to be possible providers.

It has also been made difficult for African immigrants to be beneficiaries of all four types of love. When some immigrants come to South Africa they expect to receive *storge* (affection) from their relatives, since they claim to have relatives here in South Africa. However, it is not easy for them to receive this love. Things are made difficult for them, instead, because they are sometimes harassed and detained without even the knowledge of their relatives.

For African immigrants to display *philia* (friendship) to South Africans is also often made difficult. As already shown, many South Africans do not regard them as their equals, because mere gestures of helping or reaching out to them evoke insults from some South Africans (1.5.2).

For African immigrants to fall in love with South African women (1.3.5) also does not go down well with some South African men. It has made South African men jealous and hateful towards African immigrants. South Africans claim that they are taking their women. This

allegation somehow implies that African immigrants have no right to be loved or to love South African people.

To deny others, because they are foreigners, the right to dignity, to life, and to security is a violation of the law of love. Christian love 'requires solidarity, especially with those whose legitimate rights are denied to them, and this means struggling alongside them so that they can win space in which to live and freedom to share in building a just society' (Moser & Leers 1990:169).

One can understand why love has not been one of the guiding principles for both Jews and certain South Africans. The basis of love, which is human dignity, was the first to be violated. Love finds concrete expression in compassion and other intimately related concepts such as forgiveness and hospitality that will also be dealt with below. Though it is not easy to love in a Christian and *ubuntu* sense, these will show that love is valuable, relevant and possible.

## **7.6. COMPASSION**

What do we mean when we talk about compassion?

According to Nouwen *et al* (1987:4), compassion is

derived from the Latin words *pati* and *cum*, which together mean "to suffer with." Compassion asks us to go where it hurts, to enter into places of pain, to share in brokenness, fear, confusion, and anguish. Compassion challenges us to cry out with those in misery, to mourn with those who are lonely, to weep with those in tears. Compassion requires us to be weak with the weak, vulnerable with the vulnerable, and powerless with the powerless.

What is clear from this definition and description is that compassion is not something abstract, it is something concrete and practical. One cannot be neutral when facing the suffering of others; a response, whether emotional or practical, is required. The suffering or pain of the other evokes feelings of solidarity from those who are in contact with or watching

the sufferer. The condition of the sufferer becomes a focal point, while race, class, or country become irrelevant. Compassion, in other words, erases all differences, it is concerned with the situation and the good of the individual, and it seeks to bestow human dignity on the individual. In that solidarity, one begins to imagine and feel the pain felt by the sufferer. The difficult or painful situation in which the individual finds himself/herself starts to call for a response that will benefit or alleviate the sufferer. Just as love, compassion is unconditional, it calls for sacrifice.

### **7.6.1. Compassion in the Gospel**

In the Gospels we have a number of passages where Jesus speaks about the need for compassion. Jesus commanded his disciples to ‘Be compassionate as your Father is compassionate’ (Lk 6:36). He also demonstrated this compassion in his healing ministry and indeed, ‘compassion [was] such a deep, central, and powerful emotion in Jesus’ (Nouwen *et al* 1987:16). ‘Profoundly moved, he heals the blind, the lepers, the boy with a demon, and unnamed illnesses of the crowds’ (Sapp 1993:28). Jesus became compassionate to a person whom the Jews regarded as their oppressor, the centurion, who was a Roman official (Lk 7:1-10). Jesus did not consider the nationality of the person but was moved by the request to heal, by compassion and the need to exercise his ministry. Albert Nolan (1977:28) argues that the

English word “compassion” is far too weak to express the emotion that moved Jesus. The Greek verb *splagchnizomai*, used in all these texts is derived from the noun *splagchnon*, which means intestines, bowels, entrails or heart, that is to say, the inward parts from which emotions seem to arise. The Greek verb therefore means a movement or impulse that wells up from one’s very entrails, a gut reaction.

In the parable of the Good Samaritan, who helped a person who was attacked on the road, the Samaritan did so because he was moved with compassion (Lk 10:29-37). He saw that the person was in pain and in need of help. The condition of the person who had been beaten, robbed and left half dead became more important than who the person was. The Samaritan saw a person rather than a Jew. The condition of this person enabled the



Samaritan to be in solidarity with him, and even though it was a dangerous situation, he reached out, he pulled him out and gave him the dignity of a person. When he gave this parable to his listeners Jesus wanted to teach them that 'Nationalistic and racial barriers should not prevail against the universal call for compassion' (Figart 1973:99).

Sapp (1993:48) understands the Christian compassion to include the following,

(a) disposition of solidarity toward the neighbour's suffering plus (b) the action of entering into the context of that suffering as one's own, with (c) a commitment to overcoming the cause of the suffering itself. Indeed, compassion might best be described as a dynamic process which includes both affective and active dimensions.

### **7.6.2. Compassion in *ubuntu/botho***

When we dealt with *ubuntu*, we also realised that the community expects its members to be compassionate people. Human misery and suffering are expected to evoke feelings of empathy, sympathy and action that is redeeming to the situation. In reaching out in solidarity to the one who is suffering, transformation takes place and the person is humanized again. Since the pain or suffering has impacted negatively, it is inconceivable for a person not to be compassionate. Selfishness, apathy, and resignation are some of the stumbling blocks to compassion. Compassion therefore calls one to give oneself to others, to sacrifice and be present to the one who is suffering. Any person who displays any of the stumbling blocks to compassion would be viewed as having failed to attain full humanity. It would be said of one, *akanabuntu*. An uncompassionate person renders himself/herself to be stripped of his /her humanity. One's integrity is at stake, in other words. For being compassionate one does not lose one's identity but instead recovers it, gains recognition and affirmation of his humanity. Compassion is an important value in *ubuntu*. Mangayi (1983:49) has this to say regarding compassion and *ubuntu*

This quality of compassion has a lot to do with African humanism as people in various parts of the continent have lived it. Compassion, reaching out to others, is what this humanism is about: you are enlarged and increased when you go out of yourself. I am attracted to an

existence in which people treat each other as human beings and not simply as instruments or tools, where people become committed to one another without necessarily having to declare such commitments. When the chips are down it is compassion which makes it possible for others to rise to the occasion. Compassion integrates and binds people together.

What we discover is that compassion is not an accomplishment, it is a positive mind and a way of living. It is to enter into a relationship with those who are suffering and in need of our help. Compassion is not only about reaching out but it aims at also binding together and building the community.

### **7.6.3. Evaluation**

The condition of African immigrants is one of homelessness because of wars that continue to ravage their countries, making them refugees in need of shelter and it is painful to be homeless, to be a 'person without a country' (Bühlmann 1982:28). This condition calls for compassion. Economic hardships that have forced them to come to South Africa to look for employment to feed their people back home, the risks they have taken and difficulties they have encountered when coming to South Africa are supposed to evoke feelings of sympathy and empathy, but they instead have hardened the hearts of many South Africans. Their stories of helplessness have not softened these South Africans but have evoked feelings and actions of apathy, resignation, hatred, resentment, anger and hostility. Hopefully the promulgation of the Refugees' Act will help to make South Africans fulfil their international duty of being compassionate to refugees.

Just like love, compassion is unconditional, it calls for sacrifice. It calls one to sacrifice one's energy, resources, time and comfort. The Samaritan in his compassion had to temporarily suspend his journey and use his energy and money to care for the victim. He did not allow these demands to be stumbling blocks to his compassion. To turn away people who are sick and pregnant women from health facilities because they are perceived to be putting a strain on resources and also happen to be alien, is not just a violation of international and South African law but is also lack of *ubuntu* and compassion. It is to place value on things

rather than on people, refusing to be in solidarity with those who are suffering and refusing to sacrifice material goods for the sake of others.

When one exercises compassion without stumbling blocks, it becomes compassionate love. There are other stumbling blocks to compassion, such as competition, power and greed. Nouwen *et al* (1987:19) have this to say with regards to competition and compassion:

This all-pervasive competition, which reaches into the smallest corners of our relationships, prevents us from entering into full solidarity with each other, and stands in the way of being compassionate. We prefer to keep compassion on the periphery of our competitive lives. Being compassionate would require giving up dividing lines and relinquishing differences and distinctions. And that would mean losing our identities! This makes it clear why the call to be compassionate is so frightening and evokes such deep resistance.

The stumbling blocks among South Africans to practising compassion or being compassionate are evident. These have in effect prevented them from exercising their *ubuntu*. Greed has shown itself among the employers who employ illegal immigrants for meagre wages and also among landlords who charge high rentals to immigrants. Both employers and landlords have intentions of making profit and gain from these vulnerable, helpless and hopeless people. The employers can argue that they are, in a small way, trying to alleviate human suffering by offering what they have. One thing which is clear is that foreigners are exploited because such acts of exploitation are not practised towards South Africans on such a large scale. Employers know that because of their foreign and sometimes illegal status, foreigners would not seek recourse to the law. African immigrants are not given equal and fair treatment but instead are reduced to objects of exploitation and slavery. The services rendered by African immigrants are used for expanding the wealth of those employers and landlords while the plight of the immigrants is neglected. Protesting against these forms of exploitation only results in more victimisation. Their status as human beings is reduced to that of a thing, which after use is merely discarded. The greed of some South Africans has reduced African immigrants to a state of miserable beggars who are robbed and with no one to come to their rescue.

Competition against immigrants, accompanied by fear, is found mostly among South African hawkers. Many South African hawkers feel that immigrants are invading their market with the goods they bring. Unemployed people in South Africa argue that jobs are lost and are scarce because of the presence of African immigrants. South Africans, it is felt, have to compete with them for scarce jobs and because African immigrants are a cheap labour pool they are easily employed. Competing with South Africans in selling of their goods and looking for jobs in the same market has hardened the hearts of South Africans from understanding the plight of immigrants and being compassionate to them and has also aroused feelings of hatred and anger.

The punishment inflicted on some African immigrants by certain South Africans often brought a sense of joy to those who were watching instead of repulsion, condemnation and compassion. Instead of feeling for the victim, for instance, when the businesses of Mr Abilio were destroyed, people just looked and said “*baya lilungisa ishangana*”.

Compassion is a gift.

Compassion is not a skill that we can master by arduous training, years of study, or careful supervision. We cannot get a Master’s degree or a PhD. in compassion. Compassion is a divine gift and not a result of a systematic study or effort. At a time when many programs are designed to help us become more sensitive, perceptive, and receptive, we need to be reminded continuously that compassion is not conquered but given, not the outcome of hard work but the fruit of God’s grace. In the Christian life, discipline is the human effort to unveil what has been covered, to bring to the foreground what has been kept under a basket. It is like raking away the leaves that cover the pathways in the garden of our soul (Nouwen *et al* 1987:90).

Sebidi, Tefo and many others have argued that compassion is a gift that Africans have and that a true person is seen and discovered when possessing this gift. If it is a divine gift to South Africans, do they not need to rake away the leaves that are covering it? Many South Africans, though supposedly compassionate people, are operating without compassion at

present. So the words of Kubler-Ross and Kessler (2001:12) make sense. They have this to say:

Each of us has a Gandhi and a Hitler in us. I mean this symbolically. The Gandhi refers to the best in us, the most compassionate in us, while the Hitler to the worst in us, the most negative and smallness. Our lessons in life involve working on our smallness, getting rid of our negativity and finding the best in ourselves and each other. These lessons are windstorms of life, they make us who we are. We are here to heal one another and ourselves. Not healing as in physical recovery but a much deeper healing.

Compassion requires that one surrender the grudges that one has with the suffering persons. This often calls for forgiveness.

## **7.7. FORGIVENESS**

Rudman (1997:280) understands forgiveness as

a moral act which asserts moral responsibility and restores the moral offender to the moral community. But there are feelings and sensibilities associated with wrongdoing and guilt and reparation in human relationships which punishment cannot satisfy and where nothing less than forgiveness seems adequate to restore personal relationships. In these circumstances, the ability to forgive and the willingness to be forgiven are not simply matters of feeling. Nor are they solely matters of will. Forgiveness may be metaphorically described as the healing of the wound, the restoration of communion and fellowship or even of life and health.

What one discovers from the above is that relationships many have been strained and in need of restoration. There is also recognition of the evil nature of the action of the offender and the harm it may have caused. In other words forgiveness is not turning a blind eye to the wrong done. It is a challenge to the offender to change one's ways. 'Forgiveness cannot make wrong actions right, or prevent all the consequences of wrong actions. What it can do is to snap certain links in the connecting chain of evil and make new start possible. Forgiveness restores a person to fellowship with others' (Rudman 1997:282). Because there are relationships affected, justice cannot be an answer to all situations, forgiveness

transcends justice. If the element of forgiveness is missing, there will be bitterness, anger, hatred and revenge and thus destruction of persons, relationships and community.

### **7.7.1. Forgiveness in the Gospel**

Just as love of enemies is a distinctive mark for Christians, forgiveness, though not a Christian monopoly, is a vital part and is at the heart of Christian ethics. Jesus taught and practised forgiveness of enemies. In his teaching on forgiveness, he stressed that it was the duty of his followers to forgive others (Mk 11:25, Lk 17:3), furthermore it was a condition also of obtaining God's forgiveness for their sins (Mt 6:12, Lk 11:4). Jesus further taught them that forgiveness should replace the thirst for revenge. This is demonstrated by his answer to Peter's question. Peter asked 'Lord, how often must I forgive my brother if he wrongs me? As often as seven times?' Jesus answered, 'Not seven, I tell you, but seventy-seven times' (Mt 18:21-22). According to Patte (1987:255), Peter did not understand Jesus' preceding teaching

For him, forgiving is costly. First, you get hurt by someone; then, by forgiving you give up the right to ask for reparation, even if the reparation is merely revenge, such as depriving the sinner of your friendship. Forgiving is being magnanimous. Is not Peter very generous when he offers to forgive the same brother for sinning against him seven times? Yes, Peter agrees to adopt a self-denying attitude, to suffer quite a lot from someone else. But there are limits, aren't there? Jesus' answer (18:22) amounts to saying that there are no limits to forgiving...By forgiving, one does not lose anything. On the contrary, one gains something, and indeed something very good, one gains a brother and therefore the possibility of enjoying the presence of Jesus in their midst-

Jesus demonstrated his teaching on forgiveness by his own actions. His disciples asked him to destroy with fire the Samaritans for refusing to welcome him when he was on his way to Jerusalem. Instead of using his power for a destructive purpose, Jesus preferred to forgive. While hanging on the Cross, Jesus prayed for the forgiveness of his enemies, 'Father forgive them; they do not know what they are doing' (Lk 23:34). Love of enemy and forgiveness seem to be two sides of the same coin. There is a divine element in forgiveness. Forgiveness

is the divine institution for dealing with injustice. It breaks the cycle of evil, of tit-for-tat revenge which serves only to increase the problem. It not only breaks the cycle of evil but also the power of evil, neutralizing its effects. It is the equivalent of taking the sword out of the enemies' hands and breaking it leaving them defenceless. Forgiveness is the liberating defence of the child of God (Hogan 1990:7).

Human situations and relationships are at times more complex and justice cannot adequately address them all. It needs values such as forgiveness to complement it. Forgiveness seeks to avoid perpetuating evil. Power and attitude play a major role in the area of forgiveness. Though one has power, one chooses not to inflict pain or hurt on the offender, no vendetta or revenge is entertained. This demonstrates that forgiveness is a heroic act. One waives one's claim for the sake of the other and for restoring relationships. Forgiveness is a manifestation of love and to forgive is to be generous with one's love, it enables healthy relations in a community.

### **7.7.2. Forgiveness in *ubuntu/botho***

In chapter five we have argued that African people have a great capacity for forgiveness: '[I]f there is one thing the African people are supremely good at it is forgiving their enemies' (Kaunda 1980:179). This value of forgiveness is expressed by saying *umntu akalahlwa* (one cannot completely discard a person for wrong doing) and *umntu akancanywa* (you cannot give up on a person). These sayings are an appeal on an individual not to despair on the grounds that the actions of the perpetrator are corrosive to goodness. They are an exhortation to the victim 'to choose to forgive rather than to demand retribution, to be so magnanimous rather than wreaking vengeance' (Tutu 1999:34). Bitterness, anger, resentment and disrespect should not be allowed to overwhelm the goodness and humanity of the perpetrator. The perpetrator, it should be remembered, also has dignity as a person and therefore deserves treatment that is due to all human persons.

Forgiveness is understood as seeking to restore and establish 'right relationships between human beings and this is impossible if our hearts are vengeful and bitter' (Kaunda

1980:181). Furthermore, there is no need for the perpetrator and the victim to reach agreement, one should be prepared to forgive and should know that forgiveness is a process of restoring relationships. As Kaunda (1980:180) correctly says, 'forgiveness is not an isolated act like the granting of a pardon, it is a constant willingness to live in a new day without looking back and ransacking the memory for occasions of bitterness and resentment'. Restoration of relationships and humanity of the perpetrator is important, but also to

forgive is not just to be altruistic. It is the best form of self-interest. What dehumanises you, inexorably dehumanises me. Forgiveness gives people resilience, enabling them to survive and emerge still human despite all efforts to dehumanise them (Tutu 1999:35).

### **7.7.3. Evaluation**

Relations between Jews and non-Jews were adversely affected, whether due to the fault of the former or the latter. The Jews despised non-Jews while the latter eventually spoke falsely about the Jews and threatened to harm them. The Jews because of their religion, instead of letting in the light of forgiveness, ruled out the possibility that non-Jews could change and enter into healthy relationships with them.

In the post-exilic situation Jews were afraid to talk peace with the people of the land because that would allow them to be reconciled and that would require that they relate to the Gentiles (see 3.3.2.2). Goodwill was rejected on the basis of the solidarity and security of the Jews and the task that had to be accomplished, that is the building of temple and walls of Jerusalem. Refusing to talk made things worse, non-Jews were despised. Pursuing their interests instead of seeking reconciliation brought about instability, tension and insecurity.

While in post-exilic Israel the Jews seem to prefer to put others in a bad light as evil people, Jesus pointed out the good things that could be admired from foreigners. He showed them as people who are grateful and compassionate and he was not afraid to congratulate and admire their faith. As we pointed out, when the Samaritans could not extend hospitality



towards him, he did not begrudge them or take a negative action against them as was requested by his disciples, but rather preferred to forgive them. The Jews on the other hand never forgave the Samaritans for forging relationships with and marrying the Assyrians. For that the Samaritans incurred the wrath of isolation and contempt. Instead of being open to the process of reconciliation, the Jews closed the doors and relationships were affected and dealt a severe blow, but the Jews did not care. Their religion was seen to disagree with such settlements.

In South Africa, one has to admit that some African immigrants have not conducted themselves well here. They have often been involved in acts of crime, such as illegal entries, selling of drugs and stealing (see 2.6.3, 1.3.1). These acts have not gone down well with South Africans and they have provided justification for not welcoming African immigrants since these have made South Africans live in fear. These have made South Africans view immigrants as evil people. Figart (1973:103) warns us, however, that

We have no right to classify all whites as “honkeys” or all blacks as “niggers” just because some in both races manifest such unlovely characteristics. A man must be considered on his own merit, and he stands or falls by his own deeds, not because he happens to be a ‘foreigner’ to you.

This generalisation by some South Africans, of perceiving all African immigrants as evil people, is unacceptable because it begins to brand as bad the well meaning African immigrant as well. Nationality and colour are not the determinants for doing good or evil. Furthermore this does not make reconciliation possible, this allegation actually militates against it.

It is true that forgiveness ‘does not mean condoning what has been done. It means taking what has happened seriously and minimising it. [Forgiveness] exposes the awfulness, the abuse, the pain, the degradation, the truth’ (Tutu 1999: 218 - 219). The criminal acts committed by some African immigrants have resulted in some South Africans ‘pay[ing] back the perpetrator in his own coin’. This is evident in the anger, rejection, punishment and

generalisation among South Africans about African immigrants. Many South Africans, instead of forgiving and challenging these people about their actions prefer to perpetuate the “cycle of evil of tit for tat” by beating, and sometimes torturing and killing them. Some South Africans also prefer to harbour resentments and revenge. Their determination to avenge themselves has seen injustices and hurt being meted out against innocent African immigrants and it has often been out of proportion to their alleged crimes or deeds. What is disturbing are the feelings of anger towards foreigners and the satisfaction and pleasure the perpetrators have for inflicting pain. What these have done is to perpetuate crime, bring about hostility and hatred. The power and attitude of South Africans not to waive their claims but to seek to perpetuate evil is best expressed in the two placards found in the scene in which three men who were accused of taking jobs from South Africans were killed. They read as follows:

Down with foreigners, they are taking our jobs and we will take law into our hands.

This is the general attitude, instead of seeking to restore relationships through the wisdom of *ubuntu* as expressed by the saying, *umntu akalahlwa* and by ‘declaring ... faith in the future of a relationship and in the capacity of the wrongdoer to make a new beginning on a course that will be different from the one that caused us the wrong... [,] saying here is a chance to make a new beginning’ (Tutu 1999:220).

## **7.8. HOSPITALITY**

Today when one talks about hospitality what comes to mind is the entertainment of those who are known, friendly and related to the host. To see a stranger evokes feelings of resistance because of his or her strangeness.

Koyama (1993:165) defines hospitality as *philoxenia* - to love strangers. ‘Stranger (*xenos*) means someone who is “foreign”, “alien”, “appearing strange” and “creating distaste”’. According to Nouwen (1990:49), hospitality

means primarily the creation of a free space where the stranger can enter and become a friend instead of an enemy. Hospitality is not to change people but offer them space where change can take place. It is not to bring men and women over to our side, but to offer freedom not disturbed by dividing lines. It is not to lead our neighbour into a corner where there are no alternatives left, but to open a wide spectrum of options for choice and commitment.

What one discovers about hospitality here is that one is normally hospitable to a stranger, a person whom one does not know. The stranger is a person who has no proven record that he/she can be trusted. There is a sense of wonder in the presence of the unfamiliar and unexpected. The presence of the stranger invites attention, the stranger becomes the centre of attention. Being a stranger is unsettling and calls for trust and openness.

This presence of the other imposes an obligation on the host to be generous and friendly. One has to be hospitable to friends and enemies as well as those one is afraid of. Being a human person who is in need is an entry point to hospitality. Once accepted the status of a stranger changes from that of being unknown and feared to one of a person who becomes a friend. When strangers become friends, one is somehow compelled to 'perceive them as equals, as persons who share our common humanity in its myriad variations' (Ogletree 1985:3). The stranger is somehow incorporated into my particular family. 'My readiness to welcome the other into my world must delight in the stories of the other, as enrichment for my orientation to meaning must be matched by my willingness to allow my own stories to be incorporated into the values and thought modes of the other' (Ogletree 1985:4).

A stranger is a person with human needs. Kammer (1988:97-100) mentions four types of human needs; they are physical, psychological-emotional, rational and spiritual.

For Kammer (1988:96) these must 'be met if we are to maintain, in even a minimal sense, our humanity'. This means that strangers are people who are vulnerable because of their lack of certain needs.

### **7.8.1. Hospitality in the Gospel**

Nouwen (1990:44) is of the opinion that hospitality is 'one of the richest biblical terms that can deepen and broaden our insight in our relationships to our fellow human beings' and

furthermore, hospitality 'belongs to the core of a Christian spirituality' (1990:45). There are a number of scriptural texts that deal with this theme of hospitality. In the biblical language a stranger is understood to represent the Lord in disguise (Gen. 18:1-8). In chapter three we saw that for the Jews, hospitality was obedience to God, it was a sacred duty, it was a sign of being righteous. The Jews were hospitable because of what God had done for them. They had to love strangers because God defends those who cannot defend themselves. God in the Bible reminded them to welcome and treat the stranger well because they too were once also strangers (Ex 22:21-24; Dt 10:17-19). In spite of the many good reasons given for the Jews to be hospitable to strangers who were not Jews, unfortunately strangers were not always welcomed. Instead, non-Jews were despised and isolated.

In the New Testament hospitality is rooted in Jesus' teachings. The final judgement will be based on how one has treated the stranger or has shown hospitality. Showing hospitality to or caring for a stranger is to care and welcome Jesus in one's midst, 'I was a stranger and you made me welcome' (Mt 25:35). 'Anyone who welcomes you welcomes me' (Mt 10:40), the story of the two disciples on the way to Emmaus also emphasises this point. They invited a stranger who joined them to spend a night and Jesus was that stranger. They recognised him in the breaking of bread (Lk 24:13-35). Hospitality became a distinctive mark of Christians (Rom 15:17, Heb 13:2).

What one discovers is that Christians in their hospitality have to show profound respect for, to be generous, to be open and reach out to those who are strangers. For Christians it is a duty and call that is demanded and made by God. Visitors represent more than themselves, they represent Jesus Christ. Disrespect, being mean to and distrusting the visitor can be a stumbling block towards meeting Jesus.

### **7.8.2. Hospitality in *ubuntu/botho***

Hospitality to strangers is among the core values of African ontologies; this was pointed out when we dealt with the concept of *ubuntu*. Care for the stranger is fundamental to African society, it is best captured by the saying, as we have shown, *isisu somhambi asingakanani*

*singaphambili ngemva ngumhlonzo* (the stomach of the traveller is not big, it is only in front, it is limited by the spine) and *unyawo alunampulo* (the foot has no nose).

Though a person may be unfamiliar, one is normally invited to experience the generosity and friendliness of African people. 'When you call at an African home, you are immediately made to feel welcome. There is instant hospitality. You are invited into the house and given food, drink or water as a token of the spirit of hospitality' (Mbigi 1997:5). The identity of the person could not be a stumbling block but instead it called for respect, attention, help and generosity. One who is initially viewed with suspicion is transformed into a friend. Selfish interests are sacrificed for the sake of the needs and good of the stranger which are understood as not putting too much strain on the individual. The saying *isisu somhambi asingakanani* ... illustrates this. Natural disasters and another's misfortunes are not understood to be stumbling blocks to hospitality.

Strangers are understood as people who have needs, be they food, shelter, security, rest and company. It is the responsibility of the host to meet these needs as far as it is humanly possible. The host has to see to the well-being of the stranger by welcoming him or her generously, to the manifestation of care for those who are in need, and providing security and protection to those who are vulnerable. Ill-treatment of a stranger brought shame on the individual and the community and it was frowned upon. A sense of fear and unease descended upon the whole community. A stranger never became a scapegoat for economic decline and crime. Though hospitality is one of the African values, it is also one of the Judeo-Christian virtues.

### **7.8.3. Evaluation**

The Jews became afraid of accepting hospitality from non-Jews lest they be assimilated or defiled (see 3.2.4). They could not share a meal with people of lower class. If they did, it would have meant that they accepted them and therefore defiled themselves. For this reason, they were poorer not only for their lack of hospitality but also for refusing it from others because of pride and unwarranted excuses or scruples.

Hospitality does suffer in South Africa for three reasons, firstly because of crime. One begins to think about ones' personal security before reaching out to anyone and, indeed, personal security has to be entertained. But a 'sense of obligation to render charity to one who could also be a messenger of God' should enable one to overcome that. 'Not every traveller who appears to be in need will be a bearer of good will, much less a bearer of divine presence' (Morgan 1998: 536). In South Africa crime has been one of the allegations cited to justify lack of hospitality to African immigrants. Some South Africans feel that African immigrants have infringed on the honour of being helped because of the crimes some of them have committed and this has transformed them into enemies who, therefore cannot be trusted. Because they entered what appears to be a harmonious society and are unwelcome, certain generalities and other propaganda techniques have been employed against them and they have been made scapegoats for the ills of this society.

Secondly, intertwined with crime is the identity of a stranger. The hosts, South Africans, are apprehensive about the character of the stranger, that is the African immigrant; and this sometimes contributes to the host declining the offer of hospitality. There is fear of persons because they are unknown, have different customs, different languages and different histories. Instead of inviting attention, the appearance of the African immigrant is often unsettling to some South Africans. To see an African immigrant who represents what is unfamiliar has often evoked feelings of resistance. When talking about the paradox of hospitality, Henry Nouwen (1990:49) has this to say,

it wants to create emptiness, not a fearful emptiness, but a friendly emptiness where strangers can enter and discover themselves as created free; free to sing their own songs, speak their own languages, dance their own dances, free also to leave and follow their own vocations.

In South Africa racial prejudice and ethnocentrism have deepened among some people.

Thirdly, many South Africans are pre-occupied with self-interest. They are more concerned about their own needs. They strongly feel that as long as their needs are not met South

Africa cannot afford to be hospitable to African immigrants. The Minister of Home Affairs had this to say in this regard,

[Our] policy and legislation seeks to serve our people in their needs by delivering to them the relevant services at a faster rate and in a manner more conducive to providing them with what they want....[W]e regard ...our nationals...as our most immediate customers whom we must serve to the best of our capacity' (Buthelezi 2000:7-8).

The then Director-General of the same department added to this by saying

The instinct of South Africans on primary access to the resources and opportunities of their country as well as the maintenance of standards and lifestyles cannot simply be stigmatised as xenophobic (Matselha 2000:4).

South African national hospitality has been selective, however. It has open doors to those who

can contribute substantially towards the needs of the country in the form of personal skills or investments leading to industrial expansion and job creation for the local population. This ladies and gentlemen strikes at the heart of our immigration policy. This thinking is also in line with the thinking of other leading countries in the world (Buthelezi 1997:1).

There is a closed policy towards those who are unskilled, illegal and not contributing to the growth of the economy of this country. The number of refugees and illegal immigrants has brought about fear instead of making South Africans hospitable. There has been an exaggeration of their number and that of other asylum seekers. All these inaccuracies have led to refusing them hospitality. Finding friendly reception, food and accommodation for immigrants is a difficulty and a struggle. All attempts to prove that the opposite is true have fallen on deaf ears. There is tension regarding South African hospitality between the need to maintain and serve South African interests and upholding, on the other hand, the international obligation this country has towards legal immigrants and refugees.

Pressure from the people has compelled the government to close its doors in exercising its hospitality. There are visible signs that South Africans are not prepared to extend their hospitality to African aliens, signs such as the electrification of wire fences. To be integrated into the South African community is almost an impossible task. African immigrants have to go to Home Affairs offices where one has to deal with officials who have xenophobic attitudes and they have to stand in long queues without being served. Instead of encouraging South Africans to be hospitable, some government departments fuel them to be xenophobic by encouraging them to report on those who are illegal. They even pay them for reporting and hunting immigrants.

In *ubuntu* we discovered that protection of strangers is built into hospitality. A person who is a stranger expects to be protected by the host. In South Africa, instead of being assured and offered protection, strangers have often been abused, exploited and ill-treated by the very people who are expected to offer them protection. The police, instead of protecting them, have taken sides with the people who are exploiting and abusing them.

## **7.9. COMMUNITY**

One cannot fully practise love and other related values in isolation. These values find meaning when practised in community. Values that we have are promoted and enforced by the community. It is in community that one finds the opportunity and support to work together with others. We discovered that a person is essentially communitarian, that in community one finds others through family, solidarity, hospitality, growth, participation and also safety and security.

To be in community is one of the human needs which are referred to by (Kammer 1988: 98) as a psychologico-emotional need. Kammer (1988:98) says,

Persons have a lifelong need for care from others and for human acceptance... we need others' acceptance so badly. The most severe form of punishment we can imagine, is solitary confinement. The lack of human community and acceptance is felt as a deprivation more painful than the denial of certain physical needs.



A person is a social animal, s/he needs others, s/he needs their company and to depend on them.

### **7.9.1. Community in the Gospel**

When Christ commanded that his Gospel be proclaimed to all nations, he did not advocate that the nations should be absorbed or accommodated by the Jews but that they should come in as equal partners (see 5.4.2.5). Though different, Jesus made Jews and Gentiles one people (Ep 2:13). He broke down the wall that separated and kept them as enemies (Ep 2:14), thus creating one people, the people of God who are one in Christ (Gal 3:28). All people, irrespective of their social status, gender and race, are welcome and accommodated in Christ's community.

One of the biblical images of community is that of the body (1Cor 12:12). The community is an inclusive body. Even though the body is one, there are different parts, which are necessary, acknowledged and maintained. In community, the differences are welcomed. No one seeks to change the other. Respect for diversity is seen as enriching (I Cor 12:14). There is no absolute independence of members but equality, co-operation, participation, interdependence and complementarity among them. In community, individuals are recognised and respected, without individuals there is no community while the individuals should also bear in mind that without community there are no individuals. This understanding, therefore calls for respect for individuality, which is diversity, a desire not to change others, while at the same time respecting and promoting unity, and communion, which is community. These require that there should be no domination.

This biblical image of community further shows that the differences that exist can be resolved not through isolation or cutting off members or disregarding those that create conflict, but through constant contact, dialogue, acceptance and sharing of pain with each other. This is possible through *agape*. Comblin (1990:12) explains *agape* in relation to the community as follows

*Agape* is the soul for community... What constitutes a community is not its organization, or its rules, or its submission to single authority, or particular goals pursued by common accord. A community exists in virtue of its *agape*, in virtue of the reciprocal commitments held sacred by each of its members. *Agape* creates *koinonia*, a common life, sharing of all in the same good.

In community there is freedom. It is in community that an individual fully realises himself/herself but remains in need of others (I Cor 12:18). This freedom does not lead to an exaggerated form of individualism, persons doing as they like or undermining others. But an individual participates in community for the sake of personal growth, realisation of one's potential and contribution towards the growth of the community. This should not, however lead to another feature which is to be avoided, that of totalitarianism, where an individual is expected to render his/her service without freedom. The kind of participation which is promoted, is one which brings about interaction and growth.

The weaker members are given protection and attention (I Cor 12:22-26). The assistance of weaker or smaller members of society is called by Peschke (1985:225) a principle of subsidiarity.

Archbishop's Tutu's (1999:213-214) description of community sums up everything we have said so far, when he says,

Jesus says 'And when I am lifted up from the earth I shall draw everyone to myself,' as he hangs from His cross with out-flung arms, thrown out to clasp all, everyone and everything, in a cosmic embrace, so that all, everyone, everything, belongs. None is an outsider, all are insiders, all belong. There are no aliens, all belong in the one family, God's family, the human family. There is no longer Jew or Greek, male or female, slave or free – instead of separation and division, all distinctions make for a rich diversity to be celebrated for the sake of the unity that underlies them. We are different so that we can know our need for one another, for no one is ultimately self-sufficient. A completely self-sufficient person would be sub-human.

### **7.9.2. Community in *ubuntu/botho***

We have dealt with the concept of community as an African value in chapter six. In this section we pull together, though not in detail but in a summary form, some characteristics of this value.

The community is the context for *umntu* and *ubuntu* (Mnyandu 1997:81). To belong to a community is essential for the individual and to distance oneself from the other is not considered to be good for either the individual or the community. The community is there for the good and welfare of the individual, to provide company, to nurture and to mould.

No one in the community lives for himself/herself. The individual is there for the good of the community, to assist its members and be in solidarity with them, especially those who are in need. Each person is responsible for another person. Caring for the common good is the goal of the community, which is primarily the welfare and dignity of the human person and not to care brings a sense of uneasiness, instability and discord among members of the community. Participation in community activities helps the individual to realise and develop his/her potential.

People who are different are invited and are made to feel that they are part of the community. This is so because *ubuntu* 'inspires us to expose ourselves to others, so as to be enriched by their infinite variety. To be a person through other persons means to acknowledge and appreciate the difference in their humanness' (Makgoba 1999:167).

### **7.9.3. Evaluation**

The Jewish leaders were united and influential in emphasising the differences that existed between non-Jews and Jews and because of those differences non-Jews could not be part of their community. These differences were acknowledged and accepted not so much to promote equality and for the Jewish people to be enriched, but to encourage and express

rejection. Rejection was expressed by stigmatising and forbidding marriages to the Gentiles and Samaritans. The Jews understood themselves to be different; they had God, their laws, the temple, the land and these made them different. What the Jews had was an indication that they could never be one and equal partners with others but instead saw them as a threat and cause of their misfortunes. Because the Jews did not have the power to deal with the Gentiles they tolerated them rather than allowing them to be part of the Jewish community.

African immigrants in South Africa feel the need to belong to a community (2.6.1. & 2.6.2). For this reason they have formed their own organisations and have their own churches. Their learning of local languages and acceptance of local names that are given to them is a demonstration that they need to belong to the South African community. It has not been easy for them to be part of this community and find acceptance, however. South Africans perceive them as different. Their dark colour and foreign languages, instead of making them easily recognisable so as to be integrated and easily absorbed into South African society, make it possible for them to be easily targeted and to become vulnerable. The whole question of language and colour sets them apart from fellow human beings. It makes it difficult for them to communicate and further makes them visible and more vulnerable. When African immigrants are rejected, they are made to feel incomplete and as outsiders. It has been pointed out earlier on (6.3.2) that one finds fulfilment and becomes conscious of his/her being when in community with others. African immigrants' sense of identity and security has been stripped by actions which were an expression of rejection.

There are weaker members within the South African community whose position calls for the application of the principle of subsidiarity, that is, assistance given to the weaker by the stronger. In both Christian and *ubuntu* principles weaker members are given special attention. *Diakonia*, which is a service especially to these people, constitutes an important element in the life of *koinonia*, which is community. Through *diakonia* one becomes a person, *umntu*, or has *ubuntu*. Who are the weaker members of society in South Africa? Asylum-seekers, refugees and economic refugees are the people in need. They need not only to be incorporated but to be given special treatment as well. By granting and respecting the rights of immigrants, especially refugees,

we relay a broader message to the rest of the world – that we will not tolerate the abuse of rights in Africa. It is this kind of civil pressure that Africa needs to help rebuild its pride and strength as a continent. It is our ordinary, daily attitudes at grassroots levels that are often the most potent form of struggle we can wage against those who abuse power and human rights, which leads to the suffering of millions of our brothers and sisters on the continent (*Track Two*, Volume 9, no 3, November 2000, p16).

In South Africa this principle of subsidiarity has not been applied with effectiveness. South Africans in general often do not distinguish between those are really in need and those who are not. Many reject anyone who is an African immigrant irrespective of status. Legislation has been promulgated to assist them, but the treatment they receive from xenophobic officials makes it rather difficult for it to be executed with kindness and fairness.

Because African immigrants are considered as outsiders and are not made part of the community, they are viewed with suspicion and are considered to be a threat and danger to society. These may be some of the reasons that they are targeted and their property destroyed (1.4.2. & 1.4.8). One commends the action once taken by the people of Kwazakhele in 2001 who protected African businessmen who were being robbed and ordered to leave the township within five days simply because they were immigrants. One can say they were protecting the weaker members of the community, weaker because they were few in numbers and they were also outsiders. A group of people, according to *Isizwe: The Nation's Newspaper* (Friday, March 30 to Thursday, April 12 2001), protected the businesses of these people and accused 'local businessmen of jealousy and unfairness, saying that the so-called non- South Africans and foreigners were creating job opportunities for people in the townships'. Though this may appear as if these people were protecting their own selfish interests, that is safeguarding their jobs, on the one hand, on the other hand they were, however, protecting those who were weak and treated as outsiders. They were indirectly saying, 'these are members of society, who have a right to participate and contribute to the growth and development of others'. The anger they expressed showed that South Africans are also caring people.

Anger is expressed or manifested on those occasions when someone has acted in a manner that is thought to be unjust, and one of its origins is the opinion that men are responsible, and should be held responsible, for what they do... Anger is somehow connected with justice....Anger is an expression of that caring, society needs men who care for one another, who share their pleasures and their pains, and do so for the sake of others...A moral community is not possible without anger and the moral indignation that accompanies it (Walter Berns quoted in Jewett 1982:99)

In some cases South Africans can begin to argue and say that their values and morality have been negatively affected by the conduct and actions of African immigrants; because they commit acts of crime, such as, smuggling arms, drugs, and housebreaking. These acts are there to satisfy African immigrants' selfish interests, which bring about instability in society. They threaten public peace and commonly held community values. These unacceptable actions, it may be said, have caused South Africans to live in fear. It is true that society cannot fold its arms when its values and morality are at stake, it has to act. If the community were not to act, the welfare of others would be undermined and that would allow individuals to satisfy their self-interests and do things which are harmful to society.

When the welfare of society is adversely affected, however, the community should act through the law and public powers. Public powers

have the responsibility to see that justice is done and the common good protected, since they have the care of the community. Though public powers have responsibility to the common good, they are not the sole judges of what is for the common good or not. People can also make the judgement "either through a constitutional consent (*consensus iuris*) or through channels of public opinion" (Mnyaka 1998:51).

Such actions as refusing to care for those who are sick and pregnant, among others, militated against the spirit of *ubuntu* that understands the community to be there for the welfare and dignity of the individual, whoever he or she is. In community there is freedom to freely participate so as to realise one's potential and contribute towards the growth of the community. When African immigrants are not allowed, for instance, to freely fall in love with

South African women and prevented from selling their goods, that is to allow totalitarianism to prevail.

## 7.10. CONCLUSION

Xenophobia as practised by some South Africans against African immigrants demonstrates that in matters of socio-economic concern people are not prepared to be guided by Christian and *ubuntu* principles. These are sacrificed for sake of self interest. On the other hand, for the Jews their religion made them blind to the needs of others; it alienated them from those who were not like them.

African immigrants in South Africa have also generally not been treated as *abantu* (people) but as *izinto* (things and objects). Many South Africans have committed actions that seem outrageous, upsetting and harmful to the dignity of these persons. Since these actions are directed to persons, they warrant moral condemnation. One can begin to ask why African immigrants have not been given human respect, love, compassion, forgiveness, hospitality and community, but rather treated with contempt.

Firstly this chapter has argued that South Africans seem to regard them as less valuable as persons. They are seemingly considered as non-persons because they are different. For this reason they are discriminated against, rejected and despised. Secondly, African immigrants seem to pose threats to South Africans - socio-economic and political reasons have been used to justify the attitudes and actions of South Africans towards them. Allegations made against them have made it difficult for African immigrants to benefit from South African goodwill. South Africans have tended to be prejudiced against them. Claims about the evil character of African immigrants and lack of critical judgement on this (but rather focusing on the needs of South Africans) has led to insensitivity to their human needs and to their dignity being sacrificed. Because of their failure to respond to the needs of immigrants during their hour of need, one can say that South Africans *asingabantu* or *abanabantu*, but are a group of selfish people who are only concerned about and absorbed with their self-interest,

having no consideration for the welfare of others and no intention to be inclusive as a community.

Actions taken by some South Africans show that many South Africans are intolerant. Their intolerance is often unjustified; it is intolerance that one can easily equate with fanaticism. Fanaticism is '[b]ehaviour which is excessive and inappropriately enthusiastic and/or inappropriately concerned with something' (Taylor 1991:xi).

South African authorities have indirectly contributed to this by not discouraging South Africans firmly enough. From the behaviour of South Africans it is clear that South Africa is fast degenerating into a country that is concerned with its own interests and in that way on the road to individualism.

## **CHAPTER EIGHT**

### **CONCLUSIONS AND RECOMMENDATIONS**



## 8.1. GENERAL CONCLUSIONS

This study was inspired by the incidents of violence towards African immigrants that were reported by the South African media in the last few years. Chapters one and two sought to establish the extent of xenophobia in South Africa and to show how it negatively affected African immigrants and migrants. The post apartheid era, it was argued, has turned South Africa into an attractive place for both immigrants and migrants for a number of reasons, be they cultural, economic or socio-political. Different standards have been generally applied, however, whether consciously or unintentionally, in welcoming guests into the country.

While most European immigrants are freely welcomed, African immigrants have invariably been treated differently. They have generally been treated as unwelcome guests. As such, they have also been blamed for the difficulties that are experienced by the country in the political, social, economic and cultural arenas. They have been considered a threat to South African society because of their numbers, which keep on increasing. Their presence seems to represent what is unfamiliar and seemingly dangerous. Further, they have been seen as dependent, bearers of poverty and disease, perpetrators of unemployment and plunderers of resources. Because of these allegations, some South Africans have proceeded to make life difficult for them. This process has in many cases been fuelled or encouraged through anti-alien expressions and often inhuman actions against African immigrants.

It was further argued that the government's response to this form of xenophobia has been generally ambivalent. This was established from some of the speeches made by some government representatives. Some of these speeches tended to be inflammatory, while others were mildly reconciliatory. Inflammatory speeches, we have contended, seemed to support the stereotypes held by some people of South Africa, thus exacerbating the problem. In this hostile situation the African immigrants had no choice but to fight back or adapt. One thing which is clear about xenophobia in South Africa is that African immigrants are seemingly hated and not welcomed by many in the country. This type of xenophobia is, therefore, discriminatory and racial or ethnocentric. As in any discriminatory situation,

however, it is important to stress that not all South Africans support this treatment of African immigrants.

Chapter three examined the situation of Jews in post-exilic Israel. It was discovered here that xenophobia is not a new phenomenon which is peculiar to South Africa. What one discovers from the experience of Jews in the post-exilic period is that when a country blames aliens for its ills, this is an old tired song. The Jews at that time, just like the South Africans today, had the task of reconstructing their temple and their state. For the ills they encountered economically, socially and religiously while engaged in reconstruction they put the blame on the shoulders of the non-Jews and these were regarded as their enemies.

It was further seen that Jewish xenophobia had its roots in the history of Jews as a nation and in their religion. The influence they received from their religious obligations and notions of their 'election' dictated to them whom they could relate to. They regarded themselves as a people, while on the other hand they stigmatised non-Jews as non-people and isolated them. Co-existence was frowned upon and discouraged since it was understood to be defiling the Jewish nation. The need to fulfil the religious demands of preserving the purity of religion and the distinctiveness of the nation was translated into, and served as motivation for, the social isolation of other nations. Religious obligations were understood to be the basis for reinforcing xenophobic attitudes and actions.

Having analysed both South African and Jewish xenophobia, we proceeded to compare them in chapter four. The comparison highlighted the similarities which exist between the two situations, though they represent different contexts and were motivated by different reasons. Certain factors which were found to be common between them were perceived to be responsible for promoting prejudice, factors such as the identity, notions of superiority, negative perception of others and use of power. The Jews distinguished themselves by placing extreme emphasis on their "God-given" status, and so relating negatively to non-Jews, while South Africans were mostly motivated by socio-economic issues. These different reasons, among others, determined the kinds of actions that were taken in acting out the prejudice. The Jews were rigid or inflexible in dealing with non-Jews, and they

preferred to distance themselves from those considered to be Gentiles, while South Africans were generally more confrontational and often brutal in their dealings with African immigrants. Xenophobia in both situations, it was concluded, had an element of racialism.

Chapter five, on Jesus and how He related to foreigners, helped us to understand how Jesus, a Jew, was able to demonstrate to the Jews that xenophobia could be transcended. Though he initially had to deal with the tension that pulled him towards the Judaistic tendency, He was able in a meaningful way to transcend it and embrace others in his teaching and healing ministry, an approach that was universal. We saw that during Jesus' time the Jewish leaders and nation as a whole were united in their hatred or dislike of the foreigner. Socio-economic, political and religious reasons were advanced for the hatred of non-Jews. On the other hand Jesus, motivated by values of respect for persons, compassion and love, spoke positively in his teaching about Gentiles. He showed that they were people who, just like the Jews, had dignity, were capable of doing good, of being compassionate and grateful, and of having faith in God. In his healing ministry, moved with compassion, Jesus reached out and healed those who were non-Jews as well. His teaching and healing ministry demonstrated his love for all people irrespective of who they were. Because of the good qualities that He possessed and demonstrated in dealing with non-Jews, Africans would say that Jesus had *ubuntu* and, therefore, *wayengumntu* (He was a true human being).

Just as Jesus' teaching and actions posed a challenge to his Jewish people, the philosophy of *ubuntu* is a way of life that poses a great challenge to South African people today. Chapter six focused on the concept of *ubuntu/botho* and its socio-moral significance. The analysis of this concept showed that *ubuntu/botho*, as a good spiritual foundation, motivates and orientates people towards doing good. Emphasis is put on the person (who is the centre of everything) as of intrinsic value; a being who needs to be respected, cared for and to belong. There is a constant challenge on all to display qualities which contribute to the well-being of other people, especially those who are in need. It is by one's positive attitudes and good actions that one enhances one's image as either a good or a bad person. The community plays a major role in nurturing and moulding a person who is its integral part. It

is with this understanding of the importance and value of a person, of the need to belong as people and to create a humane society, that strangers are to be respected and cared for. Moreover they are understood to be vulnerable members of society who are in need of special treatment and protection. In this way *ubuntu* seeks to promote the well-being of others and a caring and more humane society.

One would have expected that the values of both the Gospel and *ubuntu*, such as respect for persons, human rights, reciprocity, love, forgiveness, compassion, hospitality and community, would be reflected in the way South Africans in general and Jews treated foreigners. The majority of South Africans is steeped in or profess both Christianity and *ubuntu*, while most of the values found in Christianity and *ubuntu* are also espoused in the Jewish religion. We discovered that Christian and *ubuntu* values and principles are humanitarian and contribute to a more caring society. In evaluating xenophobia in post-apartheid South Africa and post-exilic Israel in the light of these values, however, it was argued in chapter seven that many South Africans, and the Jews before them, violated many of them and, therefore, could be said to have (had) no *ubuntu*. Solidarity with the suffering was not sufficiently demonstrated by people whose religion and way of life call for solidarity. The words of Kifle (1991:265) are, therefore, relevant mostly to South Africa when he says,

The degree of solidarity of a society can be measured by its attitude towards the vulnerable and marginalized. Any group of nations which claims to defend democratic principles but falls short when it comes to meeting the requirements of solidarity towards other people and nations is just not credible.

It was concluded generally that African immigrants in South Africa, have not been beneficiaries of the values and principles of the gospel and *ubuntu*. These were sacrificed largely for socio-economic reasons. The Jews in post-exilic Israel were xenophobic and sacrificed the very principles largely because of narrowly interpreted religious reasons. South Africans, on the other hand, have not allowed these values to challenge them to be more human but instead have sacrificed them and allowed the dictates of socio-economic expedience to guide them.

## 8.2. RECOMMENDATIONS

In view of the preceding conclusions we now look at possible solutions for uprooting the problem of xenophobia specifically from all sections of South African society. As we do so, the post-exilic period, which has been compared with the South African situation throughout this work, is excluded from the recommendations that are made below since it belongs to the past and cannot be redeemed. Nothing, therefore, can be said or done to rectify that situation. The South African situation will therefore be the only focus for this section.

The immigration flow to South Africa by African immigrants is not likely to stop because of the negative perceptions and even the hostile and unfriendly situation they often encounter. Migration is not a new phenomenon. 'Human history is the history of movement ... Almost all existing nationalities have roots in migratory mass movement' (Dowty 1987:20). Before April 1994 South Africa never had it on such a large scale, especially that of African immigrants and migrants. In chapter one we mentioned some of the causes, especially the push factors leading African immigrants to trek down to South Africa. Even if these factors could be reduced, people are not likely to stop because 'modern technologies of communication make it possible for more people than ever before to imagine living in other societies, even distant societies. Modern technologies of transportation make movement much easier, indeed it is technically possible to get anywhere in the world in a matter of a day if not hours' (Schwartz 1995:1).

Xenophobia, as we have seen, is inhumane, corrupt, selfish, discriminatory and violent. It leads to instability, fear and often loss of life. Eradicating it is a monumental task. Various institutions, such as the Church, the government, society at large, the media and African immigrants' organisations should respond to this challenge in a positive way. Efforts to eradicate it, no matter how small or insignificant they may seem, will certainly contribute towards addressing its increasing phenomenon. Its eradication will also, hopefully, help in sensitising South Africa and its peoples and making her into a caring nation. 'The greatness of a nation consists not so much in the number or the extent of its territory as in the extent

and justice of its compassion' (Brochure of 10 Port Elizabeth Anniversary of Mayor's citizen of the year award). We proceed to look at the possible contributions that can be made by some of these stakeholders.

### **8.2.1. The Church**

There seems to be no evidence that religion has been used to justify xenophobia as it is currently found in South Africa. Even though there are African immigrants and migrants who have formed their own churches, these churches have been founded because of the need by the immigrants to be together rather than because they are discriminated against on the basis of faith. For this reason, the church has a role to play in combating xenophobia and promoting a better way of understanding and relating to African immigrants.

The Second Vatican Council describes the Church as a Sacrament. In the documents of Vatican II, the Church is mentioned four times as a Sacrament, thrice in *Lumen Gentium* (Ch 1:1, II:9,3, VII:48,2) and once in *Sacrosanctum Concilium* (Ch1:5). As a Sacrament the Church is seen as the 'sign and instrument' (*Lumen Gentium* Ch 1:1) of the salvation of humankind as whole. As a sign it is a community of salvation, a community of those who believe in Christ, 'a people brought into unity from unity of the Father, the Son and Holy Spirit' (*Lumen Gentium* Ch 1:4,2). It is a community of people of God who are carriers and bearers of Christ, 'the man who has become the foundation for peace and community. In him there is total self-communication of God and the total human response to it' (Schmaus 1975:8).

As an instrument, the Church has the mission of bringing unity to all people in God. She has to transmit the salvation of Christ, to 'make present the salvation he has already achieved in the past through his death and resurrection' (Schmaus 1975:9). This implies that she has the responsibility of promoting and defending the values and principles of Christ, such as the dignity of persons and their basic human rights, compassion, love, community and forgiveness. The Church can display her character a sign and instrument by ministering to both South Africans and African immigrants and migrants.

#### 8.2.1.1. Ministering to Church members

Some of the South African hawkers, unemployed people, the police, people working in the Home Affairs offices and government officials are Church members. It is these people who are often fearful, unfriendly and who ill-treat African immigrants. One can, therefore, say that some of the Church members are involved in ill-treating the African immigrants. Fear and self-interest, as we have seen, have been causes of untold misery and have also been barriers to Christian and *ubuntu* values in some people.

The Church has to intensify its role of advocacy education and thus create awareness, reconciliation and promotion of a positive image of aliens. It must monitor government policies and actions which are not friendly to African immigrants. This is where the church has to carry out its prophetic mission, denouncing those that work against the promotion of human dignity as advocated by *ubuntu* and Christian values. Pope John Paul II encourages Church members to be alert and concerned with the plight of immigrants when he says, ‘The loss of such “little ones” for reasons of even latent discrimination should be a cause of grave concern to pastors and faithful alike’ (*Southern Cross*, December 18 - 24, 2002).

In some instances we have seen that there have been conflicts between South Africans and African immigrants, and some of these conflicts have led to loss of lives and continued tension. In areas where there has been conflict and instability, the Church has to play its role of reconciling warring factions and be a mediator for justice.

The Church has to assist its members by educating them to have an open heart and a positive image of immigrants. This does not mean the Church has to defend any wrong actions that are done by African immigrants, but rather to highlight their plight. In other words it has to call to conversion its members when dealing even with those perceived to be sinners.

The Church can promote advocacy, awareness and a positive image of African immigrants by creating social programmes through the use of Catechetics, Justice and Peace groups, Bible discussion and prayer groups, seminars and series of sermons on strangers. The reality of the African situation can be highlighted and the challenges that it poses for the church, together with the need for hospitality and forgiveness on the part of the members. These attempts can begin to highlight and expose people to some of the problems of xenophobia.

#### 8.2.1.2. Ministering to African immigrants

The presence of African immigrants in South Africa tells us that they are people with needs, be they physical, psycho-emotional, rational and spiritual. The Church has a biblical imperative to reach out in a holistic manner to these people in need. It has 'to provide pastoral, humanitarian, educational, spiritual and moral care' (*Southern Cross* May 15 – 21, 2002) to immigrants. The Church also needs to use the resources it has to help aliens in various situations of difficulty in which they find themselves.

Through its ministry the Church has to demonstrate solidarity with immigrants and migrants. These people come to South Africa for various reasons, but there are those who come here primarily because of adverse situations back home, such as war or natural disasters. Coming here they expect acceptance, respect, solidarity and compassion. Instead they often experience rejection, hatred and ill-treatment from South Africans. By demonstrating solidarity towards them, the Church would be able to provide their need for acceptance, compassion and respect as human beings.

Pope John Paul II has said the presence and contribution of immigrants and refugees contribute in making the Catholic parishes around the world more Catholic (*Southern Cross*, December 18 - 24, 2002). The Church has to reach out to them spiritually by appointing chaplains to them just as it does to Italian, Portuguese and other immigrants who are here in South Africa. If one goes through some of the Catholic Directories after 1994, one will notice that there is hardly a chaplain for African immigrants. The acceptance of a



refugee as a candidate for the priesthood by the Archdiocese of Durban is a good sign that the church is recognising their needs, reaching out and accepting refugees into its fold (*Botshabelo*, Jan.-March 1999, Vol 2 no 1). Hopefully this candidate will be ordained and begin to minister to some of the displaced people in South Africa.

Refugee Sunday is another ideal way to highlight the problem of refugees and a time to present and promote a positive image about them. It can be the opportunity to introduce, meet and welcome refugees and migrants, to allow African immigrants to speak for themselves in the presence of the whole community about their experience, their difficulties back home, their encounters on coming here and their treatment in South Africa. It is an ideal time to pray with them and for them. These little acts will not only be fulfilling a biblical plea but will be creating a church that is welcoming, attentive and caring. It will be a church of people who are conscious of strangers in their midst.

The material and physical needs of aliens can be met by the Church through a co-ordinated effort and working together with other organisations that are making an effort to reach out to African refugees and immigrants. This will be more preferable than disjointed or go-it- alone programmes by Churches. The Church needs to know about and work with such organisations, where immigrants can go and seek help. It has to lead by example by allowing aliens to be part of its communities. A crèche that has been started by the Baptist Church in Durban, which caters for local and refugees' children (*Botshabelo*, Jan-March 1999, vol 2, no 1) is a demonstration of this kind of effort.

The Church can also avoid a paternalistic approach towards African immigrants by creating space and allowing them to make a contribution with their knowledge, skills and proposals. Although some of these people come from countries that seem to have nothing, many are gifted and educated and they can be productive in many ways. This kind of approach by the Church would help African immigrants to settle down, get involved and be part of the solutions to their misery.

### 8.2.2. The community

The effects of xenophobia are more greatly felt in the communities where the African immigrants live. They are felt by the ordinary people of South Africa. Community members are often gripped by fear and threatened by the presence of the immigrants. Actions by some of these community members, as already shown, have been mostly unacceptable and have led to instability in society. A need to work with hawkers, unions and organisations of the unemployed to combat this irrational fear cannot be overemphasised. Facts show that prejudice against foreigners is based largely on misinformation, often triggered by fear and self-interest. To ignore and not target ordinary South Africans and these groups when addressing solutions to the problem of xenophobia would be short-sighted, since they are the ones that are threatened most. It is their domain that is seen as threatened most by these African immigrants. They feel that immigrants are taking their jobs, women and houses, plundering their resources and competing with them in the selling of goods. It is they who often react negatively and violently to African immigrants.

There is need to set up for community organisations both formal and informal education projects, educating them on the various issues about the plight and status of aliens, their suffering and the rights they have both in international and South African law. Trade unions, youth, political and civic organisations are to be targeted so as to avail their members for this kind of education. If South Africans are hoping to promote good human relations and to assist immigrants, the value of *ubuntu* must be the starting point. It should be the foundation from which we intend to base our development and the promotion of respect for the human rights of all. This would sensitise South Africans to the conditions of African immigrants and help them do away with the negative perception which they have about them. This would also help to decriminalise African immigrants. Such education would further help South Africans to avoid echoing words once used by many white South Africans when atrocities were committed by the apartheid regime. They said “we did not know” (Tutu 1999:171). Education will inform those who may not know of the evil of xenophobia.

As we have noted earlier, immigrants do have their own organisations. A good working relationship among these organisations and community-based organisations needs to be promoted in order to assist in solving some of these problems. This will require the cooperation of leaders from both the community and immigrants organisations.

Finally there is a need to discourage the employment and exploitation of aliens. Internal control of employers needs to be intensified by the government to ensure that they do not employ illegal workers and exploit them. Illegal immigrants cannot be unionised and integrated into South African society in order to decrease exploitation. A person who is illegal or a refugee who is desperate would conceal his/her identity. That is why they are easily exploited. Strong measures should continue to be taken by the government against offending employers to discourage them from this kind of exploitation.

### **8.2.3. The government**

The position of the government in dealing with and viewing African immigrants is an ambivalent one because of political, economic and social reasons. Since 1994 questions of citizenship, concerns such as jobs, housing and good quality life became important issues for the government and the people of South Africa. The absence of African immigrants, it has been hoped by some government officials, would give South Africa a new image and improve the quality of life of its people, a life free of crime, improved health conditions and abundance of houses and employment opportunities. Government officials are the ones who deal directly with immigrants through the Departments of Home Affairs, South African Police Services and the South African National Defence Force (SANDF). As we have already indicated, it is some of the people who work in these departments who have weakened the government both at the border posts and internally through their corrupt practices of receiving bribes from immigrants.

The Human Rights Commission (HRC)(1999: xviii) describes the police as those government representatives who have 'the country's primary immigration enforcement capacity'. From the HRC report 83% of the people who apprehend aliens are the police.

The police, however, are put under enormous pressure and they are overstretched. They are 'under pressure to assure communities and politicians that we are in control of the fight [of stopping illegal immigrants] ... [but there is] a lack of clear policing management strategy, some police stations lack resources' (Reitzes 1997:43). In trying to curb the influx of immigrants the police have, however, often been major perpetrators of human rights violations by disregarding the laws of the country. Bribery and over-zealousness in curbing the influx of foreigners have led to transgressions of the law by the police. Many foreigners perceive the police as cruel because of their negative experience with them. The government has to tackle the issue by strict monitoring of the police, as well as by improving policing methods and skills.

There is also a need to instil in the police a sense of duty and loyalty to the state. The training of the police force on how to handle this problem better would help the police to earn the respect and trust of the community and foreigners. Numerous measures have been taken by the government, according to the *Sowetan* (December 7, 2000) to instil a human rights culture in the police force since 1994. These measures include

- ✓ The establishment of the SAPS national anti-corruption unit (ACU) – an elite unit that deals only with criminal cases involving police corruption;
- ✓ In 1997: the Independent Complaints Directorate was set up as a watchdog body to investigate complaints against the police;
- ✓ 1997: Adoption of New Code of Conduct, making evident a human rights culture in the way police are meant to conduct themselves;
- ✓ July 1999: Adoption of an anti-torture policy;
- ✓ 1999/2000: some of the new human rights culture policies came to include the anti-discrimination drive and sexual harassment policy.

These measures have been introduced to wean the police from their old habits of corruption and indiscipline. It is clear, however, that these efforts are often undermined and made ineffective. Transformation is being resisted by some. Thus it is clear that there is a lack of

discipline and professionalism among the police. Clear standards of police conduct by which police can be assessed and monitored need to be introduced, inculcated and enforced. Tough measures, through an internal disciplinary system and court action, need to be taken against those who are ill-disciplined and who act unprofessionally.

Furthermore police need to do proper detective work since they are dealing with some clever African immigrants who are seemingly not prepared to co-operate with them. In order for the government to combat crime, it needs the support of the community and of the aliens. Refugees and asylum seekers are to be integrated into local police fora to help in combating crime.

There is need also for a reduction of official statements in government speeches, which often portray African immigrants as a threat and a problem. Such statements, as argued time and again in this work, tend to create a negative perception of African immigrants and that, somehow, has an effect on the way South Africans think of and treat them. Reduction of such inflammatory statements can, it is hoped, contribute to better treatment of immigrants and reduce the tension and perception of South Africans about them. Legislation on immigration has been in the pipeline for a long time. One hopes that the implementation of the new act will help in shaping the mindset and the way South Africans treat African immigrants.

According to the South African Press Association (SAPA), Mr Siphon Pityana, foreign Affairs director-general at the time, stated on October 24, 2000 that Pretoria had not received any formal complaints from African states about xenophobic attitudes and attacks on African immigrants. Even though it may be so, xenophobia has been allowed to creep into our national life in South Africa. The government should offer a public apology to African states for the manner in which some South African citizens and officials have ill-treated their people. This would be a signal to South Africans, first, that xenophobia is a bad thing; and secondly, this will be a message to Africa and the world that

[w]e are becoming more and more conscious of the interconnections of our mutual, planetary dependency and output, our common hope and terror. We look for bonds with others. Divisive barricades are torn down. Privileges are silently given up. All humankind feels held together by the universal destiny it faces (Bühlmann 1982:196).

One of the reasons for the influx of immigrants, as shown in the preceding chapters, is the insecurity and instability experienced in Africa on the whole. Since these people are fleeing these bad conditions, no matter how well written the immigration policy, it will not deter them from coming to South Africa. South Africa cannot continue to maintain law and order without assisting in reducing some of the push and pull factors that lead to African immigration. President Thabo Mbeki in his opening address to Parliament on June 25, 1999, committed his government to ending wars and supporting democratic processes in Africa when he said,

The government will focus on the task of achieving the objectives of the African Renaissance and ensuring that the next century evolves as the African century. We will therefore contribute whatever we can towards the resolution of conflict on our continent. We cannot accept that war, violent conflict and rapine are a permanent condition of existence for us as Africans (Mbeki 2001:41).

South Africa should indeed be commended for the role it has played in trying to bring about peace in places like DRC, Burundi and others. The contribution towards peace in countries that are affected should continue since it will—it is hoped—lead to long term political, social and economic stability in the rest of Africa. The birth of the New Partnership for Africa's Development (NEPAD) and the African Union (AU)<sup>15</sup> will ensure that this task is not solely a South African problem. With the success of these continental efforts, perhaps, the problem of African refugees and immigration might become less severe.

#### **8.2.4. The media**

Chris Dolan and Maxine Reitzes in their research, *The insider story! Press Coverage of illegal immigrants and refugees, April 1994-Sept 1995*, cite the media as one of the

possible causes of the rise in xenophobia. They found that the ‘tenor of press reporting and comment is hostile to immigrants’ (Dolan & Reitzes 1995:23). It has been discovered that many articles tend to exaggerate, concentrate on and to be biased about the crimes committed by immigrants. There is a tendency to associate crime with aliens. But the media has the responsibility in its coverage not to lump the arrest of immigrants with outright criminal activities. Busi Moloee supports this view when she says, ‘Despite a noticeable improvement politicians and the media still often make unsubstantiated and inflammatory statements about foreigners’ (*City Press*, June 16, 2002).

This is not to blame the media for crimes committed by immigrants nor to manipulate it to “cover up” for them. It would be irresponsible of the media if it were to hide these actions. The media can play a role in educating the public, however, so that it can be aware of the nature and effects of xenophobia. It can further help by reducing the stigma and suspicion attached to foreigners. The role of the media to disseminate information, expose facts and reflect the mood of society cannot be disputed. It has to be sensitive and move away from stereotypes, since it has also the responsibility to counter xenophobia by making people aware of the plight of immigrants, to reflect and highlight - as it is doing in some instances - their negative reception and treatment. It can be a vehicle to teach people about *ubuntu* and the rights of immigrants. In this way it will be assisting in the formation and reconstruction of the values and community of South Africa. The media can further assist in the education of people by reminding and challenging them about days which highlight the plight of refugees, such as Refugees’ Day. Very little is done by South Africans in supporting and celebrating this day, which is on June 20. Refugees’ Day

was originally known as Africa Refugee Day and celebrated in many African countries. As an expression of solidarity with Africa, which has traditionally shown great generosity and protection towards refugees, a special United Nations General assembly resolution was adopted in 2000 designating the day as World Refugee Day (*City Press*, June 16, 2002).

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<sup>15</sup> AU is a structure that has replaced Organisation of African Unity (OAU).

The media can, through its powerful influence, continue to call on South Africans to observe this day, inform and educate them about the plight of African immigrants.

### **8.3. CONCLUSION**

African people will not stop trekking down to South Africa as long as there is great human need, and tensions that exist side by side with xenophobia will persist. These tensions can be eased and managed if South Africans can allow, among other human values, the spirit of *ubuntu* and Christian values to triumph over their prejudice and fear.

Xenophobia is a sin because it affects negatively the social relations and harmony of society. The scars of the past, the search for identity, transition to democracy and selfishness have mostly militated against South Africa's character as a potentially compassionate country. Yes indeed, we are busy with the reconstruction of our country, but one should remember that no real reconstruction and awakening can happen without the moral foundation found in values like *ubuntu*, Christian moral values and other human and religious values. These will continue to challenge the rugged individualism that is slowly developing and also challenge South Africans to be in solidarity with those who are suffering. Indeed some South Africans have themselves been once refugees elsewhere in the world and know what it means to live among strangers.



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