

**'The Community Will Kill You':
Policing and Vigilantism in Zandspruit**

By

James Robert Martin

B.A. (Hons)

Submitted in fulfilment of the requirements for the Degree of

Doctor of Philosophy

Department of Criminology, Monash University

16 January 2012

Table of Contents

Table of Contents	i
List of Tables	iii
Abstract	iv
Notices	v
Acknowledgements	vi
1. Introduction	1
1.1 Conceptualising vigilantism	2
1.2 Vigilantism and the South African state	8
1.3 Vigilantism and the Zandspruit informal settlement	11
1.4 Vigilantism and the general public	13
1.5 Research questions	16
1.6 Thesis structure & chapter outlines	17
1.7 Conclusion	20
2. Locating South African Vigilantism	22
2.1 Apartheid vigilantism	25
2.2 Post-apartheid vigilantism	28
2.3 Contemporary vigilantism	32
3. Methodology	35
3.1 Semi-structured interviews	36
3.2 Research assistants	38
3.3 Research subjects and recruitment	39
3.4 Case study: Zandspruit	41
3.5 Issues in research implementation	44
3.6 Ethical Considerations	46
3.7 Conclusion	49
4. Politics and Policing under Apartheid	52
4.1 The genesis of apartheid	53
4.2 Policies and politics of apartheid	56
4.3 Paramilitary and colonial policing	60
4.4 Crime and the SAP	63
4.5 Crisis and confrontation - Soweto 1976	66
4.6 Kitskonstables and 'low-level' civil war	69
4.7 Anomie and the collapse of apartheid	72
4.8 Conclusion	74
5. A History of South African Vigilantism	76
5.1 Vigilantism, crime and anomie	78
5.2 The origins of South African vigilantism	81
5.3 Vigilantism and reclaiming masculinity	84
5.4 Enter the 'Young Lions'	89
5.5 Conclusion	92
6. The South African Police Service	95
6.1 Lack of service	99
6.2 Incompetence and corruption	104

6.3 Perspectives on the legal system	109
6.4 Reconciling police and public	113
6.5 Conclusion	116
7. Community Policing in South Africa	118
7.1 Negotiations and transition	118
7.2 Implementation and resistance	121
7.3 Accounting for the failure	124
7.4 Foreign aid and export policing	127
7.5 Policy convergence	132
7.6 The Zwelethemba model and the future of community policing in South Africa	135
7.7 Conclusion	137
8. Nodal Security and the Zandspruit Patrollers	138
8.1 Nodal governance	140
8.2 Nodal interaction and regulation	144
8.3 Force capital and nodal exclusivity	148
8.4 Informal security nodes	149
8.5 The Zandspruit Patrollers	153
8.6 Patroller training & relationship with the SAPS	157
8.7 Brutality and xenophobic infiltration	159
8.8 Conclusion	163
9. The Vigilante Mob	165
9.1 Defining the vigilante mob	168
9.2 Contagion and convergence	169
9.3 Contemporary theories	171
9.4 The genesis of a mob	175
9.5 Individual perspectives	183
9.6 Determining guilt - accusation, exploitation and innocence	186
10. In the Aftermath	190
10.1 'We, the community...' - the community as punisher	191
10.2 Explaining vigilante violence	199
10.3 The aftermath	204
10.4 Conclusion	209
11. Conclusion	211
11.1 Formal vs. informal policing - a lack of effective choice	212
11.2 The dilemma of action	214
11.3 An ordinary response to an extraordinary threat	217
11.4 Ordering the confusion	218
11.5 Concluding remarks	219
References	221
Appendix A - Explanatory statement	250
Appendix B - Consent forms	252

List of Tables

Table 1. Proposed Interview Groups	40
Table 2. Demography - Union of South Africa 1946	55
Table 3. Population of South Africa 1900-1990	58
Table 4. Patroller Structure	155
Table 5. Crowd Theory Interaction	175
Table 6. The Dualistic Determination of the Mob	198

Abstract

Vigilantism is a practice that is encountered relatively infrequently in the affluent states of the Global North. However, in many other regions that are inadequately serviced by state security, vigilantism is perceived by many locals as offering the only meaningful response to crime and social deviance. The Zandspruit Informal Settlement, located on the northern outskirts of Johannesburg, is one such area. Amidst an appallingly high rate of violent crime, the residents of this densely populated shantytown regularly witness and indeed participate in vigilante attacks.

Despite its persistence, local attitudes towards vigilantism are complex and range from outright opposition and horror to grim acceptance and sanguinary enthusiasm. By analysing semi-structured interview data taken from 43 residents and workers in the Zandspruit area, this thesis seeks to explore and articulate the various local perspectives of this normalised but highly destructive social phenomena.

Notice 1

Under the Copyright Act 1968, this thesis must be used only under the normal conditions of scholarly fair dealing. In particular no results or conclusions should be extracted from it, nor should it be copied or closely paraphrased in whole or in part without the written consent of the author. Proper written acknowledgement should be made for any assistance obtained from this thesis.

Notice 2

I certify that I have made all reasonable efforts to secure copyright permissions for third-party content included in this thesis and have not knowingly added copyright content to my work without the owner's permission.

Signed**Date**

Acknowledgements

My sincerest thanks and appreciation must first be expressed towards the interviewees who donated their time and perspectives to this research. Their insight and candour formed the empirical foundations upon which this entire thesis was built, and I hope that the analysis provided over the coming chapters does these much valued participants due justice.

I am deeply obliged to all those who assisted me during fieldwork overseas. South Africa is a challenging environment in which to conduct research, and acquiring field data and returning home safely, was made possible only with the generous cooperation of a host of people affiliated with the Monash University South Africa campus. In particular, I would like to thank Dr Robert Peacock for his scholarly advice and expertise, and also for the warm friendship that he offered me over this intense and rewarding period. Big thanks also go to my two research assistants Kegaugetswe 'Pinky' Motsomi and Donald Kgomotso. This research simply could not have been achieved without their hard work, and I remain indebted to them for their assistance. Also I wish to express my gratitude to Mr Craig Rowe for introducing me to Pinky and Kgomotso, and for first directing me towards my research site, Zandspruit.

No PhD student can survive their candidature without the help and support of their postgraduate cohort. In this regard, I would like to express my deep thanks to my partners-in-criminology, Lucinda Jordan, Bridget Harris, Alison Gerad, Emma Colvin, Dr Asher Flynn, Kate Fitzgibbon, Alita Spratling, Francesco Vecchio and the indomitable Emma Ryan. Their wise counsel over many coffees and other, colder refreshments provided much laughter and solace, and ensured that this journey was not a lonely one.

I am greatly indebted to the staff at the School of Political and Social Inquiry at Monash University Australia for the guidance, feedback and support. In particular, I would like to express my profound gratitude to Drs Anna Eriksson, Marie Segrave, Bree Carlton, Danielle Tyson, Leanne Weber and Professor Sharon Pickering. Also thank you to Sue Stevenson for her unsurpassed knowledge of university bureaucracy and for finding additional funding when all options seemed exhausted.

No two people deserve greater thanks for their tireless and enthusiastic support than my two supervisors, Professor Jude McCulloch and Associate Professor Dean Wilson. I could not imagine what this process would have been like without your sage advice and generous encouragement.

Thanks for mentoring me over this transformational period and for offering me the opportunity to work with you.

Finally, I would like to thank my friends and family, who are the colour and light of my life. Thanks to my father Jon Martin, sisters Jayne and Tanya Pickering, Kit Aeschliman, Jack Martin and my dudes, Rob Loader and Chris Blain, and to Kate Shearman. Extra special thanks to my mother Carol Aeschliman, who has assisted me with this project more than anyone over this period with constant love, encouragement, advice and grammatical expertise. Most of all, I wish to express my gratitude and appreciation to my wife Emilia, who has loved me and supported me unfailingly since the very beginning.

Chapter I - Introduction

What's disturbing about these instances of vigilantism is the degree of violence. That's very disturbing and it does say something about the nature of our society... The overkill is certainly very dehumanising on communities, on individuals and on society at large.

Field interview - MRP

I know it is wrong to beat and kill someone but informal justice has worked very well in the community of Zandspruit. We are safe to walk the streets at night.

Field interview - M52

Vigilante. Informal policing. Mob violence. These and other like terms will become familiar companions over the following chapters. So too will the detailed perspectives of those with first-hand knowledge of the South African vigilante phenomenon. These testimonies, such as those reproduced above, are usually insightful, articulate and thought-provoking. They are also occasionally shocking, particularly if, as was the case with the researcher, the reader is not already familiar with the peculiar dynamics and intricacies of South Africa's townships and informal settlements, and with the vigilantes who patrol them. A consistent effort has been made, not only in this introductory chapter but throughout the thesis as a whole, to balance the conceptual and explanatory prerogatives of criminological research with the visceral reality presented by the research subjects. As far as possible, the stories of interviewees have been used to set the tone of analysis, as well as to provide an emotional and empirical counterpoint to the more abstract dimensions of theory and taxonomy. Together with substantive historical analysis, and accompanied by the observations of the researcher, these theoretical and empirical narratives are woven together to form a multi-faceted perspective of vigilantism in one of South Africa's many hundreds of informal settlements.

This introductory chapter will provide the background information and conceptual grounding necessary to navigate the complex and sometimes challenging material contained within the

following chapters. A conceptual discussion of vigilantism will be followed by background sections exploring this topic with reference to the South African state and general public. These perspectives will then be addressed with relevance to the researcher to inform the reasons for this PhD thesis being undertaken and also to introduce the primary research questions. Finally, the second half of the chapter will consist of a thesis outline and conclusion. Emphasis has been placed throughout the thesis on addressing research questions about vigilantism from the perspectives of those who live and work in neighbourhoods in which it plays a dominant role in community regulation. Learning about these communities and the alternate ways in which they are policed has been an eye-opening as well as humbling endeavour, the experience of which is hopefully conveyed faithfully in the chapters to come.

Conceptualising Vigilantism

"How many people are involved? Is it two or three, or fifteen or twenty? How big is the mob? What is the mob?" - Field interview MGF

Vigilantism is a term that resists easy definition. Despite widespread popular representation, particularly in Hollywood films, such as *Batman*, *Superman* and *Spiderman*, *the Boondock Saints*, *Watchmen*, *the Punisher*, *Brotherhood of Justice*, *Teenage Mutant Ninja Turtles*, *the Brave One*, *Taxi Driver* and, of course, the eponymous *Vigilante* (just to name a few of an especially popular genre), vigilantes have not been the regular objects of academic enquiry up until the last decade or so. In South Africa, vigilantism, and other interchangeable terms such as 'informal' or 'everyday' policing, have been the subject of significant recent debate (Martin 2010; Singh 2008; Monaghan 2008; Buur 2010; 2008a; 2006; Swanepoel & Duvenhage 2007). However, real-life vigilantism - in that country and elsewhere - often bears little resemblance to the 'lone avenger' scenario so regularly presented in popular fiction. On the contrary, South African vigilantism is most commonly associated with semi-structured vigilante gangs or mobs whose individual members often number into the hundreds or more (Swanepoel & Duvenhage 2007). As this thesis is concerned with vigilantism as it manifests in South Africa, the following conceptual discussion is focused on this particular regional form of vigilantism, although general points may also be relevant and useful in other geographical contexts.

A number of scholars investigating vigilantism have expressed concerns regarding a general perception of ill-definition and ambiguity (Knox & Monaghan 2002; Abrahams 1998; 1996; Johnston 1996). As Les Johnston (1996), in one of the earliest scholarly attempts to define the term, notes “the problem is that everyone has an opinion on what vigilantism is, but no one has taken the trouble to define it” (Johnston 1996:220). Scholars continue to remain divided as to its constitutive features, and the inclusion or exclusion of particular elements cannot be taken for granted. That is not to say there are no common threads or points of agreement; indeed, definitions invariably fall under the vague rubric of ‘taking the law into one’s own hands’. This section will explore the challenges and complexities associated with conceptualising vigilantism, and attempt to formulate a useful, working definition for use both throughout the remainder of this thesis and for general consideration.

An appropriate starting point, and one that is commonly cited within the relevant literature, is expressed in Johnston’s (1996) article ‘*What is Vigilantism?*’ According to Johnston’s (1996) six-point classification, vigilantism necessarily consists of the following elements:

- (i) *it involves planning and premeditation by those engaging in it;*
- (ii) *its participants are private citizens whose engagement is voluntary;*
- (iii) *it is a form of ‘autonomous citizenship’ and, as such constitutes a social movement;*
- (iv) *it uses or threatens the use of force;*
- (v) *it arises when an established order is under threat from the transgression, the potential transgression, or the imputed transgression of institutionalised norms;*
- (vi) *it aims to control crime and other social infractions by offering assurances (or ‘guarantees’) of security both to participants and to others.*

(Johnston 1996:220)

This schema is useful on a number of points. Firstly, it ‘fleshes out’ and conceptualises vigilantism as a reactive ‘social movement’. This places vigilantism firmly in the context of its host community, and suggests at least an undercurrent of grassroots appeal, participation or public support towards

vigilante activity. As members of a 'social movement', vigilantes lay claim to represent latent, unacknowledged and non-legitimated strains of public sentiment. These 'autonomous citizens' may then present their actions as embodying the unrestrained will of the community. One convenient South African example of this phenomenon may be found in the People Against Gangsterism And Drugs (PAGAD) 'ultimatum marches' of the late 1990's, whereby local drug dealers were warned to cease their illicit activities or "face the mandate of the people" (Baker 2002:36; Knox & Monaghan 2002).

Secondly, Johnston (1996) consciously broadens the scope of vigilante concern well beyond offenders (as defined by the state) to those who challenge 'established order' by transgressing, or threatening to transgress 'institutionalised norms'. 'Institutionalised norms' is a conspicuously broad term and may refer to any number of formal or informal established beliefs, morals, taboos, sexual practices, behavioural standards, or, indeed, practically any other entrenched aspect of the status quo. Thus, not only state-defined offenders, but also those who deviate from these broadly defined norms may become the 'legitimate' targets of vigilante attention. This link between vigilantism and deviant behaviour is made explicit by Johnston (1996), who claims that "vigilantism is, in other words, a reaction to real or perceived deviance" (Johnston 1996:229).

Despite Johnston's own apprehension about the dangers of over-inclusiveness, or "encompassing too much and explaining too little" (1996:229), the 'institutionalised norms' criterion is a logical and well considered one, and offers a way of encompassing the wide and often disparate range of issues that motivate contemporary vigilantism. Johnston does not directly address the issue of who exactly is empowered to define deviance but nonetheless provides a unifying criterion for defining those behaviours capable of generating vigilante concern. Thus, groups as diverse as the United States' 'Minuteman Project', the Nigerian religious fanatics of *'yan hisba*, and the Irish Republican Army 'punishment squads' of Northern Ireland may all coherently be placed within the same theoretical mode of classification (these organisations being concerned with deviance from racial/demographic, neo-traditional/Islamic and ethno-religious norms respectively) (Chavez 2008; Casey 2008; Knox & Monaghan 2002).

Sensitivity to deviance from 'institutionalised norms' also serves to distinguish vigilantism from other forms of violent criminal enterprise by infusing those who practice it with a conscious sense of

justice or moral order. While Johnston does not acknowledge the central paradox of vigilantism (i.e. that vigilantes themselves are, from a legal perspective, also 'deviants'), he does suggest that vigilante violence is of a different 'flavour' to violence committed by other offenders. Criterion (vi) confirms this perspective, asserting that the aim of vigilantism is to offer assurances of collective security. Vigilantes become, in the words of Burrows (1976:xv), the purveyors of 'morally sanctimonious violence', wielded in the name of community safety, and as such are qualitatively different from other criminal groups that employ violence for less idealistic purposes. The strong moral and law-and-order emphasis of vigilante movements also implicitly links vigilantism to political conservatism (Oomen 2004; 1999), although this association cannot always be taken for granted in South Africa (Jensen 2008:53; Ashforth 2005:250).

Other aspects of Johnston's six-point criteria are more problematic. His stipulation that vigilantism necessarily involves planning or premeditation does not adequately accommodate instances of 'spontaneous vigilantism' such as lynching. These spontaneous events, sometimes referred to as 'popular' or 'mob justice', often involve no planning or premeditation and are a widespread phenomenon in South Africa and elsewhere (Godoy 2006; Knox & Monaghan 2002; Bruce & Komane 1999). Johnston recognises this limitation, but rather than refining or removing the criterion he persists with a brief justification:

Even in cases of so-called 'spontaneous vigilantism'... it has been noted that specific social conditions (e.g. living in a homogenous community or lacking faith in the justice system) predispose participants to engage in direct action. In that respect, even 'spontaneous vigilantism' involves predisposition and premeditation (Johnston 1996:222).

Here Johnston (1996) appears to be blurring the boundaries between situational predisposition and the process of premeditation. This obfuscation subverts the meaning of premeditation from an act of conscious deliberation to an endemic, socially-conditioned reflex. While vigilantes may well be predisposed to acts of collective violence, this willingness to engage in 'direct action' (as in cases of spontaneous lynching) is of a qualitatively different nature from the active planning or premeditation associated with informal or 'kangaroo' courts.

Finally, criterion (iii), that vigilantism 'uses or threatens the use of force' poses another, different problem for consideration. The element of force is a seemingly straightforward, uncontroversial and undisputed aspect of vigilantism. However, Johnston (1996) asserts that the 'use or threat of use of force' should also incorporate force employed for solely defensive purposes. Groups such as the Guardian Angels, the New York based, volunteer safety-patrolling organisation, he argues, should be viewed as vigilante because "their operational philosophy permits such [defensive] engagement" (Johnston 1996:228). This, as Jarman (2008) notes, is problematic as the behaviour of other groups or individuals concerned with 'institutionalised norms', but not intending to realise their objectives through the active threat or use violence, "would probably have to be classified as vigilantism" (Jarman 2008:323). As Johnston (1996) interprets 'threat' in its broadest and most passive sense he undermines the usefulness of the term in distinguishing the intent behind the near-universal capacity for violence.

This criterion ultimately points to a fault-line between two fundamentally different schools of thought regarding the nature of vigilantism: one that believes it may work harmoniously with and within the state, and one that sees this relationship as inherently contradictory or antagonistic. Johnston (1996) fits firmly into the former category due to his belief that vigilante groups need not actively pursue violent objectives, thereby avoiding conflict with a state jealous of its monopoly on the use of force. This perspective, seemingly in the minority amongst South African scholars, may be contrasted with that of Harris (2001a:4), who asserts that "violence, especially in an extreme form of corporal punishment, is an integral feature of vigilante methodology". Jarman (2008) echoes this view, noting that the implications of vigilante violence inevitably bring these groups into conflict with the state, and that "vigilante activity may not challenge the state in the sense that revolutionary groups do, but it does undermine the authority of the state" (Jarman 2008:323).

One's conceptualisation of vigilantism will unavoidably be framed by the context in which empirical data is drawn. Johnston's (1996) universal definition of vigilantism is informed, and implicitly restricted, by the relatively limited experience of vigilantism inside the United Kingdom during the mid-1990's. Consequently, he characterises vigilantism as neither explicitly illegal nor unavoidably violent. South African scholars, by contrast, tend to view punitive violence as integral to vigilante methodology (Knox & Monaghan 2002; Harris 2001a) because it is the most visible and consistent feature of vigilantism in that country. These disparities do not necessarily suggest irreconcilable

points of view or even incomparability between subjects; rather, they highlight both the importance of viewing social phenomena from a localised perspective, as well as the dangers inherent in taxonomic abstraction.

Abrahams (1998; 1996), author of the seminal text *Vigilant Citizens: Vigilantism and the State* (1998), illustrates the risks associated with an overly rigid taxonomic approach to defining vigilantism. Abrahams (1998) suggests adopting a Weberian approach that involves defining “‘ideal’ or ‘pure’ types... that provide a measure rather than a simple picture of reality” (Abrahams 1998:423). Formulating an ideal, archetypal definition means, in other words, constructing a ‘perfect’ example of vigilantism with which one may compare (inevitably) less ideal, real-life examples. The point, Abrahams (1998:423) notes, “is that we need not necessarily be too worried or surprised” about behaviours not matching the ideal type. Constructing a ‘perfect’ example provides conceptual clarity, while also providing a useful comparative tool unaffected by the ‘messiness’ of real-life empirical observation.

Bearing these complexities in mind, and noting this thesis' focus on the South African ‘brand’ of vigilantism, the following excerpt is taken from Harris’ (2001a) analysis of vigilantism in contemporary South Africa. As co-editor of the *Violence in Transition* series (Harris 2001a; 2001b; Dixon & Johns 2001; von Schnitzler et al 2001), one of the largest examinations of South African vigilantism to date, Harris (2001a) notes that:

Vigilante methods across the two-decade period have remained fairly stable and that they generally share the following qualities:

- *They are public in nature;*
- *Violence, or the threat of violence, is pervasive;*
- *They serve a warning as well as punishing function;*
- *They generate fear and control through repression;*
- *They are premised on a model of instant, retributive justice.*

(Harris 2001a:3)

These five general attributes paint a picture of vigilantism that is detailed yet sufficiently broad to encompass a suitably wide range of activities and group behaviours. From this set of qualities we can determine an appropriate 'ideal type' Weberian definition for use throughout the remainder of this thesis:

Vigilantism is the public threat, or actual use of violence, intended to serve a warning and punishing function, generating fear and control through repression, and is premised on a model of instant, retributive justice that is unsanctioned by the state.

Vigilantism and the South African State

Since South Africa's political transition from apartheid state to representative democracy in 1994, its people have struggled to cope with a crime rate that is regularly touted as one of the most severe in the world (Altbeker 2009:270; Shanafelt 2006:149). Disturbingly high levels of violent crime, in particular murder, rape and robbery, pose a significant threat to communities across the whole spectrum of society. While affluent South Africans have sheltered increasingly behind sophisticated, multi-layered walls of private security (in the process creating one of the largest private security industries of any nation (Singh 2009; Abrahamsen & Williams 2007a), poor communities have been left largely to fend for themselves. In the absence of sufficient protection from the state and corporate security sectors, vigilantism has come to play a central role in combating crime in various townships and informal settlements across the country. However, vigilantism as a crime-fighting tool can become problematic as concerned and motivated citizens struggle to maintain a balance between order and public safety and mob tyranny. Without legislated operating procedures, lines of accountability or even a clearly defined list of 'laws' or 'crimes' to be policed, the functions of vigilante organisations may be haphazard and are influenced by a fluctuating range of community concerns and fears, including xenophobia, moral deviancy and the occult (Neocosmos 2008; Buur & Jensen 2004; Ashforth 2005; Harris 2001a).

Estimating the casualties associated with vigilantism is complicated by a range of factors, not the least of which is the apparent lack of trust between many poor communities and state policing agencies that record crime statistics (Steinberg 2008; Shaw 2002a). Given this and other limitations compromising the accurate recording of instances of vigilantism in South Africa, official statistics

indicating the extent of the practice should be viewed with caution. However, as a rough estimate, one may consider figures from the 2008 - 2009 South African Police (SAP) Annual Report which indicate that approximately 5.8% of all homicides across the country are attributable to vigilantism (SAPS 2009:11). With the national annual homicide rate hovering at around 20,000, we may extrapolate that approximately 1000 people are killed by vigilantes in South Africa each year. This figure does not include those whose deaths go unrecorded or are erroneously attributed to another cause; nor does it capture the harm associated with those instances when non-lethal vigilante punishments are employed.

From the perspective of the South African state, vigilantism presents a number of intensely problematic issues, in addition to the substantial number of deaths and injuries resulting from the imposition of unlawful punishments. Perhaps the most serious of these is the direct challenge to state authority represented by vigilante violence. According to Weber, a state is an institution premised on the control and authorisation of violence within a given territory (Weber 1994:310-311). This does not mean that the state maintains a direct monopoly on all violence committed, but rather that the state must authorise any use of force for it to be considered legitimate. For example, legal and legitimate violence may be committed by private security firms if they are appropriately licensed and accredited and act within the bounds of the law. Vigilante violence, however, is not authorised by the state. Rather it represents wilful and systematic law-breaking, often involving killing and serious assault on a grand scale. While state agents may turn a blind eye to or even be complicit in acts of vigilantism (Oomen 2004:163), official state positions are necessarily hostile to vigilante activity.

Despite its legal classification as a criminal activity, vigilantism is qualitatively different from more conventional types of offending. The reason for this is that, unlike other forms of crime, vigilantism is intrinsically linked to notions of justice and community welfare. In neighbourhoods where crime runs rampant and state law enforcement agencies are unable to adequately enforce the law, vigilantes may present themselves as reluctant protectors of the community. This is evidenced by the behaviour of vigilantes who, rather than attempting to conceal or downplay their crimes, instead vocally defend their actions, claiming that the violence that they commit is both righteous and necessary (Buur 2008b; Jensen 2008; Oomen 2004; 1999). In defending the legitimacy of vigilante violence, supporters of vigilantism subvert the prerogative of the state to determine legitimate

violence. This means that the proscriptive determinations of the state are at odds not only with vigilante law-breakers, who are in direct violation of laws prohibiting the illicit use of force, but also with communities that appear to offer significant levels of support for vigilante activities.

Modern states rely on the consent of their citizens to submit to sovereign power. In exchange for this consent, the state assumes a degree of responsibility for the safety and well-being of its citizens, in an agreement referred to by Hobbes as the social contract (Christman 2002:28-29). In South Africa, the social contract between the state and people living in indigent, crime-prone areas appears to be broken, and this has serious implications for both parties (Jensen 2008:47). For the South African government, rampant crime and vigilantism represent glaring and ongoing embarrassments, highlighting its dual-failure to adequately protect some of the most vulnerable sections of the public, and to assert stately control over the use of force. Conversely, living within a state that is unable to fulfil its terms of the social contract, the residents of poor, effectively lawless communities are placed in an unenviable and seemingly untenable position. They may accept the authority of a distant and impotent state and allow crime and social disorder to plague their communities largely unopposed. Or alternatively, they may defy the state and attempt to reclaim responsibility for policing their own neighbourhoods.

In his seminal critique of the modern criminal justice system, *Conflict as Property* (1977), Nils Christie claimed that crime and social conflict in Western societies had effectively been 'stolen' by the legal and penal professions. Victims of crime are victimised twice, he argued, first by the offender, and then by the state, which asserts ownership over the conflict and assumes the role of the aggrieved party. In South Africa's townships and informal settlements, it is now apparent that entire communities have rejected this process, foregoing the police and legal system and assuming direct control over the crime and conflicts produced in their neighbourhoods. This is not to say that vigilantism is universally popular in these areas, or that people living there would not prefer to be party to a more formal criminal justice system. Indeed a common refrain heard in these areas is the desire for a dramatically increased police presence and a greater share of state resources (Steinberg 2008; see also *Chapter VI - the SAPS* for greater discussion of this issue). However, in the absence of these more ideal circumstances, vulnerable people appear unwilling to forgo their desire to seek justice and retribution against offenders and deviants in any way possible.

Vigilantism and the Zandspruit Informal Settlement

South Africa's informal settlements and townships¹ vary tremendously in size, with the largest in the country, Soweto² (pop. approx. 1.3 million) and Khayelitsha (pop. approx. 400,000), more populous than many formal municipalities (Thornton 2011). As home to an estimated 42,000 people (Zandspruit UDF 2010), the research site for this thesis, the Zandspruit Informal settlement, sits on the northern outskirts of South Africa's capital, and most crime-affected city, Johannesburg (Schönteich & Louw 2001). In many ways, Zandspruit represents a typical South African informal settlement. Narrow, cramped and unpaved streets are lined with dwellings that are constructed from refuse and discarded building materials; basic utilities, such as sewerage and electricity, are either entirely absent or patchily provided (Zandspruit UDF 2010:33-34). Despite the squalor and poverty, however, there is, at least during daylight hours, a bustling communal atmosphere fuelled by the ever-present movement of large numbers of people about this sprawling, densely populated shantytown.

The recently completed Zandspruit Urban Development Framework (UDF) (2010), a government funded analysis of local developmental potential, provides substantial demographic information about the residents of the settlement. Unsurprisingly, the UDF describes Zandspruit residents as generally poor, with low levels of education (27% of residents have only a primary level of education and 12% have had no formal schooling at all (Zandspruit UDF 2010:14)), and a relatively high unemployment rate of 28% (Zandspruit UDF 2010:11). Most residents are also young, aged between 20 and 39 (Zandspruit UDF 2010:12), and male residents significantly outnumber females by a factor of approximately 3:1. There is a notable absence of data available regarding the number of undocumented migrants living in Zandspruit. However, we may infer from data in comparable

¹ In South Africa, the term 'township' has commonly referred to those racially segregated residential areas set aside for non-Whites. Historically, townships have suffered from inadequate levels of infrastructure provision and public amenities, resulting in poor sanitation, as well as high levels of unemployment and crime (Bond 2007). Since the end of apartheid and the desegregation of South African society, popular usage of the term has persisted. Many townships, however, remain underdeveloped slums. The development of townships was critical to the enforcement of apartheid-era segregation that denied Blacks entry to White urban areas, except when required for labour.

² Soweto holds a unique place in the history of South Africa, and was the site of a number of watershed moments in the struggle against Apartheid (Mandy 1984). A conglomeration of a number different townships on the south-western fringe of Johannesburg (hence the acronym **SO**uth**WE**stern**TOW**nships), this dense urban environment has an estimated population in excess of one million people, making it the largest residential district in the nation's capital. No longer just a dilapidated squatter camp, Soweto is now home to an emerging Black middle class, and is the centre of a number of Black South African cultural movements (Ansell 2005; Magubane & Smith 2001).

settlements (Solomon 1996) that a relatively high proportion of the population - around 20% - are foreigners living without government authorisation.

This demographic profile is likely to strongly influence levels of crime and social cohesion in the settlement. The significant gender imbalance, high unemployment, poverty and youthfulness, represent potentially powerful criminogenic characteristics. In South Africa, as is the case in many societies, violent offenders (as well as victims of criminal violence) are usually young, poor males (Tibbetts & Hemmens 2010:228; Schönteich & Louw 2001:6) - precisely the qualities that define the largest single group in Zandspruit. When considered alongside the urban features of the settlement (cramped living quarters, a lack of street lighting and policing infrastructure, etc.), it is no surprise that the residents of Zandspruit report very high levels of offending and criminal violence. Consider the following statement from a resident interviewee describing conditions in the settlement:

"[It is] too crowded and it's bad where it's crowded. So many things happen... In the informal settlement, every Friday, Saturday night you hear that a person has died. Every week a person has died or a person was injured because people were fighting and drinking... You can't tell how many people were walking at night, knocking on the doors of people, robbing people, holding guns in their hands... Something is needed for people to stay safe because now if it is eight o'clock you can't move. You need to stay where you are because you are afraid that people are beating you up for money" (JM01).

The extraordinarily close living quarters associated with this sort of urban environment are also likely to have significant effect upon communal behaviour and local conceptions of public/private space. Unlike in more affluent neighbourhoods, where households are separated by concrete walls and high fences, social boundaries are much more difficult to establish and maintain. With social and physical distances compressed, residents may well be predisposed to responding to crime (and other local challenges) in a collective rather than individual manner. The complex relationship between physical space and group interaction has been investigated by a number of social psychologists, including Latane et al (1995) and Henderson (2009). Both of these studies suggest that as physical distances between individuals decrease, there is a corresponding increase in mutual responsiveness to immediate stimuli (Latane et al 1995; Henderson 2009). Indeed, when considering the ubiquity of crowds and the lack of physical distance separating households and individuals, it is difficult to

imagine having sufficient space and privacy to resolve serious forms of conflict without the knowledge and participation of the broader community. The shape of the urban environment in Zandspruit is therefore likely to strongly influence the communal nature of vigilantism that is evident in this and other similar and densely populated shantytowns.

Vigilantism and the General Public

The existence of vigilantism in South Africa's poorer neighbourhoods points to at least a minimum level of local, public support for informal punishments. However, outside of these areas, mainstream perceptions of vigilante violence and those who engage in it are - not unreasonably - often highly critical. Vigilantism is, indisputably, a highly destructive practice and it regularly results in the deaths or permanent injury of a significant number of people, usually from the poorest and most marginalised sections of society (Martin 2010; Jensen 2008; Oomen 2004, Harris 2001a). Widespread public concern about the scale of vigilante violence is amplified by the brutality characteristic of many vigilante interventions. Not only are vigilantes often enthusiastic supporters of both corporal and capital punishments, but torture and spectacular displays of extreme violence are also regular components of vigilante methodology (Harris 2001a). For example, 'necklacing'³ or publicly immolating offenders has long been a staple of vigilante punishment in South Africa (Ball 1994). More recently, however, terrifying punitive innovations have also been reported, including plunging suspects into crocodile infested rivers (von Schnitzler et al 2001; Oomen 1999), and suffocating recalcitrant witnesses inside rubbish bins filled with water (field interviews MPK; K56c). These terror tactics have been justified by vigilantes as sometimes necessary to achieve 'results' in deterring hardened offenders. However, seemingly sadistic punishments may also detract from the vigilante cause by generating negative publicity, alienating sympathetic observers and traumatising innocent bystanders. It is, therefore, likely that these instances of extreme violence contribute to the common perception of vigilantes as threats to public safety, rather than its protectors.

While many of the dangers associated with vigilantism are self-evident and unambiguous (although difficult to precisely quantify), explaining the causes of such violence is much more complicated. The general view prevalent amongst the South African media, police and various sections of the public, particularly amongst those living in affluent and relatively safe areas, is that vigilantism results from

³ Necklacing involves forcing a car tyre around the torso of a bound person, filling it with a flammable liquid and setting it ablaze. It is both a horrible and terrifying method of execution and has a unique history in South Africa, where its use expanded dramatically during the latter years of apartheid.

a lack of social order and personal restraint (Buur 2010:27). This view is reflected in mainstream media, with sensational new headlines such as 'Vigilante Mayhem' (Bailey & Prince 2007), 'Horror Vigilante Necklace Murders' (van Rooyen 2011) and 'Vigilante Groups Out of Control' (Nevin 2007) contributing to the perception of vigilantism as chaotic mob savagery. News articles also regularly employ highly emotive language when describing vigilante events. The following article (Maluleke2003) from *City Press*, one of the most widely read Sunday newspapers in the country, provides an example of this style of sensational news reporting:

Police give vigilantes go-ahead

Justice, in the dubious form of kangaroo courts, is being meted out in rural Mpumalanga, east of Pretoria, where the prosecutor, judge and executioner are part of the same group of vigilantes baying for the blood of the accused....

The barbaric practice of meting out instant "justice" is allegedly being carried out with the full backing of the police in Tweefontein near KwaMhlanga, formerly KwaNdebele. The victims of the vigilante group range in age from 14 to 70. They are shown no mercy and those suspected of retaliating are shot or hacked with sharp objects.

City Press was on hand to witness the brutality with which four youths, aged between 14 and 16, were tortured and beaten for several hours on Thursday...

Rather than shedding light on the complex causes of vigilante violence, these news stories instead describe the actions of vigilantes from a highly moralised and biased perspective. Regular use of emotive terms such as 'barbaric' and 'baying for blood' have the cumulative effect of creating and entrenching stereotypes of vigilantes as mindless thugs. The result of these commonly encountered media narratives is that, in the public sphere, vigilantism and its underlying causes are often perceived and discussed in overly simplistic and pejorative terms. As Buur(2010) explains:

For the media, police and politicians, the prevailing explanation for people taking the law into their own hands and using excessive violence in doing so is that township residents have run amok, that they are undisciplined, irrational and irresponsible (Buur 2010:27).

The message implicit in many popular media narratives is that vigilante violence is symptomatic of personal and collective deficiencies. Vigilantes indulge in aberrant and destructive behaviour because they simply do not know any better, and because they cannot restrain their baser instincts for revenge and bloody retribution. These stereotypical and simplistic impressions of vigilantes as pathologically violent are unsurprising given the incessant (and largely inaccurate) depictions of violent offenders in the broader mainstream media. The contemporary fetishisation of extreme criminal violence and the regular depiction of violent offenders as objects of perversity and titillation also serve to inhibit rational public discussion of vigilante circumstances and motivations, as well as crime more generally (Cavender & Deutsch 2007; Dowler 2003). In particular, the highly moralised public discourse surrounding offending and vigilantism promotes a simplistic understanding of the complex symbiosis between these two interrelated phenomena. Crude and pejorative media caricatures of vigilantes also fit neatly with classist and racist stereotypes of township people as unsophisticated itinerants who find themselves living in such appalling conditions because they lack the intelligent restraint and civility necessary to join the burgeoning South African middle class.

There are a number of criticisms that spring to mind when confronted with these various positions. Victim-blaming, denial of agency and a simple failure to recognise a lack of obvious alternatives available to combat rampant offending are amongst the most immediate. Yet highly critical perspectives of vigilantism are not isolated to the general public or mass media and may also be found, in more sophisticated guise, within the ranks of national and international academia. In particular, scholars examining vigilantism from a human rights perspective have tended to frame the practice as either criminal, deviant or exceptional, and have focused their attentions upon the many harms it produces (Swanepoele & Duvenhage 2007; Minaar 2003; 2001; Harris 2001a). Arguing against these perspectives is difficult; vigilantism *is* both harmful and criminal, and its perpetrators are as guilty of violating South African law as those engaging in a bar-room brawl or armed robbery. The most substantive criticism that can be made against these critiques is that they tell us little beyond what we already know - that violence is harmful and that people suffer as a result. We gain no more sophisticated understanding of what other, more nuanced roles vigilantism may play in South African society. Most importantly, however, by employing this kind of narrow ontological perspective, we risk judging and dismissing vigilantes as well as their supporters on the basis of a culturally alien moral standard, rather than seeking to understand their experiences and motivations on their own terms.

Research Questions

Rather than conforming to a pre-existing ideology or political agenda, this thesis is intended to generate new knowledge about how vigilantism is perceived by people who live in an area in which it plays a dominant role in community regulation. To this end, some 50 qualitative, semi-structured interviews were carried out with those who live and work in the Zandspruit Informal settlement. Particular emphasis was placed on affording research subjects freedom to express their views of this subject in their own words, as well as to determine whether or not they considered vigilantism a normalised way of achieving some measure of justice and security (within a profoundly unsafe, crime-prone environment). In attempting to address this question and determine personal attitudes towards vigilantism, attention was also focused upon attitudes towards official law enforcement as embodied in the SAP. Interviewees were, understandably, reluctant to explain their perspectives towards vigilantism without first prefacing them with views about the operations of local police and the state criminal justice system. A large part of this thesis, therefore, addresses the development of both the formal and informal sides of policing in South Africa. Only by sufficiently determining local perceptions of both of these contrasting approaches to policing and social control can we understand why some people turn to vigilantism over more formal forms of community regulation.

South African vigilantism is a vast and fascinating topic, with an abundance of intriguing avenues for exploration and scholarly inquiry. However, with so many opportunities for absorbing distraction, care was needed to define precise goals and aims for this research. With this in mind, the various interlinked aims of this thesis were narrowed down to the following three research questions:

- Why do some people turn to vigilantism instead of engaging with the SAP?
- Is vigilantism considered a normal way of dealing with crime in communities in which it is practiced?
- How do people living in affected areas feel about vigilantism?

Thesis Structure & Chapter Outlines

This thesis seeks to determine, analyse and critique local perceptions of vigilantism as well as more formal responses to crime through the South African Police Service (SAPS) and regional Community Policing Forum (CPF). Discussion of fieldwork data relating to these three main policing 'options' available to the residents of Zandspruit is conducted in order of formal linkage to the state, with analysis of the government SAPS followed by discussion of the CPF and subsidiary patroller groups, before concluding with an exploration of informal, spontaneously forming vigilante mobs. In order to inform our understanding of these various contemporary responses to crime, analysis of fieldwork is preceded by three chapters devoted to historical analysis of the origins of both formal and informal policing in South Africa, the politics and policies of the apartheid regime, and an exploration of state police reforms and South African community policing initiatives in the post-apartheid period. The remainder of this section will provide a more detailed summary of the main chapters comprising this thesis.

Chapter 2 focuses specifically on scholarly literature relating to vigilantism, with a particular emphasis on its practice in South Africa. International perspectives of vigilantism are explored, and general themes relevant to the different schools of thought regarding South African vigilantism are also critiqued. These include late apartheid perspectives of vigilantism from scholars Nicolas Haysom (1989) and Craig Charney (1991); post-apartheid studies investigating notorious vigilante groups such as Mapogo-a-Mathamaga (Oomen 2004; 1999; von Schnitzler et al 2001) and PAGAD (Dixon & Johns 2001) and other human rights-oriented works from the Centre for the Study of Violence and Reconciliation (CSV) (Harris 2001a; 2001b). The chapter concludes with a discussion of the latest developments in the field of South African vigilante studies, including Clifford Shearing's nodal governance theory (Burris, Drahos & Shearing 2005; Shearing & Wood 2003) and the 'everyday policing' perspectives of Lars Buur and Steffen Jensen (Buur & Jensen 2004a; 2004b; Buur 2010; 2008; 2006; 2005; Jensen 2008).

Chapter 3 describes the research design aspects of the thesis. Topics addressed include the reasons for employing qualitative fieldwork and semi-structured interviews, as well as strategies employed in order to access data in the research environment, including recruitment processes, the hiring of research assistants and the need to facilitate relationships with community gatekeepers. This chapter also provides a detailed analysis of the research site - the Zandspruit Informal Settlement -

outlining its suitability as a representative case study for the investigation of South African vigilantism. Finally, the remaining half section discusses the various practical and implementation issues encountered during the fieldwork, before exploring the ethical considerations arising when conducting research into vulnerable populations.

Chapter 4 addresses the historical development of formal policing in South Africa, laying the critical historical foundation upon which subsequent contemporary analysis is situated. Beginning with a discussion of the political origins and demography of the early apartheid state, the different modes of state policing that emerged from colonial settlement are also addressed. Particular emphasis is afforded to exploring the relational changes between the apartheid SAP and South Africa's majority Black population over the half century of formal, nationwide segregation. Anomie theory is also introduced in this chapter and is employed as an explanatory tool to investigate the eventual downfall of the apartheid regime.

Chapter 5 focuses on the historical development of vigilantism in South Africa and also further develops and consolidates anomie theory within this context. Building upon the historical analysis of the previous chapter, vigilantism is discussed as a product of the deplorable and declining living conditions associated with Black townships during the apartheid-era. Vigilantism during apartheid is explored as an alternative expression of masculine and protest identities within a constrained environment of limited opportunity and political repression. The generational conflict between older, more conservative vigilantes and the younger, politically radicalised 'comrades' is also analysed. This information provides the historical background necessary to engage in analysis of the continuing intergenerational conflict that is still being fought through the prism of vigilantism in contemporary South Africa.

Chapter 6 is the first to introduce in-depth analysis of fieldwork interviews. Local perceptions of the SAPS are discussed with relevance to support for vigilantes, and also to provide a critique of police services. A range of issues are addressed in response to the concerns of interviewees, including: a lack of timely response from police or total failure to respond to calls for help; a sense of disassociation from police who are perceived as being 'out of touch' with the priorities and pressures of settlement residents; and reports of police ineptitude and corruption. Further issues of concern raised by respondents refer not only to the SAPS but also to the formal criminal justice system as a

whole, particularly regarding sentencing of offenders and bail procedures. This chapter concludes with a discussion of the avenues for hope and the potential for the SAPS to capitalise on surprisingly high levels of support for increased police intervention in Zandspruit.

Chapter 7 critiques the implementation of community policing initiatives in post-apartheid South Africa. The much-hyped, and ultimately disappointing, CPF initiative constitutes the primary focus of the chapter, and provides a central point through which the influential role of foreign entities and the 'export policing' industry may also be critically addressed. The participation of local elites, including academics, in the development of South African community policing is analysed through the lens of international policy convergence, before a concluding discussion concerning contemporary community policing initiatives, including Clifford Shearing's 'Zwelethemba Model' (Froestad & Shearing 2005; Shearing & Wood 2003).

Chapter 8 explores one of the many unintended consequences of the failure of the national CPF programme, the Zandspruit Patrollers. The role and local perceptions of this loose association of semi-formal policing groups are explored through the prism of nodal governance theory. New aspects of nodal governance are also developed, particularly the concepts of nodal exclusivity and force capital. The theoretical characteristics of informal security nodes (ISNs) are also defined and expanded upon. The second half of the chapter addresses the various improvised functions the Zandspruit patrollers, and addresses local perceptions of this informal policing group, including concerns regarding brutality, nepotism and foreign infiltration.

Chapter 9 investigates the haphazard role of spontaneously forming, punitively-minded crowds in Zandspruit. Different crowd theories are explored and synthesised to explain how vigilante mobs are formed. These theories are also used to inform our understanding of the powerful and unwieldy forces at work when these terrifying collective entities form to confront suspected offenders. Individual perspectives towards mob violence are explored in depth as they provide vital clues as to why vigilante mobs form and often act in ways that defy the expectations and individual preferences of crowd participants. Finally, notions concerning who bears responsibility for the actions of vigilante mobs are addressed, as are reported experiences of individual and collective guilt.

Finally, Chapter 10 explores the various social problems left in the wake of vigilante mob events. Of particular concern is the issue of individual and collective trauma which may result in an increase in the intensity and frequency of violent victimisation within the Zandspruit settlement. Mob violence and collective attitudes towards offenders and others considered deviant within the community are analysed through Cohen's (1972) theory of folk devils and moral panics, as well as through the work of Michel Foucault (1979) regarding penal institutions and publicly enacted corporal and capital punishments.

Conclusion

This research is not as intended as either a polemic or an exercise in cultural relativism. There has been no attempt to oversimplify or pigeonhole the responses of interviewees or otherwise guide their conclusions. Neither has there been any conscious effort to either diminish, conflate or excuse the harms caused by vigilantism. Rather, this thesis reflects an attempt to understand, so far as is possible, the views and perspectives of those living with the constant threat (or reassurance) of vigilante violence. It should be acknowledged, however, that the ways in which research questions are posed and explained, and various analyses presented, will, inevitably, bias the perceptions of the reader. For example, the substantive historical chapters presented in the earlier parts of this thesis are intended to highlight the importance of contextual awareness when engaging in examination of contemporary events. The judicious framing of one's argument, and the considered and reasonable use of scholarly conventions of this sort is not, in and of itself, problematic. After all, the effective prosecution of a considered point of view and the exercise of persuasive logic are the primary tools available to effectively present one's research. The point, however, is that conclusions regarding the research topic are made *after* substantive and critical inquiry has been concluded, and are not reached pre-emptively so as to correspond neatly to broader political or scholarly narrative.

Avoidance of the traps presented by teleological thinking, and evading the alluring temptation of selective consideration of field data has been a persistent challenge whilst undertaking this research. Encountering this dilemma was, to a large extent, surprising as issues of this type seem to be rarely discussed by academics except when specifically reviewing research methodology (see Davies et al 2011; Maxfield & Babbie 2009; Kraska & Neumann 2008; King & Wincup 2000 for discussion of qualitative criminological research methodologies). Strong preconceptions on behalf of the researcher appear to be a double-edged sword. They are often primary motivators and underpin

personal dedication to a research 'cause', but they may also be difficult for researchers to even identify, let alone shift in accordance with the sometimes unwelcome realities of the research environment. In particular, the persistent habit for statistical outliers or odd bits of interview data to stubbornly defy the conclusions of an elaborately constructed and well thought out theoretical innovation can be immensely frustrating. However, resolving these challenges and reconciling the complexity of the real world with the artifice of theory are also amongst the most rewarding and fascinating aspects of serious, in-depth research. The time and attention devoted to addressing these and the other myriad issues associated with researching South African vigilantism will hopefully be apparent throughout the remainder of the thesis.

Chapter II - Locating South African Vigilantism

Vigilantism is a long-established worldwide phenomenon. No one continent or culture can lay claim to the proto-vigilante; the practice is likely to have emerged independently wherever there has been dispute concerning the punishment of criminals and deviants. However, the classic image of the vigilante is indelibly framed by the rolling tumbleweeds and swing-door saloons of the American 'Wild West'. This popular archetype, reinforced by iconic productions on the silver-screen, is well supported by historical documentation that confirms the central place of vigilantism in the 19th century development of the United States' western frontier (Abrahams 1998; Brown 1976). Brown (1976) asserts that the rise of US vigilantism was linked to the twin problems of community reconstruction and inadequate law enforcement. Community reconstruction meant for wealthy pioneers the opportunity to recreate the conditions of their economic success in an environment of new and untapped natural bounty. For the drifters and "ne'er-do-well, shiftless, poor Whites", on the other hand, the associated inequalities in wealth came at the expense of fairness and social innovation (Brown 1976:88). In new frontier towns where the dynamics of power were yet to be established and entrenched, these class tensions manifested in endemic, elite-driven vigilante purges.

Compounding these problems was a challenging environment and a lack of law enforcement infrastructure. Poor roads, long distances, hostile 'natives' and an almost inexhaustible number of settlements and expanse of wilderness in which suspects could vanish, ensured that tracking down and prosecuting offenders was exceptionally difficult. Waiting for the authorities to arrive was often tantamount to allowing crime to proceed unhindered. Town leaders were therefore predisposed to capturing and punishing law-breakers themselves in order to safeguard their property and dispel potentially self-fulfilling perceptions of vulnerability (Brown 1976). Deficiencies in the ability of the state to police its territory adequately only gradually diminished over time. Settlements slowly expanded and improved communications and rail networks shrunk the amount of time and distance on which fugitives depended to escape and coordinate their activities. However, these developments did not ameliorate the threat of vigilantism. The growing pressures of urbanisation and a bitter legacy of hatred and defeat in the Southern states led to a continuation of vigilante violence (Abrahams 1998; Brown 1976).

Perhaps more than any other image, the haunting sight of a beaten and lifeless body swinging before a crowd of smugly amused onlookers encapsulates with dreadful clarity the chilling depths of American vigilantism and race relations. The terrible aspect of lynching has been the subject of many years of academic debate, artistic interrogation and (more recently) sombre national introspection.⁴ From settlement up until the 1960's, life in those states south of the Mason-Dixon Line was regularly punctuated by the brutal lynching of African slaves and their descendants. In the era of reconstruction following the American Civil War (1861-1865) the practice proliferated with unabated and sanguinary enthusiasm. However, notions of racism and White supremacy were only part of the rhetoric used to justify these atrocities. A veneer of righteous retribution and rough justice permeated the rhetoric of even the basest of vigilante lynch mobs and their defenders. According to Waldrep (2002), aspirations to securing the spiritual and physical welfare of the community applied even to the Ku Klux Klan who, "like Western lynchers... professed to strike only at immoral, dissipated deviants" (Waldrep 2002:73).

These familiar examples offer precious insight into the conditions that catalyse similar forms of vigilantism in other times and regions across the world. While vigilantism will ultimately be shaped by local forces, the central problems of inadequate law enforcement, state illegitimacy and serious community conflict will always, to a greater or lesser extent, be present. In Western Europe, for example, the notorious 'punishment squads' of the Irish Republican Army were responsible for a legacy of vigilante crimes that claimed the lives of thousands of people over the past three decades (McEvoy & Mika 2002:61; Knox & Monaghan 2002). Familiar problems created an environment where these crimes could take place; these included protracted conflict between Loyalist and Republican communities, deep mistrust of local law enforcement and a lack of government legitimacy amongst significant (particularly Republican) sections of the populace (McEvoy & Mika 2002). Without oversimplifying the labyrinthine complexities of the 'Troubles', recognising the broad underlying factors that precipitated vigilante violence in Northern Ireland is relatively straightforward. As Abrahams (1998), author of the seminal text *Vigilant Citizens: Vigilantism and the State* succinctly claims, "the range of conditions under which vigilantism emerges is relatively narrow" (1998:15).

⁴ Lynching may seem an unlikely subject of artistic attention. This notion, however, was radically overturned in 1939 with the release of Billie Holiday's *Strange Fruit*. Written by school teacher Abel Meeropol, the song caused a nationwide sensation in the US, despite being refused airplay by most radio stations (Waldrep 2002:166).

Academic interest in the myriad regional manifestations of vigilantism is on the rise. Indeed, an examination of the relevant literature reveals an exponential burst of publications investigating the practice in locations ranging from Nicaragua and Novgorod (Rogers 2008; Galeotti 2008) to Israel and India (Kelly 2008; White & Rastogi 2009). This vibrancy of inquiry reveals the continuing power of vigilantism to capture the imagination of the general public and scholarly community alike. For those researchers working in the fields of criminology, anthropology and sociology, vigilantism also represents a unique opportunity to explore theoretical issues in a new and refreshing light. The most common area of academic focus is undoubtedly the endlessly shifting and complex relationship between citizen and state. In this instance, vigilantism may be seen as a dangerous swing towards either homicidal government repression (e.g. police/paramilitary death-squads operating in Guatemala and Brazil) or anarchic decentralism (as may be seen in Nigeria with the emergence of groups like *'yan hisba* and the Bakassi Boys) (Pratten 2008; Godoy 2006).

State-citizen relations, however, form only one part of the story. Other themes addressed by vigilante studies include social constructions of crime and deviance (Buur 2005; Buur & Jensen 2004); identity and group formation (Martin 2010; Jensen 2008); attitudes towards corporal and capital punishment; neo-colonialism and the validity of human rights discourse (Buur 2008b; Oomen 2004); neo-liberalism and the proliferation of non-state forms of policing (Marks & Wood 2010; Monaghan 2008). The list goes on. However, to best explore these ideas in due depth, generalised discussion must be abandoned in favour of a more focused and region-specific analysis.

South African vigilantism, like its variants in other parts of the world, has an extended and continuous history that has persisted from colonisation up until the present day. This history is contested, and scholarly opinions as to the efficacy and legitimacy of vigilantism have diversified since the political upheavals of the 1980's, when vigilante violence flared across the country with a shocking and unprecedented intensity. Since that period, vigilantes have been variously characterised as political terrorists (Charney 1991; Haysom 1986), mob leaders (Harris 2001a), and defenders of tradition and community values (Oomen 2004; 1999). They have been intimately linked with both counter-revolutionary oppression and crime-fighting; in recent times, they have also enjoyed significant levels of support amongst certain sections of the general public. However, these

perspectives, like the practice itself, are complex, value-laden and shaped by wider ideological considerations. In every new definition we may interpret an attempt by scholars to redraw the social boundaries and political space in which vigilantes are confined.

Studies exploring vigilantism also often come in distinctive waves. Scholars supplement individual research with collaborative partnerships (e.g. the work of Lars Buur and Steffen Jensen), while research institutes have commissioned entire teams to investigate, observe and analyse vigilantism (as in the case of the Centre for the Study of Violence and Reconciliation (CSVR)). These collectives represent differing schools of thought within a wider, burgeoning field of academic inquiry. Indeed, the study of South African vigilantism is now of sufficient size and scope that identifiable trends and contrasting historical perspectives have emerged. This literature review represents a nascent attempt at providing a retrospective framework with which to engage these developing ideas. By identifying the three main developmental phases of South African vigilante studies – apartheid (from colonial settlement - 1994), post-apartheid (1994 - early 2000s) and contemporary vigilantism (mid 2000s to present day) – this section seeks to examine some of the underlying biases, continuities and inconsistencies that have permeated academic consideration of the subject. The categories are not intended as discrete entities, but represent, rather, overlapping, loosely chronological movements that indicate both dominant ideologies and the zeitgeist of the day.

Apartheid Vigilantism

Early investigations of South African vigilantism (such as those conducted by Haysom 1989; 1986; Charney 1991) identify the mid-1980's as the period when vigilantes first appeared in Black townships and began to make clear their right-wing, counter-revolutionary agenda. Writing in the latter years of apartheid, Haysom (1989) underscores this overtly political perspective, claiming that the term 'vigilante' "connotes violent, organised and conservative groupings operating within Black communities" (Haysom 1989). Charney offers a yet more detailed description, profiling vigilantes of this era as drawn from the "government-linked petite bourgeoisie, elders, and patrimonially organised working men and youth" (1991:7). These were the privileged elements of Black society that benefited most from the 'clientelist' apartheid state – the system of government that dominated Black South Africa and was characterised by bonds between local chiefs or powerbrokers and their dependents (Charney 1991). Beginning with some of the earliest studies investigating this

phenomenon, therefore, vigilantism is constructed primarily as a particular type of intra-racial (i.e. 'Black-on-Black') rather than inter-racial conflict.

Studies from this earlier period also stress that class and generational conflict were endemic under the 'clientelist' system (Haysom 1989; Charney 1991). The belligerents involved were routinely typified as young, poor revolutionary 'comrades' opposing apartheid on the one hand, oppressed by older, politically connected and wealthy patriarchs on the other. This dichotomy, despite its broad representation and conceptual usefulness, also tends towards over-generalisation, as it conceals a number of other sources of identity-conflict, most notably those involving gender and ethnicity (Charney 1991). What is unambiguously clear, however, is that these intra-communal tensions were consciously stoked and exploited by the apartheid government as part of a larger effort to mobilise support against an increasingly formidable pro-democracy movement:

The reliance on vigilantes as a disorganising force represents a shift away from a reliance on the SADF [South African Defence Force] and SAP [South African Police] to suppress Black resistance. However it is crucial to appreciate that this shift is part of a military strategy - a strategy of counter-insurgency (Cock 1989).

With the apartheid government covertly fomenting community strife, Black townships, already predisposed to violent division along class, generation and other lines, were primed to explode. The revolutionary sentiment that intensified across the country in the 1980's led sections of the Black elite (i.e. the traditional local chiefs, elders and propertied patriarchy) to react against an increasing threat to their (relatively) privileged position in the social hierarchy. With the tacit support of the state, they began to engage in vigilantism in a vigorous attempt to defend the status quo (Charney 1991). Thus vigilantes became the bastard defenders of apartheid, covertly supported by the ruling White regime to attack and suppress its revolutionary enemies.⁵ Those members of Black society that collaborated with the apartheid state were rewarded for their fratricidal complicity with local impunity, money and firepower (Haysom 1989; Cock 1989; Charney 1991).

⁵ Evidence later presented to the South African Truth and Reconciliation Commission suggested that the counter-insurgency 'vigilante strategy' "had the added benefit of demonstrating the apparent savagery of Black-on-Black violence, and the inevitability of chaos with Black rule" (Pigou 2003:237).

Unsurprisingly, such close ties to a brutal and morally bankrupt regime ensured that apartheid-era vigilantes came to be reviled by much of the Black population, particularly the young and the poor (Charney 1991). This enmity rose to such a bitter extent that by the end of 1988, vigilante and counter-vigilante violence together were estimated to have accounted for more than “90% of all unrest-related deaths” (Haysom 1989). The deep and unique hostility associated with the vigilantes largely explains why the term had such strictly limited and pejorative significance: once the pro-apartheid activities of complicit Black elites were labelled as ‘vigilante’ it would be incongruous to use the term in any other context or capacity. While the activities of people’s courts and street committees may, perhaps inappropriately, be linked under a common signifier, there was no behaviour that was conceivably comparable, in substance or intent, to that of the apartheid-era ‘vigilante’.

Apart from identifying the essentially political nature of apartheid-era vigilantism, these earlier studies also note several features of vigilantism that remain relevant in South Africa today. Firstly, vigilante violence serves both an immediately punitive and symbolic function (Haysom 1989; Charney 1991); by brutally murdering an opponent, a vigilante not only has eliminated an enemy but has also sent a terrible message to others contemplating the folly of dissent. For this message to be effective, vigilante violence must be shocking and, more importantly, highly visible. Indeed, vigilantes’ success and capacity to intimidate depends on the infamy generated by widespread public knowledge and fear of their deeds. Contemporary vigilantes share this aspect of violent methodology with their predecessors, as evidenced by the widespread use of torture when apprehending or interrogating subjects (Ball 1994; von Schnitzler et al 2001), and the high incidence of vigilante events that culminate in one or more deaths (Harris 2001a).

Secondly, internecine strife remains a powerful catalysing force in the development of vigilantism. Recent studies conducted by Jensen (2008), Oomen (2004), and von Schnitzler et al (2001) indicate that class and generational conflict are enduring fault lines which continue to undermine communal integrity. Tracking the development of the infamous vigilante organisation Mapogo-a-Mathamaga, both von Schnitzler et al (2001) and Oomen (2004; 1999) identify conflict between local youth and elders as a primary catalyst in the group’s inception. In each of the three reports vigilantism is characterised as an oppressive technique used against the younger generation by established elders. Jensen (2008) notes a similar dynamic of forceful patriarchal dominance in the north-eastern

municipality of Nkomazi. There, Jensen (2008) contends, vigilante violence provides a forum for larger, inter-generational conflicts concerning status and wealth, “through the language of crime, particularly younger indigent men and [the] older, economically well-off fight to gain or sustain authority, respect and livelihood” (Jensen 2008:49).

Post-apartheid Vigilantism

In the period following South Africa’s first free elections in April 1994, there was a profound shift in the way vigilantism came to be perceived by both the academic community and the general public. Whilst previously associated with those members of the Black elite who collaborated with the apartheid regime, vigilantism now became associated with activities unrelated to politics (Harris 2001a:7). What would seem to be the most obvious reason for this shift – that with the collapse of apartheid there was no remaining elite to protect – is erroneous. Although the apartheid regime was dismantled, the legacy of privilege, depravation and marginalisation in the Black community remained. As previously noted, class and generational conflict were set to continue across the country. The real reason for this shift was more likely to do with changing societal attitudes regarding the role of the state than with any real transformation in intra-communal power relations. With the collapse of apartheid, politics ceased to be the primary framing mechanism through which social problems were construed and constructed. Instead, there was a ‘new’ bugbear to terrorise the public and threaten the viability of the fledgling democratic republic – crime (Shaw 2002a).

Initial forays into the study of vigilantism in post-apartheid South Africa share a common focus on its relationship to crime, specifically by identifying vigilantism itself as a criminal activity. Perhaps the largest of the earlier investigations was published as part of the Centre for the Study of Violence and Reconciliation’s (CSVR) *Violence and Transition* series. As the title suggests, the series consists of a number of reports investigating the violence committed in South Africa from 1980 to 2000. While individual studies vary significantly according to topic, there are a number of consistencies across the series that invite collective consideration. Most significant amongst them is the stress that CSVR researchers place on perceiving vigilantism as a complex social phenomenon, one which cannot be explained away by simply referring to high levels of crime or the perceived failings of the criminal justice system (see Harris 2001a; Harris 2001b; von Schnitzler et al 2001; Dixon & Johns, 2001). As Harris (2001b:5) declares, “Vigilantism occurs for many reasons other than fighting crime”. This

important point is also consistently noted in contemporary, non-CSVR studies examining South African vigilantism (see, for example, Buur 2008, 2006; Jensen 2008).

Post-apartheid vigilantism studies such as those conducted by Oomen (2004; 1999), Tshehla (2003), Minaar (2002), von Schnitzler et al (2001) and Dixon and Johns (2001) narrate the emergence of high profile vigilante organisations such as Mapogo-a-Mathamaga, PAGAD and the Peninsula Anti-Crime Agency (PEACA). Significantly, these studies explore how complex historical factors coupled with deficiencies regarding the South African criminal justice system result in vigilante group formation. By focusing their attention on specific organisations, the authors are able to examine in great depth and detail the local conditions that precipitate the emergence of vigilante activity. Some of the catalysing factors identified do not have relevance past their immediate context (e.g. the role of Islam in the formation and subsequent radicalisation of PAGAD (Dixon & Johns 2001)), while other factors have more universal applicability. These include the widespread perception that a 'Western style' legal system is incompatible with the violent realities of African society, and the important role of neo-traditional rhetoric, particularly regarding corporal punishment, in justifying vigilante violence (Oomen 1999; von Schnitzler et al 2001; Dixon & Johns 2001).

Post-apartheid studies also tend to place considerable emphasis on revealing the stark human costs of both crime and vigilantism in South Africa (see particularly von Schnitzler et al 2001, Harris 2001a; Dixon & Johns 2001). This is achieved by reproducing and contextualising individual accounts of both victims and perpetrators of vigilante violence. Vivid descriptions of vigilante methods, punitive actions and interrogation techniques make for sobering reading, particularly when punctuated by personal narratives detailing first-hand torture or homicide. Harris (2001a) highlights the role of necklacing – a terrifying method of execution commonly used by vigilantes – building upon the earlier work of Ball (1994), who first investigated this grisly and peculiarly South African practice in detail. The presentation of this data is neither gratuitous nor ghoulish, but serves rather as a necessary reminder of the solemn gravity of the subject at hand. Many lives have been lost or ruined at the hands of South Africa's vigilantes and the trauma these communities suffer is, ultimately, not adequately reflected by theories or statistics but instead by tragic, irredeemable personal experience.

A further, striking similarity across post-apartheid vigilantism studies, particularly those commissioned by the CSVR, is the uniformly negative light in which vigilantism is cast (Harris 2001a; Harris 2001b; von Schnitzler et al 2001; Dixon & Johns 2001; Tshehla 2003; Minaar 2003; 2002).⁶ Given the aforementioned brutality and scale of vigilante crimes this, too, may seem unsurprising. However, the uncompromisingly negative association results in a one-sided perspective that leaves important questions unasked, for example: is vigilantism effective in reducing local incidences of crime? Does vigilantism make some people feel safer in their community? Are there 'good' vigilante groups or do they all negatively impact society? Given the depth and diligence with which these studies explore the causes of vigilantism, it seems discrepant that there is not a similarly sophisticated and impartial approach when examining its likely effects. Instead of addressing these issues, we are left with the dubious impression that all South African vigilantes are an unambiguous blight on the community, with little or nothing to distinguish them from the criminals they purport to terrorise. Harris' (2001a) views are indicative of this general perspective:

First and foremost, it is vital to emphasise that vigilante actions, regardless of their motives, are criminal because they operate beyond the confines of the law and violate human rights. Secondly, it is important to establish and publicise the link between vigilantism and 'pure crime', that is, crime such as theft, murder, and bribery... This may go some way towards deconstructing the myth that vigilante violence is noble and altruistic and something to be supported (Harris 2001a:54).

Aside from issues of academic objectivity, this particularly negative view of vigilantism precludes one from examining the phenomenon in its due complexity. Harris' (2001a) above passage does more than demonstrate a tendency to over-generalise and over-simplify a complex social practice; it also betrays an imbued sense of cultural mono-centrism. By characterising vigilante actions as criminal because they 'operate beyond the confines of the law and violate human rights', Harris (2001a) misses the central point that such arguments have little or no currency in communities where Western-legal and human rights discourses are not respected. Indeed, a major contributing factor in the emergence of vigilantism in South Africa is local disdain for human rights and their embodiment in the much-hyped 1994 constitution (for greater discussion of this issue see *Chapter VI - The South*

⁶ With the notable exception of Oomen (2004; 1999) whose two studies into the inner workings of Mapogo-a-Mathamaga offer a contrastingly measured and objective account of that organisation's role in the community.

African Police Service; also Buur 2008; Oomen 2004; 1999; Lee & Seekings 2002; von Schnitzler et al 2001).⁷

The preponderance of human rights-skewed analyses can be partly explained by ideological imperatives. The CSVR, for example, is explicitly committed to building a “human rights culture in South Africa” (CSVR 2009). This commitment unavoidably influences the methodological design and requirements of each research project that it commissions. In the case of the *Violence and Transition* series, a broad objective underpinning each study is to “contribute to local and international debates about reconciliation and justice for perpetrators and victims of gross violations of human rights” (Harris 2001a:2; Harris 2001b:2; von Schnitzler et al 2001:2; Dixon & Johns 2001:2). This kind of ideological, institutional and methodological predisposition inherently limits discussion by narrowing the analytical framework (i.e. problems are identified and discussed in relation to human rights discourses) and producing arguments with a teleological bias (i.e. evidence may be selectively interpreted and critiqued on the basis of whether or not it conforms to human rights norms).

Proponents of restorative justice are also guilty of selectively presenting or excluding information on the basis of whether or not it conforms to their ideas. Roche (2002) and Shearing and Wood (2004), for example, have a tendency to sequester the more palatable aspects of informal justice (such as victim-offender mediation, restitution and community consultation) as ‘legitimate’ and ‘restorative’ while other aspects (particularly corporal and capital punishment) are denounced as ‘illegitimate’ and ‘vigilante’. However, distinctions made between the two types of justice, one ‘good’ the other ‘bad’ are largely arbitrarily defined and externally imposed. Such claims are made without cognisance of the fact that vigilante groups often employ a variety of these measures, sometimes simultaneously, with significant involvement and support from a cross-section of the community (Buur 2008a).

The propensity of vigilantes to practice corporal and capital punishment renders them vulnerable to criticism from those (understandably) shocked by the violent norms of South African society, as well as others pursuing an ideological or theoretical agenda. However, in condemning these forms of vigilante punishment as simply criminal or pathological we run the risk of missing important

⁷ Highlighting this point, Oomen (2004:157) notes the title of a song performed by the crowd at a Mapogo rally: “Where have you seen such a thing as a criminal with rights?”

messages concealed in outwardly barbaric acts. For example, discussing the significance of necklacing under apartheid, Ball (1994) claims that the greatest number of victims of that method of execution were accused either of witchcraft or collaboration with government authorities. The use of this form of capital punishment was deliberate, and was specifically intended to cleanse the community by fire from traitors, be they spiritual or political (Ball 1994). This motivation does not justify the harshly punitive finality of such an act, nor can it account for all instances of necklacing in the post-apartheid era. However, it does demonstrate the often unacknowledged and unpalatable point that excessively violent punishment is not necessarily devoid of meaning, reason or importance (see *Chapter X - In the Aftermath* for greater discussion of this issue).

Jensen (2008:48) levels another similar criticism at like-minded “Western literature on the subject” that characterises vigilantism primarily in its capacity to threaten the “Weberian state’s monopoly on the use of force”. Jensen (2008:48) contends that such studies fail to recognise the pervasive, widely accepted and crucial role vigilantism plays in the ‘everyday policing’ of otherwise neglected Black townships. Unnecessarily narrow interpretations limit our comprehension of vigilantism from a dynamic forum and tool of public regulation to a visceral, ill-tempered expression of violent criminality:

Firstly, casting it as the evil remnants of a horrible past renders vigilantism as exceptional. Secondly, these understandings limit the exploration of vigilantism as anything other than as challenges to a (legitimate) state. Hence we fail to understand vigilantism in its normality and everyday practice (Jensen 2008:48).

Contemporary Vigilantism

Jensen’s (2008) assertion that vigilantism is a ‘normal, everyday’ practice is synonymous with a new direction in vigilante studies, and it is unlikely to sit comfortably with scholars used to a clear distinction between state and non-state activity. According to Pratten and Sen, editors of the 2008 publication *‘Global Vigilantes’*, such dichotomies are increasingly meaningless in a world under the dual spell of neo-liberalism and globalisation (see also Scahill 2007; Klein 2007; Singer 2004). Both developed and developing states are, they contend, retreating from the public sphere and rapidly delegating security services to private enterprise (not to mention other, previously state-dominated

industries such as public health and national defence) (Pratten & Sen 2008:64). This results in confusing and overlapping strata of organisations that have varying ties of legitimacy and accountability to the state. Those members of the public with the highest levels of purchasing power have the greatest number of security 'options', with traditional police (in South Africa, at least) running a distant second to private security firms in terms of reliability and competency (Tshehla 2003; Shearing & Wood 2004).

This market-centric paradigm of security provision is also commented upon by Shearing and Wood (2004:416), who identify the lack of protection for poor, 'failed consumers' suffering from a 'government deficit', who are unable to afford a policing alternative. Their model of 'nodal governance' – an idea based on the emergence of various power loci, or nodes, that compete with the state in the provision of services and securing the loyalty of their 'denizens' – is a useful conceptual tool in identifying and navigating the fractured landscape of governance in South Africa. Although Shearing & Wood (2004) do not explicitly nominate vigilante groups in their analysis of local-governmental nodes, their theory is an appropriate match regarding their place in South African society.⁸ In areas where vigilantism thrives government authority is implicitly either unrecognised or relegated to a position of secondary importance. In such areas vigilante organisations have successfully formulated and implemented local anti-crime strategies and, as Swanepoele and Duvenhage (2007:141) note, "this means that the state is not the only institution making rules".

Shearing and Wood's (2004) theory of nodal governance is congruent with, and given an added cultural dimension to by the work of Buur and Jensen (2004a; 2004b; Buur 2005; 2006; 2008; Jensen 2008) who take a normative approach to the study of vigilantism. Rather than focusing on the economic aspects of informal governance, Buur and Jensen (2004b) explain the way in which vigilante groups perpetuate the formation of local 'moral communities'. These communities are continuously recreated and reinforced by the 'everyday policing' activities of vigilante groups which, by addressing local crime and neighbourhood disputes, come to embody community consensus and values (Buur & Jensen 2004b). Unlike police, vigilantes are not constrained by national laws that may be perceived as 'out of touch' or irrelevant to the concerns of local residents. The range of concerns addressed by vigilantes, according to Buur (2008:130), encompass "family-related disputes (over

⁸ Shearing and Wood's (2004) work exhibits a perplexing reluctance to note the reality of vigilante involvement in local governance in South Africa, preferring instead to emphasise the sanguine activities of local 'peace committees' in resolving neighbourhood disputes.

gender, marriage, inheritance, pregnancy)” to “generational conflicts (about sexuality, schooling, disrespectful language)”.⁹ In addition, the threat of witchcraft and the occult often represents a real and particularly dangerous perceived hazard to the community, one which is only adequately addressed by vigilantes groups cognisant of local beliefs and cultural practices (Ashforth 2005; Buur & Jensen 2004a).

The new, contemporary directions in which scholars such as Buur and Jensen (2004a; 2004b; Buur 2008; 2006; 2005; Jensen 2008) are taking vigilantism studies represents a refreshing shift away from the narrowly political and solely criminal characterisation of earlier eras. By addressing the delegitimised needs and concerns of local communities they demonstrate that vigilante organisations are complex entities that have, at least in some instances, transcended a shameful legacy. Undoubtedly, vigilantism does represent an exceedingly violent, haphazard and often harsh allergic response to crime -or at least it often appears this way through Western eyes. However, vigilantism also represents a desperate attempt by communities to provide security, and find order in a brutal and traumatised environment. Both its victims and perpetrators are ‘forgotten’ peoples, ignored by a state unwilling or unable to fulfil its responsibilities to provide opportunity and safety. Scholars should be mindful of these notions and seek to understand vigilantism from a new perspective – not from the comfort and safety of the first world but from the poverty stricken streets of townships where, for better or worse, it is sometimes the ultimate arbitrator over matters of life and death.

⁹ Domestic and low-level disputes such as those listed need not necessarily be solved with violent punishment. Instead, other mechanisms of conflict resolution may be employed by vigilante groups such as mediation, compensation or ostracism from the community (Lee & Seekings 2002). However, as Lee and Seekings (2002:114) note, regardless of how peaceful means of vigilante justice may seem, there remains the implicit threat of violence if commands and judgements are not respected.

Chapter III - Methodology

Introduction

As indicated in the introductory chapter, this study employed qualitative research design in order to determine the perceptions of vigilantism of those living and working in the Zandspruit Informal Settlement, with a secondary emphasis on views regarding formal law enforcement. Subsequent analysis of this data is intended to address broader issues regarding the role and implications of vigilantism in South African society, as well as the functions of informal security groups more generally. The primary method of data collection was qualitative fieldwork based on 50 semi-structured interviews with Zandspruit residents and local authorities, including NGO and community leaders. This chapter will explain the rationale underpinning each aspect of this research methodology, outline the reasons for conducting an in-depth case study in Zandspruit, describe the research design and data set, and discuss the various obstacles encountered during the fieldwork process. Finally, the concluding section will explore the various ethical issues raised during fieldwork.

While much can be learned from the existing research of scholars studying vigilantism (of which South Africa has a disproportionately large number - see the Bibliography for an exhaustive list), and from a number of outstanding works of investigative journalism (for example, Bearak 2009; Theroux 2008; Aitkenhead 2000; Wren 1990), no amount of reference material can compare to the insights gained from heading out into the field and generating one's own data. As any researcher who has conducted fieldwork would most likely be aware, this process can be simultaneously daunting and rewarding. The thrill of adventure and the satisfaction derived from gaining new insights are tempered by anxiety regarding the need to acquire and interpret complex data within the logistical confines of tight budgets and strict deadlines. When conducting fieldwork overseas, particularly in a vibrant and, at times, comparatively dangerous country like South Africa, both the positive and negative aspects of fieldwork are amplified. Rich research opportunities are difficult to identify and access, resources are stretched, and optimum use must be made of occasionally challenging, less than ideal conditions. Managing the conflicting priorities associated with this process requires a research methodology that is rigorous and focused, yet sufficiently reflexive so as to accommodate the realities of the fieldwork environment.

Qualitative research methods are well known to be more flexible and adaptive than quantitative approaches (Jupp, Davies & Francis 2011; Maxfield & Babbie 2009; Kraska & Neuman 2008). This is not only beneficial when conducting fieldwork but can also result in significantly more nuanced explanatory analysis. While lacking the representative robustness of quantitative research, qualitative methodology allows the researcher to examine individual perspectives in detail, while also providing the capacity to reflect immediately upon unanticipated events or data and update research priorities 'on-the-fly' (Kraska & Neuman 2008:152; Punch 2005:15). This means that new lines of inquiry may be fully exploited as they emerge rather than having to delay the recalibration of research questions until after analysis has concluded (Maxfield & Babbie 2009:206).

The advantages of a qualitative approach are particularly apparent when investigating complex social phenomena which may defy the neat and exclusively categorical questions and answers characteristic of quantitative surveys and questionnaires. Vigilantism is indeed one such phenomenon; the understanding of this topic is complicated by a multiplicity of conflicting and sometimes contradictory perspectives, particularly amongst those populations who live with the potential of it on a constant basis. Simple 'yes/no' or multiple choice questions would tell us little about the substance of these views, especially when compared to the deeply held personal opinions and emotions (hopefully) expressed over the course of a lengthy and unscripted qualitative interview. Face-to-face interviews also offer the best means by which trust may be established with research participants (Maxfield & Babbie 2009) - a factor of critical importance when researching illegal and controversial activities as is the case with this study. From the beginning of the research process, therefore, a strong case existed for conducting a qualitative rather than quantitative study; both the complex nature of the topic and the need to gather in-depth explanatory data indicated this approach to be the most appropriate (Jupp, Davies & Francis 2011; Maxfield & Babbie 2009; Kraska & Neuman 2008). During the six weeks spent in the field, the validity of a qualitative research design was proven beyond doubt and is most readily demonstrated by the rich data set now contained in countless hours worth of interview transcripts.

Semi-structured Interviews

Semi-structured interviews were the central mechanism employed to determine local perceptions of vigilantism. A semi-structured, as opposed to purely unstructured approach was required to provide a basis for comparison between responses. Semi-structured interviews allow for comparable themes

to be explored with all respondents whilst maintaining the necessary flexibility and adaptability to follow-up on initial responses (Kraska & Neuman 2008:281-282). This approach allowed the researcher to generate data that was both highly detailed as well as suitable for comparative analysis. As well as determining local perceptions of formal and informal policing, interviews served an additional function by assisting in the mapping of the Zandspruit vigilante landscape. As vigilantism is often an improvised process, uncontrolled by any central bureaucracy, it will manifest differently from location to location. Not only do the size, nature and composition of vigilante organisations vary dramatically between areas, but so too does the willingness of the local population to participate in spontaneous vigilante events. Interviews and knowledge informally expressed by residents helped determine a clearer picture of these vigilante processes operating in Zandspruit.

The need to carefully craft interview questions was particularly important, given the significant cross-cultural and language differences between the researcher and interviewees. One significant difference regarding the terminology of the interview questions presented an immediate challenge upon arrival in South Africa. The term 'vigilantism' is interpreted differently in South Africa compared to the Anglophone world. As discussed in the previous chapter, 'vigilante' was the appellation given to right-wing, government supported paramilitaries that terrorised Black townships during the latter years of the apartheid regime (for greater discussion of this also see *Chapter IV - Politics and Policing under Apartheid*). As such, these terms carry a uniquely pejorative significance in areas such as Zandspruit. The more neutral 'informal policing' was therefore substituted in the place of 'vigilantism' for use during the interviews and is also used interchangeably throughout this thesis. The decision to continue to use the terms 'vigilante' and 'vigilantism' in the written analysis was made on the basis that the primary intended readership would most likely understand these in their more broadly interpreted sense, and would also allow the thesis to fit more easily into the broader international, scholarly literature referring to vigilante studies.

The following open-ended questions formed the basis of all of the interviews undertaken as part of the fieldwork:

- a) Is informal policing a normal way of dealing with crime in the Zandspruit settlement?

- b) Why do you think people use informal policing as opposed to other methods of crime control (e.g. the police)?
- c) How do you feel about informal policing in the Zandspruit settlement?

Although the dangers associated with leading interviewees may never be entirely ameliorated, pre-determined and follow-up interview questions were formulated so as to avoid unduly influencing subject responses. As advised by scholars Maxfield and Babbie (2009:175), overtly biased or loaded language was removed in favour of a more objective and opened-ended tone. For example, a question such as 'How should those practicing informal policing operating in your community be punished?' (thereby implying that informal policing is inherently 'bad' and in need of punishment) was reframed in more neutral language, 'How are those who practice informal policing treated by the rest of the community?' or 'Are those who practice informal policing accountable for their activities?' The use of open-ended questions also meant that interview length was largely determined by the interviewees, however, interview subjects were informed prior to interviews of the estimated length of the process (approximately 10-20 minutes). By allowing the interviewee to determine the length and (within reasonable limits) the subject and flow of conversation, greater trust was able to be established between the two parties. The open-ended nature of both questions and total interview length were consciously designed so as to engender a casual, relaxed atmosphere in which interviewees would feel inclined to 'open up' and engage in unguarded conversation.

Research Assistants

Vigilantism is a notoriously difficult subject to research. As is the case when investigating any illegal activity, significant and understandable reticence may be exhibited on the part of research subjects who may be suspicious of the motives of nosy outsiders. With regard to South African vigilantism, however, Minaar (2002) and von Schnitzler et al (2001) point to an additional collective anxiety affecting those living in vigilantism-prone areas. According to these scholars (Minaar 2002; von Schnitzler et al 2001) a 'conspiracy of silence' has emerged surrounding discussion of vigilantism because of fears of attracting violent retribution from vigilante gangs (Minaar 2002:120). Overcoming these and other research challenges highlight the crucial importance of appropriate planning, patience and community consultation preceding and accompanying fieldwork. In particular, the cultivation of trusting relationships with 'gatekeepers' (i.e. those able to facilitate

access to the community) is instrumental to the success of this process. The gatekeepers who played the greatest role in this study were two research assistants living in the Zandspruit settlement who had pre-existing links with community liaison staff at the Monash University Johannesburg campus. Their hard work and participation was absolutely crucial to the entire fieldwork process and this research could not have been carried out without their assistance (see the *Issues in Research Implementation* section below for greater discussion of the role of research assistants).

Research Subjects and Recruitment

In selecting subjects for interview, Bailey (2007:76) and Kraska and Neuman (2008:146-147) point to the value of triangulation in gaining a 3-dimensional perspective of the phenomena in question. This entails the selection of interview subjects from different backgrounds and a range positions within the social hierarchy in order to compare and contrast varying responses. By employing this research technique this study sought to gain a 'truer', multifaceted perspective of vigilantism rather than a single, narrow account that unavoidably tells only one part of the story (Kraska & Neuman 2008; Bailey 2007; Maguire 2000:136). In implementing this approach, two groups were selected for field interviews: Group 1 comprised Zandspruit residents and made up the majority of interview data. Group 2 represented informal Zandspruit authorities such as non-government and community leaders. As per instructions from the Monash University Ethics Committee (MUEC), interviewees would be de-identified and provided with coded pseudonyms so as to protect their anonymity.

Recruiting subjects for interview was complicated by the significant time constraints and the physical difficulties complicating research in Zandspruit. The most significant of these was a lack of general access to freely wander in the settlement due to the threat of violent offenders. Participants were therefore selected on the basis of availability, and research assistants were free to select whomever they deemed appropriate for interview, within reasonable limits (i.e. participants were required to be of adult age and conform to the basic requirements of either proposed research group). This meant that the interviewees selected for inclusion in the study do not constitute a representative sample.

Despite the fact that interview data is not representative, basic demographic information that was collected about research participants at the time of interview revealed that a reasonable cross-

section of ages and gender were included in the sample. Of the 42 total interviews conducted, gender was split relatively evenly, with 23 male participants and 20 female. Unfortunately, data concerning the ages of participants is incomplete as this criteria was only included at a late stage of fieldwork once approximately half of the interviews had already been conducted. From the limited information available, we may determine that more younger people between the ages of 18 and 35 (total of 16 recorded participants) significantly outnumbered participants aged 35 years and older (total of 10 recorded participants).

Table 1. Proposed Interview Groups

Group 1 – Zandspruit residents	40 interviews
Group 2 – Local authorities (NGO and community leaders)	10 interviews

Initial information regarding the two proposed research groups was, admittedly, somewhat vague. However, the decision to not further specify these groups was a conscious one made, in part, to avoid additional bureaucratic hurdles that would likely have been imposed by a legally cautious and proscriptive MUEC. For example, participants in vigilante events are potential research subjects whose perspectives would undoubtedly make a valuable contribution to this research. However, if 'vigilantes' were proposed as an interview group, it seemed almost inevitable that the MUEC would express a range of additional concerns, caveats and restrictions or, more likely, would simply insist that the category be removed in order to avoid potential legal ramifications regarding interviewee participation in illegal activity. An outcome such as this sort of would be detrimental not only to the aims of this research, but also to the interests of vigilantes and other members of the Zandspruit community who were willing to contribute their views. By keeping Group 1 open to non-specific 'Zandspruit residents' it seemed highly likely, given the prevalence of vigilantism in Zandspruit, that vigilantes would be included in the research sample anyway, and that their views could be collected and analysed without additional complication.

Cross-cultural interviewing carries a number of inherent challenges. The most significant of these is the much theorised 'insider-outsider' problem. The 'insider-outsider' problem actually refers to a series of difficulties researchers may encounter when conducting fieldwork with subjects with

different cultural identifying characteristics such as race, ethnicity, sex, socio-economic class, religion, language or age (Merriam et al 2001). Difficulties encountered may include misinterpretation of data (either literally or figuratively), an inability to gain sufficient trust, or secure access to hostile or indifferent groups. In other words, the 'insider-outsider' problem may result in the form of ontological or logistical challenges, or both. The extent of the 'insider-outsider' problem is usually gauged by contrasting the range of differences between the researcher and the research subject (Merriam et al 2001:406). In the case of Group 1, significant differences were evident across a range of factors, most obviously with regard to race and socio-economic class, although a host of additional factors are likely to have also contributed. Group 2 also differed significantly amongst a range of factors, with perceivably less divergence concerning socio-economic class and education (see the *Issues in Research Implementation* section below for more detailed discussion of how these issues affected fieldwork).

As noted earlier, the physical hazards present in Zandspruit prevented access without sufficient planning and accompaniment. This meant that the interviewees from Group 1 (Zandspruit residents) were predominantly drawn from one, relatively easily accessible area of the settlement. While 43 qualitative interviews do provide us with a significant degree and depth of insight, care needs to be taken to avoid construing these views as representative of the entire community. The area from which interviewees were recruited is relatively well serviced with infrastructure and public services such as household potable water, sewerage and electricity. It seems likely that in other areas of Zandspruit, which suffer from more extreme levels of deprivation, the collective attitudes towards crime and criminality could be significantly less tolerant.

Case study: Zandspruit

An estimated 13% of all South African residents (approximately 3.5 million people) live in informal settlements (UN 2004). There are over 1000 such settlements dotted across the country, with many having no access to even the most basic infrastructure services such as clean water, electricity or sanitation. Undocumented migrants are also disproportionately over-represented in informal settlements. In Gauteng¹⁰ an estimated 20% of informal settlement inhabitants have entered South Africa without government authorisation from either Mozambique or Zimbabwe (Solomon 1996).

¹⁰ In geographic terms, Gauteng is the smallest province of the nine provinces in South Africa. However, it is also the most populous, and is home to many large urban settlements, including the capital Johannesburg, as well as Zandspruit (Schönteich & Louw 2001).

Selecting one of these informal settlements in which to conduct field research depended on a number of factors, including: presence of vigilante activity; representative potential (i.e. site characteristics common across other settlements); a dearth of existing scholarly research in that particular area; ease of community access and the presence of suitable 'gatekeepers'. Finally, and most importantly in a high-crime environment, security and safety for those conducting research needed to be considered at all stages of fieldwork design and execution.

As mentioned in the introduction, Zandspruit is an informal settlement of approximately 42,000 people¹¹ located on the northern outskirts of Johannesburg (Zandspruit UDF 2010; Woodman Valley Chapel 2009). It has several characteristics that make it an ideal location for a representative case-study. As is the case in nearly all informal settlements, Zandspruit residents suffer from high levels of poverty and a lack of basic infrastructure. At around 28%, unemployment is significantly above the national average, and in some areas may even be as high as 70% (Northpoint City Church (2009). Support services for the poor are largely limited to what local church-based charities can provide (Woodman Valley Chapel 2009; Northpoint City Church 2009; Johannesburg Church of Christ 2009). In addition to the dire economic environment, other situational crime indicators such as poor urban planning, a lack of street lighting and inadequate home security¹² indicate that crime is likely to be a central concern amongst Zandspruit residents. Baker (2002) suggests that this particular combination of conditions often precipitates vigilante group formation and that there is a positive correlation between poverty, low income and poor policing infrastructure and levels of vigilante violence.

Recent media reports (Daily News 2008; Tromp et al 2008) confirm the results of academic data previously presented (Harris 2004; 2003) suggesting that vigilantism, particularly in the form of xenophobic attacks on foreigners, remains endemic in Zandspruit. While so far only large-scale vigilante 'purges' have attracted media and scholarly attention, this does not necessarily indicate a lack of more regular, smaller-scale vigilante activity. On the contrary, anecdotal evidence uncovered before fieldwork took place suggested that vigilante attacks may occur with such frequency as to engender little external notice. This was an important factor for consideration as a minimum level of

¹¹ For a detailed analysis of the demographics and physical characteristics of the Zandspruit Informal Settlement please see Zandspruit Urban Development Framework (2010).

¹² Dwellings within Zandspruit are almost entirely comprising of improvised fragile structures and therefore contrast significantly with the formidable, multiple layers of home fortification found across affluent suburbs. It is unfortunate that security measures are least accessible in those areas in which they are needed the most.

vigilante activity was an important precondition for the selection of Zandspruit as an appropriate research site.

Zandspruit is also amenable to field research from a logistical perspective. It is positioned on the fringe of a major urban centre and is in close proximity to the Monash University South Africa (MUSA) campus (approximately 3.5 kilometres). Most significantly, Monash University staff have well established links with both formal and informal authority structures in Zandspruit. These are maintained through the active participation of the Monash University South Africa Community Engagement Office. This internal body is committed to realising “community engagement through which it can become an active and responsive player in the local, national and regional environment” (MUSA Website 2011). Community engagement is carried out through a range of university programmes, including widespread student volunteering, interaction with local NGOs and facilitating external use of Monash University facilities. Relations between Monash University and neighbouring communities, including Zandspruit are, therefore, largely positive. Monash University students may be found volunteering at the Zandspruit community centre, Emthonjeni, and have also previously carried out research projects in the settlement, thereby demonstrating its accessibility and suitability as a potential research site.

Existing links between the Monash University and Zandspruit communities also facilitated ‘gatekeeper’ recruitment. To this end, contact was established with the Monash University South Africa criminology department and community engagement staff well before fieldwork commenced. Two prospective research assistants, both of whom resided in Zandspruit, were quickly identified and interviewed upon arrival in South Africa. Both had previous experience with Monash University research programmes (one had been awarded a local scholarship to attend Monash South Africa), were long-time residents of Zandspruit, and spoke varying degrees of the most common local languages, including Zulu, Tswana and Venda. They were hired immediately and the first two weeks of preparatory time was set aside upon arrival in South Africa to further consolidate these relationships and incorporate any new information into the research design (e.g. safe times and locations in which to conduct interviews, particular taboos or sensitive topics not yet identified, etc.).

Issues in Research Implementation

Predictably, a number of obstacles arose to frustrate the efforts of the researchers over the fieldwork period. These issues required a fair measure of patience, flexibility and good fortune to overcome successfully. This section will briefly outline some of these issues that affected the research design whilst undertaking fieldwork.

It became apparent very early on in the fieldwork process that the primary researcher was significantly more dependent on the two research assistants than was originally planned. There were a number of reasons for this. Firstly, Zandspruit was significantly more difficult to access safely than was originally supposed. The labyrinthine complex of improvised streets is nearly impossible to navigate without pre-existing familiarity due to a lack of street signage and other urban infrastructure. More important, however, was the significant threat posed by violent offenders. As briefly explained in the previous section, Zandspruit, like practically all informal settlements in South Africa, suffers from a disproportionately high rate of violent crime.

Naturally, this risk also applied to the other members of the research team. However, a lack of familiarity with the urban environment and overt differences in physical appearance, particularly with regard to race, meant that the primary researcher was exposed to an additional degree. White people are an occasional sight on the streets of Zandspruit. However, according to my research assistants and other locals who contributed their insights informally, apparently affluent outsiders should not expect to be able to wander freely in Zandspruit due to the risk of criminal victimisation. In that context, Whiteness itself is not necessarily a provocation in a racist sense, but rather is an indicator of one's wealth and relative lack of connections in the settlement – two crucial factors for consideration for offenders assessing a potential victim.

As a result of these hazards, entry to and movement within the settlement was only undertaken with the accompaniment of at least one of the research assistants, and only during daylight hours. These trips - numbering no more than half a dozen - were fascinating and informative. Local people appeared friendly, but also seemed immediately aware of my presence as an outsider. The research assistants explained that it was necessary that they travel with me at all times so that local people would not become suspicious or hostile. This seemed to explain the sometimes surprised and

quizzical staring on the part of some locals that only abated when they took note of my companions. The lack of independence in Zandspruit did not prevent fieldwork from being undertaken successfully. However, effective communication and scheduling became particularly important and the possibility of unplanned, spontaneous visits to the settlement was excluded. The level of physical threat also prevented the primary researcher from travelling around and 'getting a feel' for the research site, as one is wont to do when first exposed to an unfamiliar and stimulating environment.

The second major issue confronted during fieldwork concerned who was able to conduct interviews. Originally the primary researcher intended to conduct all of the interviews, albeit with the help of the research assistants with regard to issues of minor linguistic translation, clarification of local expressions and other similar tasks. What was not anticipated was the degree of reluctance on the part of most research subjects to respond to any questions from the primary researcher, at least in any substantive capacity. While community leaders and others familiar with the work of Monash University staff were, as a whole, predisposed to participate, most of the 'standard' residents of interview Group 1 were significantly more reluctant. The status of the primary researcher as a community outsider, one perceivably affiliated with law enforcement, seemed impossible to shift, at least in the relatively short time available. In order to overcome this difficulty, the research assistants took over the bulk of the responsibility of conducting interviews in Group 1, which would be recorded and then subsequently transcribed.

The need to shift this substantial responsibility onto the research assistants significantly altered their role in the study and extended their duties well beyond the original brief, and this somewhat drastic step was undertaken only in the absence of any other alternative. Fortunately, both research assistants had the time and inclination to assume this enhanced role. Important aspects of the interview process, particularly the need to ask open ended questions and avoid unnecessarily leading interviewee responses, were discussed at length before the research assistants commenced fieldwork. After a few unsatisfactory trials, the results of which were discussed at length and ways to improve identified, the research assistants carried out the remainder of the interviews to a high standard of proficiency. The research assistants were also critical in identifying the importance of the local Community Policing Forum (CPF) and Zandspruit Patrollers in regulating the settlement, and interview questions about these groups were incorporated at their suggestion.

Even in the absence of the primary researcher, the research assistants encountered a surprising level of reluctance from research subjects suspicious about the aims of the project. Concerns about interviews being somehow connected to police enquiries were somewhat abated with the use of Monash University t-shirts and student identification credentials sported on a Monash University lanyard. These overt symbols of university affiliation were significantly more helpful in securing the trust of research subjects than were explanatory flyers and ethics consent forms. While Monash University is generally positively regarded in the settlement, perhaps equally important was that university affiliation demonstrated distance from distrusted law enforcement agencies. The ease and usefulness of symbolic association with trusted, impartial groups such as universities or other 'neutral' or impartial groups such as NGOs or religious organisations should be noted by researchers seeking to conduct fieldwork in similar environs. In this instance, a few cheaply acquired pieces of university paraphernalia paid significant academic dividends.

The challenge of accommodating the needs of various stakeholders, including interviewees, research assistants and others facilitating the research process is perhaps best summed up in response to the concept of 'African Time'. African Time refers to the relaxed and roundabout manner in which daily tasks are often managed by South Africans. Despite confirmed and negotiated deadlines, tasks regularly do not proceed according to plan, but rather to the cheerful vagaries of African Time. This can be a frustrating process, and initial expectations on the part of the researcher were frequently not met. Strict and well-planned timelines were in need of constant adjustment and relationships critical to the success of the project were in danger of being strained. This was the point at which the importance of a positive and non-judgemental attitude came to be most apparent. It was evident that cultural practices regarding conceptions of time differed significantly between South Africa and the Euro-Protestant ethic that predominates in much of Australia (see Beyaraza 2004). This perhaps should have been more obvious at an earlier stage. Regardless, accepting the need to achieve tasks at the pace and rhythm of locals was an important realisation, one that was in accordance with the broader aims of the study as an exercise in cross-cultural learning.

Ethical Considerations

While the acquisition of a rich and original set of data was the ultimate aim of the research methodology, gaining sufficient information suitable for scholarly analysis is not the only measure of successful fieldwork. A methodology also represents the only planned point of interaction between

researcher and research subject(s). As such, it frames the nature and quality of this unique interaction and has the potential to produce both positive and negative lasting effect on all parties. In order to manage the risks associated with fieldwork, and to avoid potential harm to either researcher or research subjects, Monash University applies a strict ethical framework to all university-affiliated field research. University ethics guidelines and procedures were employed from the earliest stages to inform the design of fieldwork and help navigate some of the complex issues arising from the research process. This section will explore some of the ethical considerations associated with the conducting fieldwork in Zandspruit.

The majority of fieldwork for this study was conducted in a desperately poor informal settlement, with discussion concerning mostly illegal and potentially traumatic vigilante violence. Given the sensitivity of this topic and the particular characteristics of the research site and population, awareness of ethical issues and compliance with Monash University ethics requirements was particularly important. One of the more significant issues raised early in the research process was the marked social gap between the researcher and research subjects and the likelihood of a significant power imbalance between these parties. This issue was formally addressed through the development of explanatory and informed consent procedures to precede every interview. An Explanatory Statement and Consent Form (see Appendices A and B), were crafted so as to outline to potential participants the aims and nature of the research project, and whom to contact in case of any distress or the need to complain about a particular aspect of the research. Obtaining the informed consent of all research participants, explaining the purely voluntary nature of the research, and reminding participants that they could withdraw at any stage, were all integral processes involved with each and every interview.

The Monash University Ethics Committee also placed a number of additional constraints on proposed aspects of field research. For instance, all research subjects were to have their identities protected through processes of de-identification. This involved designing interview questions so as to avoid identifying specific, potentially incriminating vigilante events or participants, and also to provide interviewees with a specific coded pseudonym. These straightforward and easily implemented safeguards contributed significantly to the ethical integrity of the research project. Other aspects of the proposed research, however, were judged too problematic by the Ethics Committee and were subsequently removed from the fieldwork methodology. Abandoned aspects

of field research included participant observation with vigilante groups and, as discussed earlier, recruiting interviewees on the basis of their having actively participated in vigilante violence (people who have participated in vigilante violence were still interviewed as part of the research project, but this was not a requirement and was not generally known before interviews took place).

Another significant ethics committee constraint concerned proposed interviews with SAPS members. Interviews with local SAPS personnel were originally intended to complement the perspectives of interviewees drawn from the residents of Zandspruit. Unfortunately, however, despite repeated official requests and the expressed willingness of local police officers to participate in interviews, permission from SAPS Strategic Command was not forthcoming. This lack of formal authorisation, together with MUEC constraints, meant that the researcher was prohibited from interviewing SAPS personnel. As a result, the experiences of those who live and work in the settlement remain unaccompanied by police perspectives. While the inclusion of police interview data would have been preferable, its absence does not undermine the validity of any broader conclusions drawn from the interviews. The primary purpose of this research was to determine the views of those who live in Zandspruit and to explore their lived experiences of settlement policing – informal or otherwise. In this regard, the purpose and aims of the overall project remain unaffected.

Undoubtedly, university ethics committees play a vital role in ensuring safe and ethical research practices. They act to protect both the validity of the researcher's work, as well as the dignity, welfare and rights of research participants (Flick 2009:109). However, it is difficult to determine how denying permission to conduct police interviews protected either the researcher or local police members. It is unlikely that many of the issues that may potentially have negatively affected research participants – such as a power imbalance between interviewer and interviewee, or psychological trauma resulting from the interview process – would have arisen within this particular research population. Police have higher levels of education relative to the other research populations and they wield significant power in the respective fields of influence (Zandspruit UDF 2010:13; Shaw 2002). These factors indicate that police would likely have been relatively well prepared to participate equitably in qualitative interviews. Instead of protecting the interests of police interviewees, the decision by the ethics committee to refuse permission for their inclusion in the research may well have damaged their interests. As a result of their determination, accusations of poor service, corruption and other negative charges levelled at police in interviews with

settlement residents were unable to be responded to in this forum. This means that those considering this research must remain mindful that police were prevented from speaking up in their own defence and contributing their unique perspectives regarding law and order and vigilantism in Zandspruit.

The most personally troubling ethical dilemma associated with the fieldwork process was also one issue that was not raised by the MUEC - that of managing the expectations of research participants. Questions were often posed by participants regarding how this research could be used to improve their living conditions and assist in securing outside help for the settlement. The research assistants reported that interviewees were sometimes disappointed with the truthful admission that no direct government intervention was likely to result from this research, nor were their circumstances likely to be improved as a result of their participation. Only through making a positive, incremental contribution to scholarly knowledge could this research really be considered to be 'making a difference'. Hopefully interviewees may have at least taken some small comfort in the fact that an outsider was showing an interest in their problems, and that they had an opportunity to convey, in their own words, their feelings about some of the important issues affecting them. Thinking about the apparent disappointment of some of the research participants raised additional questions about the purpose of this research. One in particular - 'who does this project really benefit?' - appears to have no satisfactory answer. It seems an inescapable conclusion that the most direct beneficiary from fieldwork is the researcher, who has gained a rich set of data with which to construct a PhD thesis, rather than the participants whose lives remain materially unchanged.

Conclusion

The history of European interaction with Africa, at least since colonial times, has been one of intellectual condescension. Accompanying the manifest brutality of military conquest was subjugation of a different kind, centred in the realm of the mind; cultures, languages, spiritual beliefs and traditional identities were dominated along with the physical bodies of the oppressed. The unnaturally straight lines of Africa's national borders are perhaps the most obvious physical representations of this process. Cut according to aspects of latitude and longitude that were negotiated far from their points of impact, these modern impositions paid no heed to pre-existing boundaries of tribal or ethnic affiliation (Davies 1997:851). Instead, the significance of indigenous and even natural borders such as rivers and mountain ranges was swept aside to suit the whims of

colonial authorities. The devastating consequences resulting from the reckless imposition of foreign ideas continues to reverberate across the length and breadth of the continent, and for far too long those in the West have blithely imposed their own views on Africa, rather than listening to the voices of her native peoples (Petre-Grenouilleau 2004; Christopher 1984). The emphasis on listening to and understanding the views of interviewees *on their own terms* as expressed in this methodology is intended as a small, individual contribution to reversing this asymmetric historical trend.

Completing the fieldwork component of this study was undoubtedly the most rewarding and challenging aspect of the PhD thesis, and it also permanently altered many of the researcher's preconceptions regarding the poor in Africa. Considering the extreme economic deprivation, inadequate sanitation, serious security problems and other issues negatively affecting life in Zandspruit, it was perhaps only natural to conjure up a particularly bleak picture of the living conditions associated with this sizeable urban centre. This grim perspective, cobbled together from news reports, documentaries and snippets of scholarly articles did not correspond well to the rather brighter reality presented during the first day of fieldwork in the settlement. While the dwellings were indeed constructed out of refuse building materials, they were also painted with care; small, well tended gardens separated public and private areas and children ran unsupervised, playing in the dusty unpaved streets. Despite the visible poverty, a palpable atmosphere of community infused the interactions between the throng of neighbours and passersby. This initial, somewhat idyllic impression was so unexpected as to be somewhat disorienting. Was this the same neighbourhood that had borne witness to so many violent crimes? The prospect of this apparently insouciant crowd harbouring vigilante killers seemed fanciful.

Naturally, the dialectic immediately apparent was a false one; despite during the initial stages of research studiously avoiding characterising interviewees as victims and vigilantes as criminals, the initial human tendency to polarise, to separate 'goodies' from 'baddies' proved temporarily irresistible. It became increasingly clear over the remainder of the research period, however, that these seemingly exclusive impressions - merciless vigilante on the one hand and wounded victim on the other - could both be simultaneously found not only amongst the same crowd but also within the same person. Just as a loving father may also be a dangerous mobster, so too can a close-knit and mutually caring community turn on itself with acts of vengeful retribution. Learning about these processes from a closer perspective, and having my own views of right and wrong challenged in so

fundamental a manner, meant that benefits of fieldwork spilled over purely academic confines, becoming an exercise in personal reflection as well as journey towards scholarly understanding.

Chapter IV - Politics and Policing under Apartheid

Policing South Africa has long proven to be difficult, dangerous and dirty work. In recent years, this challenge has often been considered in light of an abysmal national crime rate and the failure of state policing agencies to provide competent services and deal with internal corruption (Steinberg 2008; Gordon 2006; Marks 2005; Shaw 2002a). While the causes and development of these contemporary problems may be traced back to the comprehensive failures of the previous regime, different issues dominated the policing agenda of the apartheid state. During that period, the central predecessor to the SAPS – the South African Police (SAP) – was tasked with enforcing the racially discriminatory policies of the National Government, as well as maintaining public order across the majority of the country.¹³ In practice this meant not only upholding apartheid laws (such as the infamous and much-hated *pass laws* that restricted the movement of non-Whites) but also confronting and suppressing riots and other forms of political opposition (Gordon 2006; Shaw 2002a). South African policing during apartheid was an intensely partisan and racially divisive activity (despite police ranks including many Black officers – see the *Paramilitary and Colonial Policing* section below for greater discussion of the racial composition of the SAP), that was closely intertwined with the political imperatives of the day.

There are specific periods in South African history when the political aspects of policing are more apparent than in others. The infamous police massacres at Sharpeville in 1960 and in Soweto in 1976 are, perhaps, the two most notable examples. These tragic events, and many similar though less notorious incidents, slowly awakened the international community to the grim reality under which non-Whites in South Africa had lived for decades – namely that the SAP was no conventional police force, but rather a paramilitary organisation existing largely for the benefit and protection of a racially ‘pure’ minority (van der Spuy 1990). Rather than ensuring the safety of society, state police became one of the principal sources of terror and insecurity for the majority non-White population; those who resisted the dictates of the apartheid government and its police enforcers, or who simply found themselves on the wrong side of the apartheid racial divide, ran the risk of beatings, torture and, in many cases, death (Hansson & Fine 1990; Stelyer 1990). This institutionalised police brutality

¹³ Other, smaller state police forces complemented the efforts of the SAP during the apartheid years. These state policing organisations operated within specific jurisdictions – such as the nominally independent native ‘homeland’ regions – and were jointly consolidated along with the SAP after national reunification in 1994.

embodies an approach to policing that differs significantly from those expounded (although often imperfectly realised) by civil police forces found within many of the world's prominent liberal democracies. Indeed, the apartheid 'security' system represented about as wide a departure as possible from the classic Peelian principles of 'minimum force' and 'policing by consent' (Lentz & Chaires 2007).

Inevitably, a past filled with so much tragedy, conflict and institutionalised injustice will leave a complex (emotional) legacy, the understanding of which is complicated by contested cultural narratives and misinformation propagated by a range of belligerents who spent the better part of the 20th century locked in a bitter struggle for survival and supremacy. Given the litany of crimes and human rights violations committed by South African policing organisations over that time, not to mention the catastrophic criminal legacy bequeathed to the fledgling democratic state in 1994, it would be easy to simply dismiss policing during this period as an unmitigated disaster. However, disregarding the complexities of the past so readily denies us the opportunity to explore the genesis of apartheid antagonism between state police and much of the South African public, as well as to contextualise longstanding, discriminatory police practices within a broader history of colonisation and conflict. Given the continuing importance and influence of apartheid history on individuals and institutions in present-day South Africa, this chapter seeks to shed light on these historical perspectives to aid our understanding of more recent events and facilitate the in-depth contemporary analysis in later chapters.

The Genesis of Apartheid

The regime that preceded the apartheid era republic, the Union of South Africa, was formed in 1910. The sole African dominion established by the British Empire, the Union was cobbled together from a neighbouring collection of two British colonies (Cape and Natal) and two Boer Republics (Transvaal and the Orange Free State) following the victory of the Imperial Forces in the Second Boer War (1899-1902) (Posel 2001:89). Since before the Union's inception, the various peoples of southern Africa were divided by a bitter legacy of war, oppression and poisonous race relations. Indigenous African communities had been subjected to alienation and enslavement since the aggressive expansion of European colonisation in the mid-17th century (Lapping 1987:29). This process, which continued throughout the time of the Union, as well as under apartheid, created powerful and long-lasting racial divisions that have persisted to this day. Contrasting with the development of this inter-

racial hostility was the growing enmity between South Africans of British and Dutch descent. The antagonism between these two distinct cultural identities had been present since early colonial times, but was amplified during the Boer Wars, a protracted series of conflicts that have the regrettable distinction of witnessing the world's first concentration camps (Spoor 2007:77; Lapping 1987:64). The result of these various conflicts was that the Union of South Africa was, from its very beginning, a state afflicted with entrenched racial and cultural turmoil.

Aside from enforced national unity, another of the principal long-term consequences of the Boer Wars was the fomentation of an aggressive nationalism amongst the subjugated Dutch-Afrikaners¹⁴ (Dubow 1992:210). Despite suffering defeat at the hands of the Imperial war machine, Afrikaners remained more populous than their British colonial adversaries, comprising approximately 55% of the European-descended population at the time of the Union (Christopher 1994:18). As suffrage in the new state was almost entirely restricted to members of the 'White' race (a nebulous and devilishly elusive construct)¹⁵, Afrikaner control over democratic institutions was assured. With the horrors of the Boer Wars fresh in the minds of much of the polity, bellicose animosity between the English and Afrikaans speaking populations defined the central political fault-lines of the national parliament. As a result, the primary targets of Afrikaner ideologues were not indigenous South Africans, who at that time posed little political threat, but rather British Imperialists (Brewer 1994:48; Dubow 1992:210). While non-White citizens of the Union were subjected to discriminatory laws and harsh treatment at the hands of government agencies (including the newly formed SAP), racist attitudes amongst the general Afrikaner population and government were yet to harden to the

¹⁴ Conventional definitions of 'Afrikaner' usually refer to both a distinct racial and linguistic group. For example, the Oxford English Dictionary (2011) defines an Afrikaner as "an Afrikaans-speaking White person in South Africa, especially one descended from the Dutch and Huguenot settlers of the 17th century". The reason for this racial specificity is that many multi-racial South Africans – commonly determined as 'Coloured' under the apartheid system of racial classification and therefore definitively *not* Afrikaner – also speak Afrikaans as a first or only language (Le May 1995:3).

¹⁵ Defining racial categories is a notoriously complex endeavour. Like all taxonomy, a race type is not an empirical reality but rather an academic, socio-cultural or, in the case of apartheid, bureaucratic/legal construct. One of the principal difficulties associated with the use of race in a legislative context is that legal categories imply neat, distinct boundaries that are inevitably at odds with the messy reality of mixed gene pools and complicated family histories. In order to gloss over these inconsistencies, various South African governments set differing criteria intended to delineate or approximate one's 'true' racial affiliation. Under apartheid, these tests were carried out by bureaucrats from the Department of Native Affairs and were primarily concerned with cultural practices, biological descent and 'rules of thumb' regarding personal appearance in relation to stereotypical racial characteristics. Despite their concerted efforts, government workers complained of a lack of specificity in policy guidelines and, inevitably, produced results that were both inconsistent and arbitrary (Posel 2001:97). It seems that the agents of apartheid learned the hard way that racial categorisation is not as simple as black and white.

extent witnessed in later years, and significant sections of the population still believed a slow-paced, partial integration of the races was the best policy for the future of the nation (Stultz 1974:164).

Table 2. Demography – Union of South Africa 1946

	Population	As Percentage (approximate)
Black	7,805,515	69
White	2,372,690	21
Coloured	928,484	8
Indian	285,260	2

adapted from Kuper (1950:145)

These more moderate perspectives were eclipsed by the advent of Nazism¹⁶ and the outbreak of World War II. The decision to join Great Britain in declaring war against the German Reich aroused much hostility and resentment amongst the Afrikaner community and was strongly contested within the minority government of the time (Lapping 1987:112-113). The day after a parliamentary vote confirmed the abandonment of a national policy of neutrality and endorsed a declaration of war, the Afrikaner Prime Minister Barry Hertzog resigned. This move signalled a final and conclusive breach between the Afrikaans and English speaking populations, and what little sense of national unity existed between these communities was, at that point, shattered beyond repair (Stultz 1974:61). According to Dubow (1992:210-211), the circumstances surrounding South Africa's reluctant participation in the Second World War not only exacerbated the alienation of the Afrikaner

¹⁶ Beginning with Bunting's (1964) *the Rise of the South African Reich*, an intriguing body of literature has emerged comparing the mutual development of both Nazism and apartheid history and ideology (see also Mzimela 1980; 1983; Simson 1980). Despite the apparent likeness and central prominence of certain aspects between these two political systems, principally pseudo-scientific racial doctrine and the concept of *Volk*, significant differences remain. Nazism, like all fascist ideologies, is invested in the uncontested, centralised leadership of the state. This contrasts significantly with the primary elements of Afrikaner and National Party ideology which, according to Van den Berghe (1965:79), are "based on rugged frontier individualism, distrust of authority, and a sense of self-righteousness as God's Chosen People". It is an ironic quirk of history that comparisons to apartheid are often no longer made with reference to Nazi Germany but rather to Hitler's surviving nemeses in contemporary Israel, and the injustices suffered in the Palestinian territories at the hands of the Jewish State (Davis 2003; Carey 2001).

community from their English-speaking countrymen, but also from the broader international political mainstream. This isolation, in turn, left the Afrikaner community vulnerable to radicalisation at the hands of right-wing political organisations sympathetic to Nazi ideals and agitating for a more aggressive, racially contingent, interpretation of national identity.

The crisis dividing the two main White ethnic groups in South Africa coincided with a massive influx of Black labour into urban areas in order to satisfy the huge industrial demands of the wartime economy. The confluence of these events could not have been more poorly timed. The rapidly expanding Black presence in the nation's cities amplified the anxieties of poor, urban Whites and others harbouring an inflamed and bruised sense of Afrikaner pride. These fears were linked to broader notions of racial conspiracy by Afrikaner ideologues keen to link "criticism of the power of English/Jewish capital with popular anti-Black sentiment" (Dubow 1992:215). In the aftermath of Hitler's defeat in 1945, anxieties regarding internal Black migration and national identity were conflated in the popular zeitgeist to represent a 'great national crisis' surrounding the issue of race (Stultz 1974:69). In response to this growing sense of national emergency, the opposition Afrikaner National Party provided a 'solution'. Combining the deplorable pseudo-sciences of social Darwinism and eugenics, National Party leaders set about re-categorising racial hierarchies with an unconstrained and unprecedented enthusiasm. The culmination of this process – the proposal to create a racially segregated state on a scale hitherto unseen in modern history – was colloquially termed 'apartheid'.

Although few could have known it at the time, Afrikaner political leaders had just identified a path that would lead to near-universal, international condemnation as well as the world's most comprehensive array of sanctions. The coming message of rejection from foreign governments across the Cold War political spectrum would mark South Africa as the definitive pariah state of the 20th century.

Policies and Politics of Apartheid

The apartheid era formally commenced following the South African general election of 1948. This watershed marked the beginning of almost a half century of dominance of the National Party which, in passing the *Population Registration Act*, formally established a uniform, countrywide system of

racial segregation. From 1950 onwards, all local residents and visitors to South Africa would be assigned to one of four distinct racial categories: Whites comprised European settlers and their 'White-skinned' descendants; Blacks were affiliated with indigenous ethnicities such as the Zulu and Xhosa; Indians comprised ethnic groups from South Asia; and Coloureds, whose ethnicities were identified by the government as 'mixed', were designated a combination of any of the previously identified racial groups, or else hailed from other Asian or non-European backgrounds such as Malaysia or the Philippines (Lapping 1987; Posel 2001:112).¹⁷ Despite the inevitably arbitrary and unscientific nature of racial characterisation, the *Population Registration Act* formed the "legislative centrepiece" of a project of segregation unparalleled in scope and ambition (Posel 2001:89). Never before had every citizen in a nation been subject to so comprehensive a system of racial identification, stratification, surveillance and control.

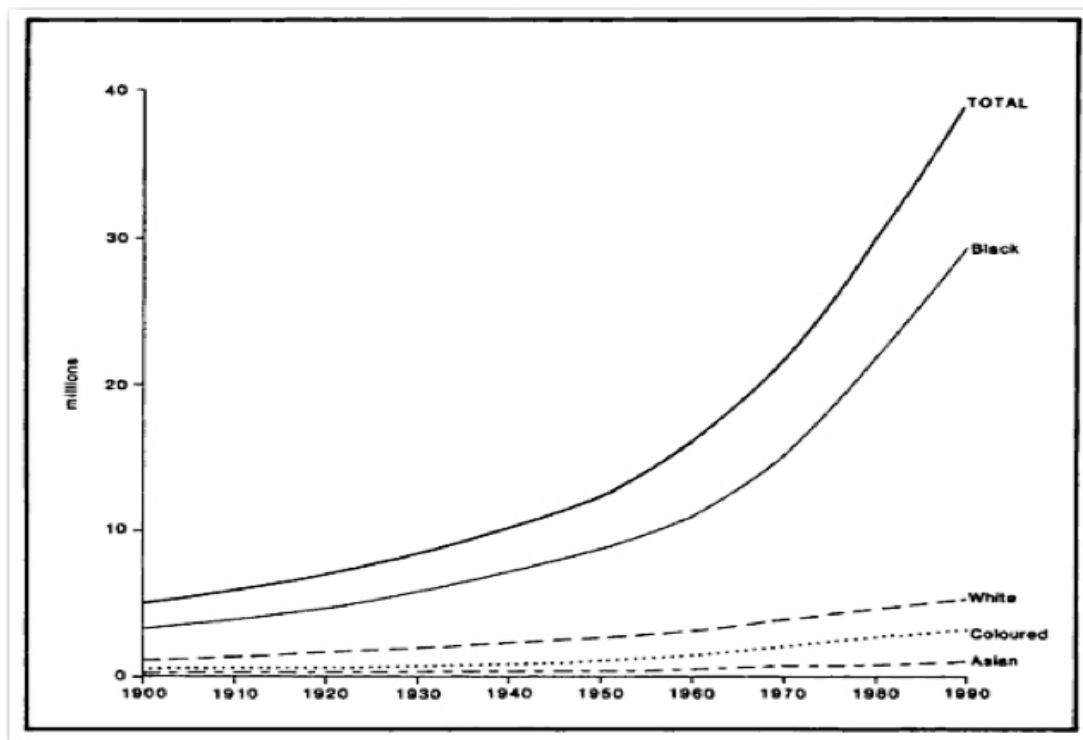
The immediate objectives of apartheid segregation were patently authoritarian and far exceeded the establishment of racially homogenous residential areas and education facilities that was witnessed at the same point in history in the southern United States. Anti-miscegenation laws prohibited sexual relations between citizens of different races and, atypically for many apartheid restrictions, also applied to Whites.¹⁸ Non-White citizens were subject to a host of additional legal constraints and were also prohibited from engaging in various types of political association. Most notably, Blacks and other non-Whites were severely restricted with regard to freedom of movement and residential rights. Unless there for purposes of employment, urban areas were generally considered 'off-limits' to Black South Africans, and desirable rural lands were increasingly sectioned off for White use (Brogden & Shearing 1993:16). Following the implementation of the *Pass Laws Act* in 1952, the presence of Blacks in White areas was effectively criminalised, and all Black citizens wishing to travel through these zones were required to produce identity documents – the infamous '*dompas*' – in order to justify their presence. The *dompas* (literally, 'dumb-pass') was perhaps the most hated and vigorously opposed of all of the mechanisms of apartheid. Functioning as a kind of 'internal

¹⁷ One notable exception to the foreign classification of Coloureds included Japanese nationals who, from 1960, were deemed 'honorary Whites'. This decision was made in the wake of a lucrative bi-lateral trade agreement and amid a realisation that, despite the ideological imperatives of National Party racial doctrine, segregation of visiting, wealthy trading partners would not be in the interests of the apartheid state. Japan remained one of the few wealthy foreign nations that did not participate in the international sanctions of apartheid South Africa and, by the end of the regime, was its largest trading partner (Osada 2002:4).

¹⁸ Together, the *Prohibition of Mixed Marriages* and *Immorality Acts* criminalised inter-racial sexual activity in apartheid South Africa. These two pieces of legislation had a predictably devastating impact on those relatively few couples who were of mixed race. The classification of one family member as of a different race effectively meant the break-up of the home and couples who were suspected of engaging in inter-racial sexual activity faced persecution, degradation and harassment – including late night raids to determine the racial conformity of sleeping partners – at the hands of police (Jacobson, Amoateng, Heaton 2004).

passport', the dompas contained details regarding employment status, various travel permissions and visas authorising the bearer's presence in White areas (Scott 2005:19). Fierce resistance to the policing of the dompas led directly to both the Sharpeville Massacre in 1960, when some 69 protesters were killed by police (although eyewitness accounts suggest that the total number of casualties could be far higher), and to the subsequent banning of the largest and most influential Black political organisation, the ANC (Breckenridge 2005:103; Moran 1996:159).

Table 3. Population of South Africa 1900-1990



Christopher (1994:2)

The level of personal freedoms for non-White and, particularly, Black citizens living under apartheid was undeniably low. The apartheid government dictated where one could live and work; the content and level of 'native' education; and the racial groups with which one could form intimate relationships. In theory, these restrictions were intended to facilitate and preserve segregation, and thus maintain racial boundaries (Posel 2001). However, despite pretensions of ideological-racial purity, it was economic imperatives that motivated many of the government controls levied upon non-White South Africans. According to Lapping (1987) and Brogden and Shearing (1993:15), the

overriding priority of apartheid policymakers was to ensure a cheap, steady supply of labour for White controlled businesses which made up the vast bulk of the national economy. These priorities shifted as an exponential increase in the (Black) population radically altered the demography of the country (see table 2), and apartheid policy became directed towards state fragmentation, with the intention of creating racially homogenous 'Bantustans' or 'homelands' (Christopher 1994:6). These were to be independent and autonomous nations, providing a home for members of different ethnicities, an approach similar, in theory, to the 'two-state solution' currently advocated by various Israeli and Palestinian political leaders (Zanotti 2010):

State partition became the official aim [of the apartheid government] by the 1970's, with South Africa fragmented into a series of Black nation-states and a large White-controlled rump entity... Industrial development, transport planning and regional planning were all undertaken with the goal of creating a new, smaller but Whiter, South Africa (Christopher 1994:6).

Regardless of these new (and, eventually, unrealised) strategic priorities, maintaining a large, low-paid and compliant workforce remained the primary engine of economic growth, and the means by which a fraction of the national population luxuriated in conditions as comfortable as anywhere in the developed West, while the remainder, alongside the rest of Africa, toiled in conditions more commonly associated with the Third World. At all stages of apartheid, low and medium-skilled workers were required to live in specific areas in order to satisfy labour requirements in mines and manufacturing plants (Brogden & Shearing 1993:16). Restriction of movement and the control of residential rights were integral aspects of this process and, therefore, constituted critical priorities for the safety and economic security of the apartheid regime. Naturally, these onerous controls were resisted by increasingly motivated, militant and well-organised opposition forces. In order to counter this growing threat to national security, significant force on the part of the government was required. While in the latter years of apartheid the South African Defence Force (SADF) was called upon to help fight the insurgency, it was civilian police forces, primarily the SAP, that carried the bulk of responsibility for internal security and ensuring the compliance of non-Whites (Shaw 2002; Brogden & Shearing 1993; Brewer 1994). More than any other arm of government, it was the job of the police to maintain the coercive machinery of the regime and keep the engine of apartheid running.

Paramilitary and Colonial Policing

The security and economic needs of colonial and apartheid South Africa necessitated an oppressive and socially divisive approach to policing. As a result, the historical role of the SAP differed significantly from other contemporary police forces typically found in liberal-democratic societies. As the representatives of a primarily non-democratic state, where only a small racial minority enjoyed the privilege of parliamentary representation, the work of police was inextricably linked with the prerogatives of government, rather than with the protection of society through the impartial application of laws. This meant that Union and apartheid era police were first and foremost agents of the state, with the bulk of their activities overtly political, and their strategic and tactical methods openly and necessarily discriminatory (Smet 2006:55-56; Glaser 2005:122; van der Spuy 1989:276). From the perspective of the regime, non-Whites needed to be firmly and constantly reminded of their place, both figuratively, within the hierarchy of society, as well as literally in terms of geographic areas appropriate for employment and residence (Brewer 1994:51). The police force was the tool with which the government was to achieve these objectives, and one should be in no doubt that prior to the democratic transition in 1994, South African security agencies were far more interested in maintaining the stability of the governing regime and the safety of White communities, than in the security and welfare of the non-White majority.

The means by which order was maintained and the non-White population intimidated into submission was through the asymmetric application of extreme, coercive force at the hands of police (Brewer 1994:6; Brogden & Shearing 1993:16). To further these ends, the mechanisms and agencies supporting the police – the courts, the penal system, even the law itself – were all structured to facilitate police brutality:

The oppressive policing that has sustained apartheid, much of it carried out by Black officers, has been accomplished through the ample legal and physical capacity to kill, to maim, to torture and to terrorise. Accountability of the SAP to the law, to the courts and to the society it has served has been characterised by rules that permit – indeed, encourage – rather than constrain police violence (Brogden & Shearing 1993:16).

The basis of this iniquitous and highly destructive system of social control was developed long before apartheid became official government policy. The two largest police forces of the pre-apartheid Union, the SAP and the South African Mounted Riflemen (SAMR), emerged from two philosophically contrasting schools of policing. The SAP was originally intended as the primary body responsible for policing South Africa's urban areas, and its main task was addressing intra-racial crime committed by the numerically dominant urban Whites.¹⁹ Senior SAP officers were overwhelmingly British; they employed a civilian-style rank structure and the latest in modern training techniques and the force itself was overtly modelled on the London Metropolitan Police (Brewer 1994:20-21; Brogden 1987). The SAMR, on the other hand, eschewed the civil policing model in favour of a typically colonial approach, with many officers trained at Phoenix Park in Dublin, the home of the Royal Irish Constabulary (RIC) (Brewer 1994:8; van der Spuy 1989). The significance of the association between the SAMR and the RIC (as well as its successor in Northern Ireland, the Royal Ulster Constabulary) cannot be understated.²⁰ As the archetypal colonial police force, the RIC disregarded the principles of minimum force and rule by consent, established by policing luminary Sir Robert Peel, instead relying upon 'military style' weaponry, organisation and levels of coercive force (Hills 2009:216-218). Mandated to maintain order amongst the rural population, as well as to assist the army in full-scale military operations in times of war, the SAMR embodied this highly aggressive approach to policing. Unlike their colleagues in the SAP, the SAMR carried out their policing duties in a context of alienation and intimidation, rather than with the consent or cooperation of the host population.

The division between these two forces was not maintained for long. The steady migration of Blacks to urban areas challenged the civil basis of SAP operations, and increasingly forceful methods were used by the SAP to control this rapidly expanding, and politically worrying demographic. The colonial approach was further cemented into SAP methodology when World War I saw the permanent absorption of the SAMR into the armed forces, giving the SAP control over both urban and rural areas across the country (Moran 1994:154; Brewer 1994:39). At the same time, Afrikaner recruitment, mainly from the poorest and least educated communities, was increased by government leaders keen to assuage the employment concerns of poor, unskilled Whites (Smet

¹⁹ White crime was more a problem in South Africa's wild frontier days than in later years, before apartheid economic and racial stratification all but ameliorated the worst of White disadvantage. 'Drunkenness' and 'rowdiness' were the principal offences of itinerant White workers and treasure seekers who sought refuge in cities and rural centres when not working in the nation's newly created gold mines (Brewer 1994:49).

²⁰ Interestingly, the active association between the RUC and South Africa's security apparatus has continued up until relatively recent times. According to Howe (1994:36-37), two members of the South African Directorate of Military Intelligence (DMI) were arrested in 1992 for conspiring with RUC members to assassinate a high-profile whistleblower from the South African Defence Force.

2006:56; van der Spuy 1989:273). These changes brought the SAP into more regular and serious conflict with the Black population and facilitated internal cultural change towards a more militarised and less consultative police force. By the end of the First World War, the brief South African experiment with civil policing was over, having proved to be an institutional anomaly in the middle of a two century period dominated by brutal, colonial/paramilitary policing. Similar trends and atrocities were (and, in some cases, continue to be) witnessed in Ireland, Australia, India and other British colonial states, where paramilitary police forces sought to control their indigenous or otherwise marginalised populations with military brawn rather than through consensual negotiation and democratic processes (Killingray 1999; Finnane 1994; Cunneen 2001). However, what arguably sets South Africa apart from these states is the sheer scale of the paramilitary policing endeavour. According to Brogden (1989:3), no other colonial government embraced so large a programme of militaristic control over the majority of its citizens for such a long period of time.

The innumerable, institutionalised injustices committed by the SAP against indigenous peoples provide an intriguing backdrop for discussion of Black participation within the various South African police forces. Despite an apparent conflict of interest, Blacks consistently played a critical, collaborative role in policing South Africa in support of the colonial and apartheid regimes. In 1913, nearly 30% of police personnel were Black (Brewer 1994:42), although internal discriminatory policies ensured that the vast majority of these officers remained in the lowest ranks (Moran 1996:153). Discrimination against Blacks within the police force was as prevalent within the organisation as it was in broader society. According to Smet (2006:56), the culturally dominant “relationship of White master and Black servant” was reproduced with the SAP, suggesting that conditions for Black police were intended to be poor in order to demonstrate their supposed racial inferiority. Disregarding the value of their unique capacities, including cultural and linguistic knowledge necessary to communicate effectively with the majority of the population, Black police were paid less than their White counterparts (Moran 1996:155). Considering the deplorable working conditions and stigma associated with participating in the subjugation of one’s own racial group, significant disincentives would likely have deterred many Blacks from seeking employment with the police. As a result, in the earliest decades of the 20th century, Black police would most probably have been recruited from the poorest and most marginalised sections of Black society for whom alternative opportunities were particularly limited (Brewer 1994:302).

The participation of Blacks within police organisations also posed a number of dilemmas for the White leadership. On the one hand, their presence was critical to the safety of the regime, and their capacity to be called upon in times of crisis was a cornerstone of national security. Policing has never been a popular vocation in South Africa, and any efforts to recruit solely from a minority White population would have been unrealistic (Brogden & Shearing 1993:69; Brewer 1994:21). Black recruitment ensured that police numbers were adequately maintained and that there remained a pool of officers who could be relied upon to carry out unpopular duties with minimal pay. On the other hand, White citizens staunchly resisted the idea of being subject to the authority of Black police who were forbidden to patrol in White areas. Care should be taken to avoid singling out the Afrikaner population as the sole harbingers of this kind of racial superiority. The English speaking population in South Africa and, indeed, more generally in Europe and across the Empire, shared similar prejudices that were rooted in the pseudo-scientific principles of Social Darwinism (Alexander 2002:11-12). Even more serious than these antagonistic racial sentiments was the potential for rebellion amongst Black police officers. A combination of large numbers, paramilitary experience and access to firearms marked them as a potent and formidable threat (Brewer 1994:23). The prospect of a Black revolt with armed, rebel police at the vanguard must have been a particularly worrying prospect for a colonial population who were vastly outnumbered and far from help, distantly located at the southern tip of a global empire.

Crime and the SAP

Despite the blatantly political role played by the police during the both the Union of South Africa and under apartheid (particularly in its latter stages), it remained ostensibly the job of the SAP to deal with crime and other law and order issues in both Black and White areas across the nation. In reality, however, this policing role was not performed with the same level of competency or enthusiasm in both racial communities. Until the institution of representative democracy in 1994, we can understand SAP policy as being overwhelmingly directed towards ensuring the safety of White, rather than Black or coloured society. The racial ideologies underpinning apartheid-era governance determined that the most effective way to combat crime in White districts was to prevent Blacks from entering them without specific authorisation and closely monitored controls (Glaser 2005:122; Shaw 2002). The majority of SAP activity, therefore, consisted of enforcing racial segregation and restricting the movements of Blacks, as opposed to more conventional policing tactics such as street patrols and criminal investigations. Crime in the Black townships, while not desirable in any sense, was not of particular concern to apartheid authorities, as long as it did not threaten to spill over into

White areas. As Glaser (2005) contends, the “SAP leadership was primarily interested in containing township crime rather than combating it” (Glaser 2005:122). This ruthlessly pragmatic approach indicated a crime management strategy that was both shamefully callous yet also in complete correspondence with broader apartheid policy and ideological objectives. Blacks would be left with only the barest of state-provided policing and security. This limited service reflected their status as second-class citizens, and was ultimately designed to restrict the consequences of their supposedly criminogenic racial characteristics to their own kind (Shaw 2002a).

In implementing this racially asymmetrical approach, it was natural for the vast majority of SAP resources to be set aside for the White population. According to Shaw (2002a:33), in 1994, the final year of apartheid, approximately 75% of police stations were located in White areas, while Whites themselves constituted a mere fraction of the overall population.²¹ In so much as it was designed to limit crime solely within White areas, apartheid-era policing may be interpreted as a resounding success, with crime rates in these disproportionately protected zones significantly lower than neighbouring Black areas (Gordon 2006; Shaw 2002a). For Whites living under this iniquitous regime, life was comfortable, affluent and well-protected. Their privileged social and economic position was supported by an oppressed and exploited Black lower class, whose desperation and growing unlawfulness was, for the most part, effectively confined to the townships (Gordon 2006). Unlike in other countries, where large-scale poverty often proves conducive to acquisitive crimes committed against wealthier sections of the populace, South African Whites were insulated by the aggressively policed pass system (Abrahamsen & Williams 2006:36; Shaw 2002a:21). In effect, the development of a two-tiered, racially-based policing strategy transformed White areas into giant gated communities, with the SAP acting as its gatekeepers.

For Black townships, however, crime rates, particularly in the latter decades of apartheid, began spiralling violently out of control. According to government crime statistics, the national murder rate tripled in the years between 1960 and 1977, while the country also experienced an 11% increase in assaults in just four years between 1968 and 1972 (Shaw 2002a:2-3). Given the worsening tensions between the Black community and formal law enforcement agencies, official statistics such as these

²¹ There are approximately 2.35 million Whites currently residing in South Africa, comprising roughly 9.2% of the total population (Statistics South Africa 2010:4). The White proportion of the total population has fallen from 14.4% in 1991, reflecting high levels of White emigration, increased immigration of non-Whites from neighbouring African countries and long-term, racially divergent shifts in fertility rates (Chimere-Dan 1993).

must be taken with a grain of salt. Many crimes, particularly those committed by Whites against Blacks, would undoubtedly have gone unreported. Nonetheless, these statistics may be taken as broadly indicative of the general chaos and breakdown of law and order that affected Black townships at this time. Increasing crime rates were exacerbated by a range of factors, including lack of economic opportunity; inadequate safety infrastructure (for example, a near total absence of street lights in townships) and poor urban planning (Lemanski 2004:102-103; Shaw 2002a). Severe social disruption also contributed significantly to increased inter-personal violence (Gordon 2006:88-89). People from Black communities who had been uprooted from land newly designated for Whites suddenly found themselves crammed into claustrophobic and unfamiliar environs, often being forced to live amongst people with whom they shared no pre-existing bonds of kinship. These dislocated peoples, removed from long-standing community hierarchies and social structures, were poorly equipped to manage intra-communal conflict over scarce resources, particularly in the absence of an effective, engaged and politically neutral police force (Steinberg 2008:65).

During apartheid, policing infrastructure in townships such as Soweto was underdeveloped and insufficiently staffed, and police operations were limited to large-scale raids (Glaser 2005:123-124). These periodic events were not effective in deterring offenders, who found it easy to evade police cordons and continued to prey on vulnerable townships. Innocent residents, meanwhile, were slowly becoming more and more resentful of the ineffective and heavy-handed police disruption in their lives (Gordon 2006:61, 67; Kynoch 2003:299). Effective crime control was not, however, the sole motivation for the SAP employing these mass-personnel tactics. Sufficiently large police numbers meant that the safety of police officers would be easier to ensure – a factor of growing importance in increasingly dangerous township environments like Soweto, where some 891 murders were committed in just one year (1966) amidst an estimated population of only 300,000 (Gordon 2006:62-63). With the combined toxic effects of divisive apartheid social and economic policies, a brutalised and politically frustrated population, and an under-equipped but overly-aggressive police force, the explosion of crime in Black areas during apartheid was assured.

Given the myriad and interlinked criminogenic factors at work in the townships, issues which were largely economic or related to the urban environment (and therefore beyond the immediate sphere of influence of the SAP), sporadically deployed and heavy-handed police tactics were always destined to fail. However, the half-hearted approach to crime management employed by the SAP

and other apartheid government agencies did not necessarily indicate that the national political leadership was completely indifferent to crime in the townships. While the SAP were undoubtedly more concerned with policing White rather than Black areas, it was not initially in their interest to see increased crime in the townships. Crime represented disorder and this reflected badly on both the image of the police and, more broadly, the entire system of apartheid governance, which was slowly coming under increasing international scrutiny. The inadequate provision of police resources in the 1950's, 60's and early 70's may, therefore, be more accurately perceived as the result of deliberately neglectful apartheid policies, rather than as a conscious attempt to create conditions of lawlessness (Glaser 2005:122). This apathetic approach to policing in the townships was to change for the worse, however, in the latter years of apartheid, when SAP personnel became implicated in an ever-increasing range of both criminal and criminogenic activities, including large-scale harassment, false arrests and even the deliberate killing of political dissidents (Gordon 2006; Moran 1996; Shaw 2002a). These actions were intended to destabilise Black communities and undermine resistance to White rule (Gordon 2006:69-70).

The rampant criminality that came to plague the townships, and the increasing brutality of the SAP, combined with a growing political awareness and militancy amongst the Black population eventually catalysed a complete breakdown in police relations with township residents (Gordon 2006; Shaw 2002a). After such intensely bitter conflict it is perhaps natural to assume that the SAP and Black township residents had always been diehard enemies. Such reasoning belies a more ambiguous history, one that is coloured by complex perceptions, conflicting emotions, and many shades of grey ruling the common daily interactions between Black and White South Africans. However, amid the petty drudgery and unabashed racism of pass-law enforcement and forced evictions, some shocking and extraordinary moments would come to define the unfortunate history of the SAP and the Black community and indelibly separate the early years of apartheid from the darkest days of political slaughter towards the end of the regime. Of these moments, one dire event stands out as the catastrophic tipping point from which the South African police have yet to recover.

Crisis and Confrontation – Soweto 1976

The eventual state of open, protracted conflict between the largest segments of the Black population and the SAP has led many both within and outside academia to imply that apartheid-era police had never maintained a welcome or functional presence in the townships (Gordon 2006;

Glaser 2005:125; Shaw 2002a:12). This supposed state of perpetual hostility between Black South Africa and the SAP is, however, questioned by a number of scholars who have pointed to a more ambiguous historical perspective. Steinberg (2008) and Kynoch (2003) both suggest that (Black) SAP officers residing in township areas in the earlier decades of apartheid were generally afforded varying degrees of respect and that they maintained a curious aura of authority and suspicious, sometimes treacherous, power. Despite the fact that township police officers were not sufficiently equipped in terms of either personnel or infrastructure to police their neighbourhoods effectively, they remained prominent and influential local leaders, and their advice and counsel was sought to resolve disputes and maintain community relations (Steinberg 2008). In some instances, this respect would transcend to the point of popularity and mass affection. Kynoch (2003), recounting the funeral in 1951 of Jacob Moruti, a Black SAP Detective-Constable who had resided in a township near Johannesburg, notes that there were over eight thousands mourners in attendance, and that the deceased was described by the local Black daily newspaper, *The World*, as both “popular and loved by the community” (Kynoch 2003:298).

Not all SAP officers living in the townships inspired the same degree of apparent warmth and fondness as the aforementioned Detective-Constable Moruti, but they could at least expect to be regarded with a dual-sense of fear and grudging respect (Steinberg 2008). However, these attitudes were to change irrevocably after police opened fire on high school protesters in Soweto on June 16th, 1976. Despite the politically charged atmosphere of the time, there were few indications that a relatively peaceful protest planned to take place that day would end in bloodshed. Outraged over new government legislation mandating Afrikaans as a language of educational instruction, thousands of teenagers took to the streets of the township in protest. The response from the government was appallingly heavy-handed, even by the standards of apartheid South Africa: SAP riot personnel opened fire on the crowds of schoolchildren with teargas and live ammunition. Fifteen people were shot dead by police in Soweto that afternoon, with a further 247 killed in local clashes with security forces over subsequent days (Mandy 1984:196). As news of the slaughter spread, riots and arson broke out in townships across the country. The scale of the unrest came as a shock to the apartheid authorities, and security forces used lethal force to suppress any opposition, resulting in the deaths of between 500-700 people nationwide (Gordon 2006:64; Mandy 1984:196). Sporadic acts of sabotage and periodic unrest erupted throughout the country for the next eighteen months before finally settling to an uneasy and short-lived calm (Mandy 1984:196).

Those apartheid leaders who expected peace to resume and Black-White relations to continue as before would be disappointed. Whether they knew it or not, there had been an irrevocable shift in public attitudes towards police and their relationship with those living in the townships would never be the same again. Prior to the Soweto Uprising, apartheid-era police had maintained a minimal presence, and they demanded nominal respect in the townships of South Africa. Following these bloody events, a momentous wave of revulsion and rage directed at all of the symbols of apartheid swept through Black South Africa (Bozzoli 2004:26; Steinberg 2008; Kynoch 2003). As the most prominent and aggressive manifestations of apartheid, police bore the brunt of the anger from these outraged communities. Reading accounts of those who experienced the drama of those days first hand, there is a real sense that a new degree of antagonism between the people and the state had been reached, and that the boundaries between the two sides had indelibly firmed.²² Those with a foot in either camp were forced into an untenable position, and Black police who had lived for years in the townships were effectively evicted from their homes, lest they run the risk of being lynched by the mob (Bozzoli 2004:90; Steinberg 2008; Kynoch 2003).

The localised, personal gravity of the events of 1976 were eloquently recalled in an interview with Soweto writer Mtutuzeli Matshoba, published in Jonny Steinberg's (2008) ground-breaking exploration of South African policing, *Thin Blue*:

'Before 1976,' Mtutuzeli tells me, 'we felt that the cops were untouchable. To kill a cop was beyond the imagination. When '76 happened, the riot police came out, and that was the last straw. The cops were there flushing people out, shooting people, terrorising people, and all that fear we had for them was replaced by fury. It is almost magical how it happened. One day, they are the most feared creatures on this planet, the next, it is not safe for them to walk through the township' (Steinberg 2008:84).

We may determine from statements such as these that the student-led uprisings of 1976, and the brutal crackdown that followed, represent a substantial and definitive turning point in apartheid era, police-Black relations. Ultimately, the Soweto Uprising marked the beginning and geographical epicentre of a nationwide expulsion of police from Black areas, a process that was to continue across

²² For detailed accounts of the Soweto Uprising see Steinberg 2008.

townships over the next decade (Mandy 1984:196). By the mid-1980's, the SAP ventured into poor, Black areas at their peril, and would only undertake such missions well armed and in significant numbers (Steinberg 2008). Following the massacre, the SAP had lost any remaining legitimacy amongst the general Black population. The conflicting emotions and wary esteem that had previously characterised township perceptions of SAP officers were extirpated, to be replaced by incandescent rage. Police could no longer reside within the townships, and instead were built homes independent of their former communities (Steinberg 2008:22, 84). Yet the SAP was by no means a broken force. They still had the power to assault, to imprison, and to assassinate, but they could no longer claim to represent, in any sense, the people whom they were charged to police. They were now an invading army in an occupied land – powerful, yes, but on dangerous, shifting ground, amid a hostile people who had begun to feel that history was on their side.

Kitskonstables and 'Low-level' Civil War

Military analogies to policing are particularly appropriate to South Africa in the period of the mid-to-late 1980's, by which time the security situation had begun to spiral dangerously beyond government control. Seething anger at the injustices of apartheid had prompted the Black population to unprecedented levels of violent resistance. Large parts of the country were inaccessible to police, and in some cases whole townships, including one of the largest, Alexandria (located only a few kilometres away from the centre of Johannesburg) were in open revolt (Bozzoli 2004:66). The SAP had, up until that point, successfully confined the unrest to non-White areas but were increasingly showing signs of organisational fatigue in the face of a massive and growing liberation movement (Brogden & Shearing 1993:74-75). Recognising that the state was teetering on the edge of disaster, the apartheid leadership took drastic action. On the 20th of July, 1985, President Botha declared a state of emergency in 36 districts across the country. Special legislation was enacted authorising the indefinite detention without trial of civilians, and legal indemnity was extended to all state security operatives, including soldiers, police and even prison guards (Moran 1996:160; Brewer 1994:296,300). These steps represented an attempt by the government to maximise the coercive potential of security forces while at the same time ensuring that legal recourses to opposition were all but eliminated.

Care should be taken not to imply a monochromatic racial profile of the security agencies during this last decade of apartheid. While the targets of government forces remained overwhelming Black²³, the less specialised branches of the security apparatus, including the SAP, were undergoing a surge in Black recruitment (Brewer 1994:297; Brogden& Shearing 1993:76-85). The introduction of *Kitskonstables* represented a particularly notable programme associated with boosting the role of Blacks within the security forces. *Kitskonstables*, or 'instant constables', so called because of their lamentably short, 3-week training period, were deployed as frontline troops in the townships, and were intended to provide a buffer between resistance fighters and exhausted SAP units (Brogden& Shearing 1993:83). The *Kitskonstables* closely resembled other hastily assembled and poorly trained Black 'public order' units in which operating conditions were abysmal and recruitment standards were lowered to an absolute minimum (Brogden& Shearing 1993:83). The poor operational performance of these units reflected their substandard training and they soon gained a reputation for brutality and undisciplined violence that rivalled that of the SAP and other apartheid security agencies (Brewer 1994:302,306). Perceived as traitors to their own people, the *Kitskonstables* became the regular targets of vicious attacks within the very townships they were charged to police (Brogden& Shearing 1993:82; Brewer 1994:306-307).

Employing units such as the *Kitskonstables* offered significant advantages to the regime beyond the most obvious of simply having 'more boots on the ground' in volatile township areas. Black security personnel were paid less than their counterparts in regular units in the SAP and SADF. This was a factor of growing importance given the severe economic strain under which the apartheid state was placed as the result of widespread international sanctions. In addition to the financial benefits of employing cut-price security personnel, was the propaganda value of using Black paramilitaries to combat Black resistance fighters. The use of exclusively or predominantly Black security units allowed the apartheid government to frame unrest and widespread violence as a 'Black-on-Black' issue, thereby obscuring the central role of race and White governmental repression in the anti-apartheid struggle (Martin 2010; Brogden& Shearing 1993:83; Haysom 1989). Interestingly, the use

²³ The central and indisputably dominant role of Black South Africans in the struggle against apartheid should not completely obscure the small role played by White liberation activists. As a majority of Whites supported the apartheid system, opposition was predominantly limited to the fringes of mainstream society, and could be found amongst radical students, ecumenical Christians (Balia 1989), Jewish activists (Sakinofsky 2009), anti-conscription draft-dodgers (Luow 1994), and a vigorously repressed gay community (Hoad, Martin & Reid 2005). Whites who openly defied apartheid could expect little leniency from government forces and many thousands fled the country rather than risk imprisonment or worse at the hands of their countrymen (Sakinofsky 2009:3).

of such racial propaganda was intended not solely for the benefit of an ever more hostile international audience, but also to quell the concerns of the domestic White population:

For conventional White society, the violence of the Katsikongas in the townships was filtered through the racist lenses of media controls. The strategy of relying on them was meant to remove the most obvious racial overtones, giving the impression that law-abiding, moderate Blacks supported the White regime (Brogden 1993:83-84).

The fact that this form of propaganda was deemed necessary to maintain support amongst the White population is reflective of how far the apartheid government had strayed from acceptable standards of conduct. Not only despised by the non-White majority and much of the international community, the regime was forced to manipulate those within its own support base in order to project an appropriate image of control and stability. The cynical use of propaganda accompanying the rapid increase of Blacks within the security services also indicates the growing sense of desperation surrounding apartheid leaders in their efforts to stifle any opposition to minority rule. Despite the use of increasingly harsh and extraordinary measures, little progress was being made in maintaining a permanent sense of order in the townships (Gordon 2006; Brewer 2004; Brogden & Shearing 2003; Shaw 2002a). In order to achieve a decisive result against the resistance movement, the apartheid leadership eventually sought recourse to an even more drastic solution: the combined military strength of the nation, the SADF, would be deployed against civilians and political opponents within the South African Republic.

The decision by the apartheid government to wield its substantial military might against its own people signalled that South Africa's long-standing 'troubles' had finally escalated into a full-blown insurgency or, what some scholars alternatively describe (despite the inherent contradiction) as a 'low-level' civil war (Gordon 2006; Ashforth 2005:269; Shaw 2002a:14; Moran 1996:159). In this new and heightened stage of the anti-apartheid conflict the SADF assumed a number of roles in addition to its responsibilities for external defence.²⁴ Existing legislation concerning the role of the armed

²⁴ By the time that the SADF was called upon to fight internal insurgents in the 1980's, the South African government had already been engaged in a two decade conflict with rebels in neighbouring Angola. The so-called 'Border War' (1966-88) was closely interlinked with the both the Angolan War of Independence and the Angolan Civil War. During this conflict South Africa fought (unsuccessfully) for control of the former German

forces was amended to incorporate civil policing duties, including “maintaining law and order and preventing crime” (Brewer 1994: 296). Conventional anti-riot operations saw army personnel deployed alongside their SAP counterparts in confronting and disrupting demonstrations and large-scale threats to public order. Whilst often involving high levels of coercive force, these operations represented intensification along an existing continuum of state violence, rather than a decisive split from tried and tested methods of control and subjugation.

More worrying for liberation activists, however, were the myriad covert operations associated with the deployment of secretive SADF special forces. These shadowy units, predominantly associated with the Directorate of Military Intelligence (DMI) and Commandos, carried out a range of missions aimed at disrupting the resistance movement and terrorising its supporters, including the targeted assassination of resistance leaders; random killing of civilians; arbitrary arrests and torture of prisoners; as well as the training and arming of non-government, anti-ANC organisations such as the Inkatha Freedom Party (IFP) (Martin 2010; Moran 1996:160; Howe 1994:36; Brogden & Shearing 1993; Haysom 1989). Again, the use of proxy forces such as the IFP played an invaluable propaganda role for the apartheid leadership by fostering an image of ‘Black-on-Black’ violence. The additional benefit with using non-government proxies, however, was that the government was able to position itself as a ‘neutral’ arbiter in the face of warring, non-government political groups (Brewer 1994:312).

Anomie and the Collapse of Apartheid

Many of the special forces’ covert operations were illegal, even by the permissive standards of the day, and steps were taken by the various security agencies to avoid future responsibility for any crimes committed. To this end, President Botha tacitly approved of SADF attempts to conceal their activities from civilian oversight and control (Howe 1994:33).²⁵ Even within the security apparatus

colony of South West Africa. Interestingly, the first engagement of the Border War did not involve members of the SADF, but rather was fought between rebel independence fighters and a unit of SAP supported by the South African Air Force (Lord 2008:42-43). The significant historical role of the SAP in the Border War is a testament to the long-running ideological, organisational, tactical synchronicity between the South African military and police.

²⁵ The apartheid government had an advanced capacity for eliminating information considered to run contrary to the interests of regime and its leaders. Unlike other 20th century governments that collapsed suddenly, such as in East Germany and other Soviet Republics, apartheid record-keepers had significant warning of regime change. For this reason, the destruction of official government documents, including huge amounts of

itself, levels of secrecy were high. Considerable 'initiative' on the part of field operatives was taken in the planning and execution of covert operations, and it is likely that many of these missions were carried out without the express authorisation or even knowledge of senior defence officials. According to Howe (1994), many civilian and defence leaders willingly turned a blind eye to the activities of their subordinates so that 'plausible deniability' could be maintained if and when they were called to account for their crimes (Howe 1994:33-35; Brewer 1994:312). The gradual organisational drift towards widespread criminality did not stop at planned killings, and the atmosphere of impunity that reigned in the chaotic final years of the regime also left the security forces particularly susceptible to corruption. Hennie van Vuuren (2006), Head of the Corruption and Governance Section at the Institute for Security Studies, claims that between 1975 and 1987 the SADF carried out wide-scale poaching and illegal ivory, narcotics, weapons and diamond smuggling, ostensibly to help finance military operations in neighbouring Angola. However, rather than illicit monies being used to fund regional military adventures, they found their way instead into the pockets of senior South African defence personnel (van Vuuren 2006:48-51; Ellis 1994).

Declining standards of accountability together with the increase in institutionalised, illegal activity evident across South Africa in the late apartheid period reflect a wider breakdown in social norms that is consistent with Durkheim's concept of 'anomie'. In its most basic interpretation, anomie describes a state in which there is "an absence of norms or a fundamental conflict over society's basic values" (Slatterly 2003:22). This conceptualisation of anomie was modified in the 1960's by Robert Merton (1965), who identified *a lack of institutionalised capacity* to achieve goals – rather than the specific *absence* of socially valued goals – as the primary characteristic of an anomic society. According to Merton (1965), in the absence of legitimate institutions through which socially valued goals can be pursued, individuals will alternatively seek them through illicit means. This Mertonian conceptualisation of anomie is particularly applicable to late apartheid South Africa. As evidenced by widespread lawbreaking within the security services, many within the SAP and SADF were unprepared to work within loosened legal constraints and instead chose to prosecute their conflict through illegal channels. This suggests a state of anomie so profound that even the elite within the security services – those in the country who exercised the most political power and who were arguably the least inhibited by institutional restrictions – were no longer prepared to abide by government laws in pursuit of their goals. It is, perhaps, unsurprising that so many of the defenders of the crumbling apartheid regime eventually turned criminal themselves. Desperation and

classified material, increased dramatically after 1990 up until democratic transition four years later (Harris 2000).

disillusionment at their plight must have had a catastrophic effect on the morale of security agencies. Indeed, similar instances of internal pillaging and widespread anomie were witnessed around the same time across the former Communist Republics during the collapse of the Soviet Union (Kim & Pridemore 2005).

By the beginning of the 1990's, it had become clear to the apartheid leadership that the use of the SADF and novel security initiatives such as the *Kitskonstables* had failed to quell the insurgency, and that the combined security forces using the most extreme and illegal forms of violence could not triumph over the Black liberation movement (Gordon 2006; Brewer 2004; Brogden & Shearing 2003; Shaw 2002a). Government leaders could only hope that they could enter into the inevitable peace negotiations from a position of relative strength (Haysom 1989). For this reason, covert security operations, particularly those instigating violence between opposing Black political organisations, were maintained right up until the point of democratic transition, even as peace talks were concluded between the apartheid leadership and the triumphant ANC (Martin 2010; Haysom 1989). In the end, none of the final desperate measures undertaken by the security establishment were sufficient to save apartheid. The system was simply too costly to maintain, in both lives and treasure; its inherent violence became impossible to disguise; its iniquities too blatant for a hostile, international audience and an increasingly war-weary public; and its opponents were too numerous, well organised and righteously motivated to accept anything other than the total dismantling of the regime. On the 27th of April, 1994, some 40 million South Africans cast their votes in the first truly democratic elections in the country's history, ushering a landslide victory for the ANC and electing Nelson Mandela as President. It was now official – apartheid was history.

Conclusion

Looking back at the history of state policing under apartheid, we may conclude that the enterprise was an abysmal failure on at least three different levels: Firstly, it failed to prevent crime. As a direct result of police brutality and neglect (combined with other deleterious apartheid policies) criminal violence exploded in the townships over the course of the 20th century. Eventually, this chaos proved impossible to limit to these segregated areas of second-tier interest, and police were unprepared to counter the large-scale unrest that spilled out of these areas and eventually resulted in revolution. The huge problems of violent crime afflicting South Africa today are significantly attributable, to these discriminatory and ineffective policies undertaken by the apartheid era police. Secondly,

policing agencies failed in their efforts to secure the safety of the apartheid regime. Despite their best efforts, including the use of the most extreme levels of coercive force and intimidation, police and aspects of the military could not halt the inexorable push for freedom and independence. Indeed, the levels of force used against Black citizens only further radicalised the population and strengthened their resolve to fight. Police use of extreme tactics also backfired with regard to the international community whose increasingly hostile attitudes led to a comprehensive regime of sanctions that further tightened the screws on the apartheid leadership.

Finally, these other failures were compounded by the growing illegitimacy and illegality of both apartheid policing agencies and their masters in the civilian government. It is, perhaps, the greatest irony of this turbulent period that the apartheid security services, including the SAP and the military, eventually became some of the most prolific criminals in the country, engaging in illegal killing, theft and other nefarious activity on a grand scale. These were neither isolated incidents nor the deviant acts of lone offenders, but rather represented a nationwide state of anomie, characterised by a comprehensive breakdown in collective morality and legitimate governing structures. By the end of the regime, not only had the blurry line that previously separated paramilitary, colonial policing from full-blown military occupation and conflict finally been erased, but so too had the differences separating law-enforcing police and lawbreaking offender (Gordon 2006; Shaw 2002a; Brogden & Shearing 1993; South African Truth & Reconciliation Commission 2003). The eventual breakdown in the role of the SAP serves as a valuable lesson to those other police forces that are used as instruments of political oppression rather than as agents of a democratic and morally coherent order. In the absence of a genuine moral claim to the protection of society, nothing separates the task of the policeman from that of the rogue soldier or anti-social offender.

Chapter V - A History of South African Vigilantism

The job of policing any society is one that is rarely, if ever, conducted solely by state police. In industrialised nations, private security firms are the most familiar organisations to complement the work of state law enforcement. Since the mid-20th century, the ubiquitous commercial security guard, watching over everything from banks and jewellery stores to nightclubs and fast-food outlets, has assumed the bulk of generic protective services and, in South Africa, now outnumber state police by margins of up to seven to one (Singh 2008: 41-42; Abrahamsen & Williams 2007b:43; Knox & Monaghan 2002:82; Baker 2002:37). However, as financially motivated entities, some environments are neither appropriate nor attractive to private security firms. Poor communities that have little in the way of private property to protect, and even scarcer monies to contribute towards expensive, customised protection, are unlikely customers for corporate security. When combined with a history of state antagonism - as is the case with many Black communities in both apartheid and present-day South Africa - indigent, crime prone neighbourhoods can find themselves without any substantive protection from either the state or corporate aspects of the formal security sector. It is in these areas of disadvantage and marginalisation where informal policing groups flourish most and often assume a central role in community regulation.²⁶ Due to its extraordinarily high proportion of poor communities that were alienated from the state, apartheid South Africa witnessed a proliferation of vigilante policing on a scale rarely seen in the modern world.

Vigilante policing, whereby private citizens undertake many of the tasks more commonly associated with state police, has played an important role in regulating South Africa's Black communities from colonial times (Lee & Seekings 2002). Since that period, vigilante groups have provided all manner of security and regulatory functions, from conflict resolution and mediation over property disputes, to night-time patrols and the punishment of suspected offenders (Singh 2008; Burman & Schärf 1990:708). Early vigilantes essentially filled many of the security and regulatory gaps left unaddressed by a disinterested and neglectful state police force, to whom they played a secondary and deferential role (Lee & Seekings 2002). The various functions of South Africa's vigilantes changed,

²⁶ Vigilante organisations also played (and continue to play) a significant role in policing many relatively affluent White communities, although usually on a lesser scale due to an increased likelihood that these households could afford substantial private security. The scope of this project is not sufficiently wide to incorporate an analysis of vigilante activities in White communities. For further information on this topic see Steinberg (2008).

however, with the imposition of apartheid and as state attitudes towards Black citizens turned increasingly hostile. As formal policing methods grew steadily more brutal and oriented towards repressing resistance to the ruling White regime, Black vigilante groups came to embody repressed aspects of masculine identity (Martin 2010; Goodhew 1993). Township crime also worsened during the course of apartheid, and vigilantes were perceived by many Black residents as essential tools for social regulation. No longer playing a secondary role to marginalised state police, vigilante organisations adopted a dominant position as defenders of the physical and moral wellbeing of Black communities.

Following the Soweto Uprising, the activities and demographic constitution of South Africa's vigilante groups changed again as young people engaged more in political resistance and assumed leadership in the fight against apartheid. In particular, the rise of 'people's courts' marked a significant shift in the old power dynamics and cultural hierarchies that had long dominated the townships. The unprecedented militancy of youth vigilantism not only affected the relationship with their fellow Black citizens, whom they policed according to a zealous political/revolutionary orthodoxy, but also the nature of their interaction with apartheid security forces (Brogden & Shearing 1993:144-145,148). By the end of the apartheid regime, youth vigilantes and state police had become the principal belligerents of a deadly nationwide conflict for control of the country. The explosive tensions between these rival 'police' forces produced a security environment so atomised and bizarre that, quite literally, one racial community's policeman constituted another's terrorist.

Like most other African states, South Africa is a youthful country. With a low life expectancy and high birth rate (at least by international standards), approximately one third of South Africans alive today were not yet born when apartheid was overthrown and Nelson Mandela elected President (SSA 2009:15). Given the high proportion of youth relative to the rest of the population, one may speculate that recent historical developments are less relevant to South Africa than they are to other, less youthful societies. This chapter, indeed this thesis as a whole, expresses a contrary view, arguing that a detailed understanding of contemporary South African vigilantism is impossible without familiarity with the historical events affecting its modern-day development. Equally important is that these historical incidents and narratives are interpreted according to rigorous theoretical analysis. The compelling drama associated with stories of apartheid brutality and resistance can sometimes distract from the serious business of long-term criminological analysis; the

palpable emotions surrounding those chaotic days are capable of obscuring the deeper social prerogatives that were subtly driving events on the surface. Indeed, it seems that the apartheid authorities made the fatal mistake of adopting this superficial approach and imposed punitive, reactionary measures without fully appreciating the underlying causes of social unrest. With these perspectives in mind, this chapter will address the origins of South African vigilantism and seek to explain the key forces affecting its various functions, composition and transformation during the apartheid regime. Anomie theory will form the principal theoretical framework through which this historical data will be interpreted.

Vigilantism, Crime and Anomie

Before unearthing the history of South African vigilantism, some key aspects of anomie theory should first be introduced and explained. Since its development by Emile Durkheim in the 19th century, anomie theory has been particularly relevant to societies in transition. In Durkheim's *Division of Labour in Society* (1997), anomie was proposed as an inevitable consequence of the processes of modernisation, particularly the shift from agrarian to industrial economies, together with the breakdown of long-standing, norm-generating institutions. In the century following Durkheim's ground breaking analysis, anomie has become a central theory in the field of sociology (and, by extension, criminology) and has seen near ubiquitous application to all manner of societies undergoing significant political, cultural or economic change. An examination of contemporary scholarly literature reveals application of anomie theory from China (Zhao 2008) to Latin America (Quenza2009), and from Indonesia (Braithwaite et al 2010) to ex-Soviet states in Eastern and Central Europe (Kim & Pridemore 2005; Genov 1998). Of course, anomie has also been applied to transitional African states (Hirt 2010), including the specific subject of this study, South Africa (Huschka & Mau 2005; Western et al 1999; Marks 1992).

As briefly discussed in the previous chapter, apartheid law enforcement agencies and personnel exhibited many of the characteristics that one would expect to find within a society suffering from anomie. It is, therefore, perhaps not surprising that the fluctuating dynamics surrounding crime, vigilantism and youth political activism across much of that period also correspond strongly to those of an anomic system. Anomie theory may be interpreted differently depending upon with which of the two major schools one identifies. The differences between Durkheimian and Mertonian anomie essentially concern the importance of large scale change, and the role of institutions in inculcating

social norms and facilitating avenues towards personal satisfaction. However, as Tierney (2009) implies, these differences should not distract from the broad similarities in perspective between these two eminent and influential social theorists:

Durkheim and Merton agree on what anomie is, [however] they differ in terms of its distribution and its source. For Merton, its source was inequality of opportunity and the resultant relative deprivation; for Durkheim, its source was rapid social change... (Tierney 2009:27).

Durkheim (1997) claimed that strong, social institutions²⁷ play a number of vital roles in maintaining a healthy society. In particular, social institutions facilitate cultural unity by providing a common forum through which communal norms are developed and expressed. These norms are inculcated unto individuals via processes of socialisation that occur through the regular operation of shared institutions. As focal points for community development, Durkheim also believed that these communal forums repressed individualistic tendencies, thereby limiting deviance and providing a vital aspect of social control outside of the coercive machinery of the state (Tierney 2009:21). Effectively, institutions condition individuals to become integrated members of society, accepting their place within a valued community with which they share values, a sense of purpose, identity and bonded reciprocity. From this perspective, social institutions not only act as a controlling influence on individuals, but also serve to facilitate communal habitation and liberate members of society from the burden of unrepressed desires:

Man cannot become attached to higher aims and submit to a rule if he sees nothing above him to which he belongs. To free him from all social pressure is to abandon him to himself and demoralise him (Durkheim 1997).

²⁷ Alexander de Tocqueville (1835) and other, contemporary sociologists such as Robert Putnam (2001; 1994) characterise many of the (non-state and non-economic) social institutions to which Durkheim refers as the constitutive elements of *civil society*. Civil society and its role in producing 'social capital' are highly influential and popular contemporary sociological theories that are closely related to, and strongly informed by, Durkheim's early foundational works in the field.

Importantly, however, these crucial processes of socialisation and reciprocal control and repression may be interrupted during times of great social upheaval. Far-reaching transformations, for example, through revolution, radical technological innovation or war and military conquest, are capable of destroying long-standing social institutions. According to Durkheim (1997), in the absence of these simultaneously unifying and repressive entities, personal and self-centred desires become unbounded, and individuals succumb to feelings of frustration, purposelessness and anger. It is this condition of self-absorbed dislocation that predisposes individuals to crime and deviancy and which constitutes a state of anomie.

Naturally, other structural factors are also capable of contributing to widespread crime and deviance and these issues are addressed by that other great anomie theorist, Robert Merton (1968; 1938). Contrasting with Durkheim's emphasis on the importance of rapid social change, a Mertonian state of anomie is characterised by an absence of legitimate institutional structures through which personal, socially valued goals can be realised. Accordingly, anomie does not necessarily result from a complete absence of social norms, but rather from systemically frustrated personal ambitions and unmet expectations. Under such a system, individuals resort to illegitimate, deviant mechanisms to realise otherwise frustrated personal goals. Mertonian anomie is sometimes described as a prototype 'strain theory' (Walklate 2002; Agnew 1992), that is, a criminological theory in which individuals are perceived as turning to deviance as a result of structural pressures or 'strains'. The archetypal context of Mertonian anomie is the American working-class, inner-urban ghetto. In these areas the much valued goal of material acquisition and wealth - the 'American Dream' - is denied by institutional factors such as a lack of education and employment (Bourgeois 1996; Nightingale 1993; Merton 1938). Frustrated by an inability to achieve material self-fulfilment through legitimate institutions, Merton (1938) argued that those residing in these areas of relative deprivation are inclined to turn towards deviant and illicit means in order to satisfy their socially inculcated, material desires.

Interestingly, both forms of anomie, whether resulting from 'inequality of opportunity' and 'relative deprivation' or 'rapid social change', have direct application to apartheid vigilantism as well as to its practice during the contemporary period. The mutual applicability to South Africa of both Durkheim's and Merton's conceptions of anomie suggest that the two closely related theories may

be worked together into complementary synthesis. These conceptual themes will be explored throughout the remainder of the chapter.

The Origins of South African Vigilantism

Without delving too deeply into the past, early colonial attitudes provide a useful insight into more contemporary perceptions of vigilante policing. Lee and Seekings (2002:99) note that the colonial authorities in pre-apartheid South Africa showed little concern for the disputes and petty criminality of the indigenous peoples and were quick to recognise the value of informal methods of justice. In urban areas, outside the jurisdiction of government-approved tribal chiefs, vigilantes were perceived by the ruling classes as an expedient (and economical) tool for maintaining order amongst the native population (Lee & Seekings 2002). Government approval of vigilante policing rested ultimately on who was meting out the punishment; trusted groups could expect active or, at the very least tacit support from a state happily unburdened by a vexatious and time-consuming responsibility. The delegation of policing activities to non-state agents continued into the apartheid era and, according to Buur (2006:4-5), was eventually embraced by a Black population agitating for change and keen to demonstrate its independence from apartheid rule.²⁸ This 'resistance vigilantism', where communities engaged in self-policing in an effort to undermine the authority of the central government (and later the supposedly independent governments of the *Bantustans* or 'homelands'), further entrenched the practice of non-state community regulation.

By the end of the 19th century, however, an altogether less orderly picture of informal law and order amongst the Black population had emerged. Contrasting with Lee and Seeking's (2002) description of state-tolerated vigilante justice, Kynoch (2008) describes the urban and semi-rural conditions of Black townships and labour camps during this time as a dystopian nightmare. Vicious gangs ruled these areas and exploited their rivals, as well as their own less fortunate members, with violence, extortion and rape on a grand and persistent scale. Insecurity was the only constant for

²⁸ The role of vigilante groups in the eventual downfall of the apartheid regime is one which is complicated by semantic inconsistencies. Public use of the term 'vigilante' took a new and particularly pejorative turn in the 1980's as a vast, government-sponsored campaign of terror and intimidation was unleashed across the country. The principal agents of this campaign – conservative, patriarchal elements of the Black populace who were covertly armed and encouraged by the state – were commonly dubbed 'vigilantes' (Haysom 1990; Charney 1991). Their activities, carried out in support of the apartheid government, should not be confused with the informal policing practices of other contemporary groups such as people's courts, street committees or civic guards.

those unfortunate enough to reside in these areas, and frequent turf wars between rival gangs - often involving hundreds of individuals - provided the only check on the psychopathic ambitions of gang leaders (Kynoch 2008:631). Police and other state security forces remained unconcerned with the mass-violence and individual misery produced by these deleterious conditions, so long as Whites and their property remained out of harm's way:

The South African authorities did little to address the epidemic of violence in the townships. Police were very thin on the ground in Black areas and concentrated on enforcing racial legislation. By the 1950s 'the most serious categories of crime in the Black areas – murder, gangland slayings, rape, extortion – lost out to the chilling bark of the police "Waar is jou pas?" (Where is your pass?)' (Kynoch 2008:633; inner parentheses Evans 1993:116)

Eventually, civil-minded township residents fed up with gang violence decided that enough was enough. Both Kynoch (2008; 2003) and Goodhew (1993) identify the late 1940's as the period in which large-scale popular outrage over escalating crime in the satellite townships of Johannesburg led to the development of crime-fighting organisations known as the civic guards.²⁹ These were non-state volunteer initiatives that sought to apprehend or otherwise deter juvenile delinquents and other offenders from preying on township residents. To achieve this goal civic guard patrols, also known as *bangalalas* – 'those who do not sleep' – roamed the townships at night, looking to catch offenders in the act (Kynoch 2003:310; Goodhew 1993:460).

It is important to note that the primary targets of the civic guards were not simply those who violated any law, but rather those who committed crimes at the expense of their fellow township residents, particularly robbers, rapists, murderers and thieves. People who violated pass laws and other unpopular apartheid regulations, such as those banning *shebeens* or illegal drinking taverns, were not stigmatised in the same way as violent criminals and would likely have had little to fear from their activities (Brogden & Shearing 1993:146; Goodhew 1993:453). More often than not, the focus of civic guards' attention was on those troublesome youths making a living from petty crime who were viewed with increasing suspicion and fear, particularly by the older generations. In many

²⁹ Civic guards are also referred to as 'civil guards' or 'civilian guards'. These like terms refer to the same broad range of vigilante policing organisation (Steinberg 2008; Kynoch 2003; Shaw 2002a).

cases this fear was well founded. Physical safety in the townships continued to deteriorate in the early decades of the twentieth century, and gangs of violent youth were commonly viewed as the primary cause of this decline (Glaser 2005:121; Kynoch 2003; Goodhew 1993).

The importance of the civic guards grew in the wake of an aggressive crackdown by apartheid authorities and the SAP on the policing of pass-laws in the late 1940's and early 1950's. The effect of the government blitz on pass offences resulted in many offenders, primarily young people, being pushed into a liminal zone of sustained illegal activity that was motivated by resistance to apartheid oppression. As Goodhew (1993) explains:

Young people resisted pass control and preferred to do without it if they could, but fear of being caught led many towards a twilight existence and greatly encouraged subsistence by violent crime. One of the easiest ways to obtain a pass was to steal one. To a considerable extent such behaviour, however anti-social its results, was a gesture of defiance against an economy which offered dead-end work or nothing (Goodhew 1993:458).

The strict policing of pass laws created a crisis for many young South Africans who resented heavy-handed government controls that restricted their freedom of movement. Those who were not legally permitted to live in the township of their choice were forced to either steal a legitimate pass from a fellow resident or to live in constant fear of capture and imprisonment (Goodhew 1993). Unfortunately, in this instance, resistance to apartheid oppression manifested in a parasitic existence that compounded the difficulties and physical hazards endured by others who lived and worked in the townships. Understandably, little sympathy was generated towards the criminal youth or *tsotsis* who rejected the oppressive limitations of the apartheid system. Attitudes towards them from others within the Black community became increasingly aggressive, and township voices calling for the tough disciplining of unruly and disrespectful youth were amplified as the security environment gradually deteriorated (Glaser 2005:121). In order to respond to the perceived danger from this threatening group the civic guards turned to an unlikely quarter for assistance – the SAP.

The civic guards stand out from later improvised policing initiatives in South Africa in that their leaders and supporters overwhelmingly supported cooperation with the apartheid police as a means of reducing crime (Goodhew 1993:461). This pro-police attitude is somewhat surprising given the worsening political relationship between apartheid authorities and the Black community, and it highlights the seriousness with which youth crime was perceived by township residents. In order to improve the efficacy of the civic guards, the volunteers lobbied for official police sanction, with the aim of integrating police-volunteer operations by either handing captured suspects directly to police or even including SAP personnel on patrols (Goodhew 1993). It was also hoped that gaining official recognition would confer an additional degree of legitimacy on the civic guards and assist in securing cooperation from recalcitrant residents and suspected offenders. Recognition from the state was perceived by the civic guards and their supporters as an important step towards achieving partnership status with the SAP, a potential parity that was unlikely to be viewed favourably by government law-and-order authorities.

Lower ranking SAP officers were those most likely to express support for the civic guards. Like many within the Black community, police who worked in the townships often viewed their activities as crucial to the fight against violent crime (Brogden & Shearing 1993:147). One SAP station commander went so far as to publicly credit their operation with halving the number of violent offences in his local jurisdiction (Goodhew 1993:462). Unfortunately, the efforts of the civic guards in securing the patronage of the police did not come to fruition. Despite, or perhaps because of their popularity with township residents, the more senior police hierarchy began to view the civic guards with mounting suspicion. The hostile attitude of the SAP leadership became clear in early 1952, when members of a civic guard patrol were arrested and charged with a number of offences, including assault and possession of illegal weapons (Goodhew 1993:461). All formal ambiguity was dispelled later that year when the government issued an outright ban on civic guard association. After only a few short years, despite notable successes in the fight against crime and the widespread support of both township residents, and many within the SAP, the movement of the civic guards was over.

Vigilantism & Reclaiming Masculinity

The relatively few years when the civic guards were in operation are notable for a number of reasons; many of the dynamics surrounding their rise and fall would become apparent again in similar circumstances over the coming decades. Firstly, the popularity of civic guards amongst

township residents and lower ranking police officers is reminiscent of current attitudes towards contemporary vigilante organisations. As was the case sixty years previously in present-day communities suffering from high levels of crime, police and private citizens often express high levels of support for vigilante policing organisations (Oomen 2004; 1999). This is an understandable and largely predictable outcome in areas where anxiety concerning violent crime is high and the perceived ability of police to deal with offenders is low. A corollary to this trend is that widespread community support often results in increased hostility from the government and senior police who resent the encroachment of volunteer civilian organisations upon their traditional sphere of operations. Historical parallels may be drawn between the civic guards and contemporary vigilante organisations such as *Mapogo-a-Mathamaga* and PAGAD. These enjoy significant levels of support from those living within their 'jurisdictions' but encounter opposition from government authorities when their activities grow too bold (or successful) and are perceived to constitute a political threat (Oomen 2004; Dixon & Johns 2001; Harris 2001a; Brogden & Shearing 1993).

The dynamic of grassroots support resulting in hostility from the government and police hierarchy is a trend that may often be observed wherever and whenever a non-corporate competitor to state law enforcement evolves. Of more specific cultural relevance to the South African context is the serious inter-generational antagonism that accompanied the formation and operation of the civic guards. On a superficial level, inter-generational conflict seems unremarkable; civic guard volunteers, who we know consisted predominantly of men drawn from the older generations (Kynoch 2003; Goodhew 1993:462; Brogden & Shearing 1993), may be perceived as simply reacting against the criminal threat posed by an increasingly violent and disorderly youth. This perspective, however, ignores the deeper communal tensions and psycho-social prerogatives that underlie and motivate much vigilante activity. According to Goodhew (1993), civic guards were also prompted by a need to fulfil repressed patriarchal expectations. This association with vigilante crime-fighting provided a unique avenue through which older Black men could reclaim important aspects of their masculinity that had been denied by the apartheid system.

Due to their formerly privileged position in the social hierarchy, apartheid marginalisation had a uniquely destabilising effect on Black men, stripping them of much of their social, legal and political authority. Institutionalised and endemic poverty greatly undermined the basis of patriarchal respect within the family – one's ability to provide material security – and pass laws removed the last

vestiges of physical freedom (Morrell 2006:22). Police brutality and the threat of arbitrary arrest further struck at the heart of masculine identity by undermining men's capacity to secure their own physical safety as well as that of their families and communities. In addition, the migratory labour system, where men would be relocated to work in areas away from their families and children, distanced Black men from their traditional roles as familial protectors and providers (Wilson 2006). By the mid-twentieth century, the power and patriarchal authority of Black men had been swept away by colonial-racial ascendancy and they could no longer enjoy independence or autonomy over the course of their lives. To add insult to injury, the status of Black men as providers and protectors had been demolished in full view of their wives and children, and their apparent social impotence was made public for all to see; their patriarchal identity had been subverted and their former strength turned to shame (Ramphela & Richter 2006:77). These radical developments often left Black men in an anomic state of confusion, shame and existential angst.

With this context in mind, both crime and crime-fighting may be perceived as generationally divergent responses to the common problems of anomie and repressed masculinity. Resistance to the apartheid system provided young men with a semi-moral purpose (depending on one's point of view) and identity, realised through opportunistic crime and predatory violence. Rejecting their place on the lowest rung of apartheid society and able to justify their offending under the rubric of resistance to racial exploitation, they took what they wanted in a spirit of aggressive and proud defiance (Goodhew 1993). Conversely, youthful disobedience and the perception of malicious delinquency provided older men with legitimate and, perhaps more importantly, *accessible* targets for repressed patriarchal aggression. Youth crime presented older men with the opportunity to unleash decades of pent-up frustration and, in doing so, realise some of their former power and patriarchal status (Goodhew 1993). In different ways, both sets of behaviour resulted from prerogatives linked to male identity. Conflicting intergenerational dynamics were ultimately catalysed by the tension between deeply engrained patriarchal expectations and the unacceptable living conditions associated with a particularly rancorous form of military-colonial subjugation. Unable to directly confront the true cause of their suffering – their apartheid oppressors – Black men living in the townships turned upon one another in a desperate struggle to reclaim their trampled and long-defeated masculinity.

The systemic obstacles to positive self-fulfilment that affected Blacks during apartheid, both in terms of material gain and social status, also correspond strongly to a Mertonian conception of anomie. A lack of legitimate institutions through which individual goals could be realised motivated both younger and older men to find alternative, compensatory ways and means to personal gratification. Again, strong parallels may be drawn between this historical conflict and the intergenerational antagonism associated with crime and vigilantism in South Africa today. While no longer enduring apartheid, extreme poverty and the limited capacity for social mobility continues to have an emasculating effect. This is especially the case with indigent young men, whose opportunities to generate and amass wealth are particularly limited (Jensen 2008). For many living in poor areas, crime provides an irresistible opportunity to gain both economic benefit and social status. In the absence of legitimate economic opportunities, successful criminals became role models, flaunting an otherwise unattainable ostentatious lifestyle and exuding a Robin Hood-like disdain for the establishment (Kynoch 2003:302). As Dr Robert Peacock, head of Criminology at Monash University's Johannesburg campus, claimed in a recent interview, in many poor environments, "an official label as a criminal means nothing much more than a tattoo of courage" (field interview 2010).

The contemporary and historical dynamics surrounding anomie and youth offending in the townships of South Africa share a number of intriguing similarities with the residents of inner-urban, Black ghettos in the United States. Complementary theories advanced by sociologists such as Nightingale (1993) and Bourgeois (1996), both of whom conducted extensive ethnographic research in racially marginalised communities in American cities, include the acquisition of 'status goods' as a form of compensatory behaviour and violent offending as an expression of protest masculinity. Whilst there are obvious and substantive differences between Black communities on either side of the Atlantic divide (including, among others, the emphatic focus on material acquisition as part of the American Dream and the status of Blacks as a racial minority), parallel histories of discrimination and economic marginalisation appear to have produced an intriguing level of socio-criminological convergence. Just as 'gangsta rappers' are idolised by some in the slums of the United States, disenfranchised South African youth may come to perceive the life of a gangster or *tsotsi* as a dangerous and adventure-filled journey to glory.³⁰ In such environments, the pursuit of

³⁰ The links between South African and African-American youth are symbolically expressed through a shared devotion to hip-hop and 'gangsta rap' music. Many South African hip hop and rap inspired musical styles mimic the aspirations of US rap artists, with videos on South African music channels featuring young men surrounded by 'babes', BMWs and symbols of affluence within township settings. Similar cultural representations that tap into themes of racial marginalisation, compensatory materialism and protest masculinity may be found

wealth through illicit means may itself become laudable and the stigma commonly associated with offending replaced by respect or envy.

Vigilante crime-fighting is also accompanied by its own set of both material and social benefits that can help relieve the symptoms of anomie. By suppressing crime and by physically defending one's property, older men not only protect their financial power but also publicly assert their dominance and superiority in the community. Thus crime and vigilantism may be perceived as symbiotically linked and as polarised elements of an intergenerational contest over real and symbolic power. Steffen Jensen (2008), comments on this dual-function of crime and vigilantism in the former South African homeland of Nkomazi:

Through the language of crime, particularly younger indigent men and older, economically well-off men fight to gain or sustain authority, respect and livelihood in a time of socio-economic upheavals and change (Jensen 2008:49).

The 'language of crime' to which Jensen refers is a high-stakes forum through which masculine aggression and communal authority may be publicly contested. Whoever proves temporarily victorious in this ongoing struggle is rewarded with both physical wealth and the respect with which it is associated, and the public recognition associated with a triumph over another. The victory of either generation can be interpreted as a righteous one: successful youth offenders may be perceived as overturning an unfair and iniquitous social order, while older men can tap into familiar notions of defending one's hard-earned property against those either too lazy or greedy to earn it themselves, and the need to teach disrespectful youth a lesson. Interestingly, similar dynamics of intra-communal conflicts may be as readily observed when considering either early apartheid vigilantes or present day patriarchs in regions such as Nkomazi (Jensen 2008). The battle between older and younger men which developed during the time of the civic guards is still being fought across South Africa's townships and informal settlements today.

amongst minority racial diasporas all over the world, including in Australia (Poynting, Noble & Tabar 2001), France and the UK (Warner 2002).

Enter the 'Young Lions'

Despite bans and the dissolution of the civic guards in 1952, vigilante policing persisted in new and innovative forms across the townships of South Africa. Notable examples include illicit, covert civic guards, street committees and, in Soweto, the *makgotla*, which operated with varying degrees of efficacy up until the wild political disturbances of the mid 1970's (Singh 2008:93-94; Steinberg 2008:65).³¹ To a large extent, these organisations replicated the dynamic of patriarchal dominance over youthful disorder that had characterised the early years of the civic guards. Vigilante policing was largely conducted by older men seeking to impose a semblance of order in their communities, whilst defining their place in society and protecting whatever meagre property they possessed. Young people either endured their disenfranchisement or associated with those feared criminal elements persecuted by their elders. This neatly polarised duality was shattered, however, by the events surrounding the Soweto Uprising and the subsequent rise to prominence of youth opposition to apartheid. The dark and bloody days of 1976 marked the coming of age of a generation whose dedication to violent political resistance was unprecedented, and whose efforts and sacrifice would, ultimately, be vindicated by the downfall of the apartheid regime. The 'Young Lions' had arrived.

As discussed in the previous chapter, the Soweto Uprising was, both literally and figuratively, an attack upon the youth of South Africa. It was the stubborn, adolescent intransigence of high-school protesters that had prompted the initial wave of state-ordered killing and repression, and it was these same child-protesters who formed the newest and most vocal of opponents to White rule (Bozzoli 2004:39). In the months following the initial massacre, running battles were fought with police and the SADF as government forces were gradually pushed out of Black areas. Students formed the vanguard of this resistance and were subsequently credited in their communities for having the courage and conviction to finally take the fight to the government. The prestige associated with their newfound role as leaders of the Black revolution is difficult to over-state. Youth agitators, otherwise known as 'comrades', had achieved success where their parents had failed – they had forced the apartheid authorities out of the townships and mobilised support against the government to a new and dangerous level. Tangible progress in the struggle against apartheid was finally being made, and it was clear to those living within the townships which generation had precipitated this development (Morrell 2006:16). The social prominence of the youth as the

³¹ For more specific information on these manifestations of apartheid-era vigilantism, see Glaser (2005), Burman and Schaff (1990)

courageous leaders of resistance to White rule was to grow in the decade to come as a nationwide campaign of civil disobedience and disorder slowly brought the apartheid government to its knees.

The comrades' victory over the forces of apartheid had a profound effect on the prevailing patriarchal social order within the townships. Not only did a significant power vacuum remain where the police had departed, but also those elders and respected patriarchs who would usually have stepped in to fill this policing role were left cowed in the face of youthful political mobilisation. Flushed with their anti-government achievements and revelling in their newly found status as community leaders, the comrades set about reordering the community hierarchies that had governed everyday life across much of Black South Africa (Morrell 2006:16). As part of this process, the comrades established quasi-judicial, informal institutions known as 'people's courts', which displaced many of the existing forms of vigilante association (Bozzoli 2004:40; Brogden & Shearing 1993:149; Burman & Schaff 1990:719). The function of these organisations was to punish not only those considered to have committed criminal offences, but also to impose retribution upon anyone suspected of collaboration with the apartheid regime. Thus, people's courts policed not only crime and deviance, but also the racial-political orthodoxy associated with Black resistance. Political crimes were often punished with the harshest and most extreme violence and it was in this period that 'necklacing' became the infamous punishment of choice for informers, witches and anyone else suspected of betraying their community (Gordon 2006:68,215; Brogden & Shearing 1993:149).³²

Perhaps the most surprising aspect of this new, youth-directed form of vigilante policing was its effectiveness in reducing crime in the townships. Scholars attribute this success to a variety of factors, including the sheer number of students and the amount of spare time available to them to participate in anti-crime initiatives (Glaser 2005:139). Even more important was the growing sense of purpose of political association for the multitude of directionless and disenfranchised youth. Young people who had been drawn into a life of crime because other avenues of respect and identity had been denied to them were suddenly faced with a new and exciting prospect. Many chose to abandon their criminal proclivities (or else conceal them under the guise of political activism) in light of this fresh opportunity to claim a positive stake in their communities (Steinberg 2008:89-90; Shaw 2002:9; Glaser 2005:139). The result of these intersecting trends was that oxygen was sucked out of the criminal underworld just as newly invigorated and highly motivated vigilante

³² For a more detailed discussion of vigilante persecution of witches, please see *Chapter X - In the Aftermath*.

crime-fighters were making their presence felt. Township streets were therefore likely to have been safer from criminal gangs, despite the political environment becoming increasingly tense and fraught with danger (Shaw 2002:9).

From 1976 to the mid-1980's youth power and idealism was waxing strong in South Africa. The audacious comrades who had finally scored a victory against the government also appeared to be winning the fight against the criminals who had long plagued the townships. However, not everyone was happy with the sudden rise in prominence of township youth. Older members of Black communities chafed at being subjected to the authority of those they considered their juniors (Bozzoli 2004:39). Young people had traditionally been held under the strict subordination of parents and this new, revolutionary state of affairs was simply unacceptable to many of those who had fought long and hard to achieve some measure of authority in their lives. The intergenerational resentment resulting from the inversion of traditional elder-youth roles was felt particularly keenly when the youth directed people's courts imposed harsh sentences upon elders that involved corporal or capital punishments, torture or public shaming (Brogden & Shearing 1993:164; Burman & Schaff 1990). Not only were the violent excesses of the people's courts becoming a cause for concern in and of themselves, but the sight of older people submitting to beatings or worse at the hands of the youth did not sit comfortably amidst a culture so strongly imbued with notions of parental respect and long used to strict, one-way lines of generational dominance.

The rising power of the comrades also aroused the ire of the apartheid authorities. The SAP and other security forces finally realised that they were facing one of the most serious threats to internal political stability since the institution of apartheid. After the 1985 State of Emergency was declared, security forces were afforded extended powers to disrupt anti-apartheid activists (Brogden & Shearing 1993:157; Charney 1991). The extraordinary steps taken by the apartheid security forces to combat the comrades wreaked significant carnage across the country (for a more in-depth discussion of this conflict see the previous chapter, *Politics and Policing under Apartheid*) and the power and position of Black youth as leaders of their communities was eventually broken as traditional forms of generational power were slowly re-established. Many people living in the townships had become tired of the zealous righteousness and psychopathic violence of their children and yearned for the stability of the old order (Brogden & Shearing 1993:164-165). Significantly weakened by their struggle with the apartheid security forces, the people's courts were

gradually disbanded and more familiar forms of vigilante association based on the dominance of wealthier, older men once again became the predominant policing force in the townships (Singh 2008:95). The youth have never since enjoyed such overriding power and autonomy in their communities, and while their role as the harbingers of a new, racially inclusive and democratic political order has not been forgotten, neither have the bloody excesses and precocious aggression that characterised much of their short-lived reign over the townships of apartheid South Africa (Steinberg 2008).

Conclusion

The nationwide, transformative turbulence of the apartheid period and the denial of a valued place for Blacks in South African society seemed almost perfectly aligned to produce both classic Durkheimian and Mertonian anomie. Indeed, it is difficult to imagine a population that has had to endure more radical and destabilising social change than Black South Africans over much of the last century. During that time the apartheid system conspired to destroy many of the social structures in the lives of Black South Africans, including traditional tribal community (through colonial aggression, the subjugation of tribal authority and forced resettlement) and patriarchal family structures (via the migratory labour system and physical attacks on individuals). Furthermore, Blacks were denied equal access to government institutions and prevented from formally legitimising grassroots initiatives of their own (as was the case with the banning of the civic guards). Anomie theory suggests that in the absence of these social institutions, individuals increasingly turned away from the pursuit of communally valued pursuits in favour of narrow, self-interested gain. This interpretation explains the proliferation of deviance during the early-to-mid apartheid period as was manifested in rapid increases in township crime.

Just as in inner-urban, American ghettos, the residents of apartheid townships also suffered from systemic obstacles to personal satisfaction, including recognition of social status and material prosperity. Socially valued goals of all sorts were, therefore, pursued through illegitimate means. For vigilantes these goals were physical safety and a positive expression of masculine power - for offenders, material comfort and an alternative expression of male identity. Interestingly, these dynamics changed dramatically following the Soweto Uprising; in the aftermath of this tragic event, alternate pathways to communal recognition opened up, and the expulsion of apartheid security forces from the townships heralded a new moral environment. Many youth offenders abandoned

their criminal proclivities and instead adopted the cause of Black resistance (Steinberg 2008:89-90; Shaw 2002:9; Glaser 2005:139). The efforts of the youth in assuming the leadership in the fight against apartheid represented an attempt amongst this generation to define new social institutions and identify new, communally valued goals. Far from crushing the resistance movement, the Soweto Uprising, in fact, had the opposite effect, uniting Black South Africans behind a communal goal more valuable than narrow, individualistic materialism. The disproportionately deadly response on the part of the apartheid government had the unintended consequence of alleviating the long-standing sense of anomie within the townships.

Given the broad (and theoretical) nature of these trends, it is important not to over-generalise or exaggerate the effects of the political mobilisation of Black youth. Not all young offenders in the townships were deterred from a parasitic existence preying on their fellow residents, and some who were apparently coopted into the new resistance order of the comrades simply used their political activities as a cover for less idealistic, criminal pursuits (Steinberg 2008:89-90; Shaw 2002:9; Glaser 2005:139). However, the importance of vigilante policing in Black communities is undeniable. Whether undertaken by the older, patriarchal order or the younger Comrades, apartheid vigilantism represented an attempt to create new social institutions through which communal norms could be realised and articulated. Improving community safety was, therefore, only one outcome among many pursued by vigilantes. The fact that many of the aspirations of the township poor have, since the euphoric days of 1994, been unfulfilled, suggests that anomie may once again have descended upon the townships and informal settlements of South Africa. This is a worrying prospect that will be addressed in chapters to come.

Policing during the apartheid regime may rightly be interpreted as an incomplete, ineffective and brutal enterprise. State police had neither the mandate nor the motivation to police Black South Africa and, instead of protecting these communities, they were eventually perceived as their greatest source of fear and enmity. In the absence of productive state police, a variety of vigilante policing organisations proliferated. This development reflected a universal need for some sort of regulatory agency, however imperfect, to walk the beat, assist in the resolution of disputes, and punish those who strayed too far from the accepted norms of society. The growth of vigilante policing can be perceived as accompanying the shifting racial and political movements that affected modern South Africa. Levels of antagonism between various vigilante groups and the state shifted,

depending on levels of compliance with White rule and perceived threats to political stability, and apartheid authorities often perceived vigilante groups as political opponents, rather than as useful allies in subduing and controlling unruly areas (Goodhew 1993). In contrast, Black communities that had been long neglected by the apartheid government eventually recognised vigilante organisations as a necessary policing alternative and, eventually, as embodiments of Black resistance and harbingers of political independence. By the end of apartheid, the notion of publicly dispensed 'people's justice' was well and truly established across much of the country. It is against this backdrop of self-sufficiency and independence from centralised authority that contemporary South Africa's, multi-dimensional security environment has emerged.

Chapter VI - The South African Police Service

"I would go to the police, even though they are useless..." - MPK

"We feel we can do a better job than the police. And we've got our reasons" - M14

Introduction

Since the end of apartheid, the newly rebranded South African Police Service³³ (SAPS) has set about reintroducing itself into the no-go areas from which its apartheid predecessor had been expelled. This has been a slow and problematic endeavour. The tainted legacy of the SAP continues to colour public perceptions of the contemporary SAPS, particularly in poor, Black districts, and living memories of the dark and bloody days of apartheid remain strong (Steinberg 2008; Comaroff & Comaroff 2007). While the aura of fear that once surrounded the police has now dissipated, so too has the grudging respect and authority that they once enjoyed. The long-standing absence of the forces of the state makes the reintroduction of police into these areas of disadvantage more complicated than simply rehabilitating a badly tarnished organisational image. Over the years of apartheid neglect, many South African communities have developed and since maintained their own internal, decentralised systems of security and regulation (Buur 2008a; Jensen 2008; Comaroff & Comaroff 2007; Knox & Monaghan 2002). Informal security networks such as these are durable and represent hierarchies of power and patronage that will not readily submit to external regulation. For township folk to consent to being policed by a central state law enforcement agency, the SAPS needs to prove its legitimacy and establish itself as more than simply another player in a confused and competitive security environment.

³³ Much was made of the decision in 1994 to re-badge the South African Police as the South African Police Service. This, as well as other symbolic changes, such as the removal of the military ranking system and the introduction of a 'slightly less militaristic' (Rauch 2000:107) uniform, were intended to signal a decisive break with the brutality of the past, and the ushering in of a new era of police respect for human rights (Rauch 2000). It is a telling indicator of the popular disregard for rights-based discourse that military symbolism is being restored to the police with the old SAP ranking system reintroduced as of April 2010.

Establishing police legitimacy in the post-apartheid era has been complicated by serious and persistent organisational deficiencies, particularly in regard to inadequate service provision, procedural incompetence and high levels of corruption (Steinberg 2008; Faull 2007; Shaw 2002a; Newham 2002). These problems greatly compromise public confidence in the SAPS, and also reflect the difficulties associated with defining a new role and identity for a large, highly centralised policing organisation operating in a challenging transitional environment. Transitional states such as post-apartheid South Africa are notoriously difficult to police and pose a formidable set of challenges to law enforcement agencies. The breakdown of onerous state controls and a corresponding increase in individual freedoms provide newly liberated populations with greater opportunity to engage in various activities unsanctioned by the state, including crime. At the same time, the violence and repressive tactics associated with formerly authoritarian, state policing agencies are either simply unavailable or severely constrained in a newly minted and liberal democracy. The convergence of these two trends often results in increased crime at precisely the moment when law enforcement agencies are caught flat-footed and without the entirely different set of skills necessary to effectively police a democratic society (Shaw 2002b).

The failure of policing agencies to cope adequately with these challenges has been well documented in various transitional states in other regions such as Latin America and Eastern and Central Europe, as well as in other African states (Shaw 2002b). These developments add credibility to Faull's (2007) claim that there is "no example of a post-conflict transitional society that has been able to build a legitimate police agency" (Faull 2007:2). Certainly, the domestic perception of contemporary South African policing as a comprehensive failure is common and well entrenched (Monaghan 2008). This negative and highly critical perspective is, arguably, somewhat overstated. Despite reported national crime rates that are troublingly high, some statistical indicators such as the murder rate have shown marked improvement since the establishment of democratic rule in 1994.³⁴ Similarly the belief in a dramatic post-apartheid 'explosion' in crime has been questioned by scholars, some of whom maintain that the desegregation accompanying democratic transition resulted in a more even racial/geographical distribution of crime, rather than solely higher levels of offending *per se* (Shaw 2002a). However, despite statistical indicators that crime trends may have simply shifted or, at least have not worsened significantly since democratic transition, arguments defending the SAPS have

³⁴ The significant drop in the national South African murder rate has been largely attributed to the fall in politically motivated killings that reached its peak in the period leading up to democratic transition (Shaw 2002a:47)

largely failed to penetrate the public consciousness (Monaghan 2008; Steinberg 2008; Altbeker 2005).

One common response to the perceived failure of state law enforcement, witnessed not only in South Africa but also in other transitional states, is a desire on behalf of the public to return to a more intrusive, repressive and authoritarian style of policing, supported by a punitive judiciary willing to impose uncompromising criminal 'deterrents' such as the death penalty (Comaroff & Comaroff 2007:215; Shaw 2002a:39; Shaw 2002b).³⁵³⁶ This widely encountered phenomenon exposes a number of counterintuitive or paradoxical trends that commonly pervade public attitudes to policing in transitional societies. Most notable of these is that a population that has recently thrown off the shackles of repressive government may readily choose to reintroduce authoritarian state structures and radically empower security and law enforcement agencies, many of which are burdened with a history of brutality and violent excess. Scholars seeking to explain this trend in the South African context have pointed to a desperate yearning on the behalf of the public for *effective* policing, and that the need for safety and security is prioritised higher than seemingly idealistic preferences for a more humane and consultative police force (Steinberg 2008). Other scholars have explained the widespread support for severe criminal punishments as corresponding more closely to neo-tribal/traditional African values than a liberal criminal justice system premised on notions on individualism and Western-style human rights (Oomen 2004; 1999).

Another problematic transitional-policing trend affecting South Africa is the way in which widespread historical mistrust of police severely limits the efficacy of the contemporary SAPS. Unlike authoritarian modes of policing, which depend upon overwhelming levels of force, public intimidation and the threat of torture (Shaw 2002b:12), democratic policing largely requires the consent and cooperation of the public in order to be effective. If consent is not forthcoming, then police are left without the public reciprocity (in the form of victims reporting offences, providing witnesses, evidence and so on) that is so vital to securing a criminal conviction in an open court. The

³⁵ Despite limited use of the death penalty in pre-colonial South African (Xhosa) society (Masina 2000:172), widespread use of the corporal and capital punishments under apartheid seem to have ingrained the practice amongst significant sections of the population. Notorious and influential vigilante organisations such as *Mapogo-a-Mathamaga* and *PAGAD* have publicly called for the reinstatement of the death penalty (Oomen 2004:156; Knox & Monaghan 2002:45) and several interviewees indicated its appropriateness in certain instances of mob vigilantism (field interviews).

³⁶ The supposed deterrent effect of capital punishment has long been questioned by critical scholars. See particularly Ehrlich (1973).

critical importance of public trust in police has been discussed at length in academic discourse (see Tyler 2004; Tyler & Sunshine 2003 for more detailed discussion of the role of trust in building police legitimacy), and has also being firmly established as a priority for police forces in contemporary liberal societies around the world. Without the trusting cooperation of a critical mass of the general public then the ability of law enforcement agencies to successfully deter and prosecute offenders decreases accordingly (Tankebe 2009). In South Africa, the dysfunctional relationship between police and public has become self-reinforcing and has resulted in an unfortunate and intractable 'catch-22'. Arrested offenders are regularly released back into their communities because of a lack of evidence. This further compounds the mistrust of state law enforcement which, in turn, results in even less effective state policing. Public reluctance to consent to be policed by the SAPS has also lead to the proliferation of private and vigilante policing structures that undermine police efficacy and public confidence in law enforcement, further alienating citizens from police (Singh 2008; Steinberg 2008).

Of course, other factors contribute to the inability of the SAPS to secure the trust of the South African public. This chapter will investigate experiences and perceptions of the SAPS from the perspective of residents from the Zandspruit informal settlement. These perspectives are (perhaps unsurprisingly given historical events and extraordinarily high levels of endemic crime and victimisation) overwhelmingly negative. However, unfavourable attitudes are also based on a variety of other individual and interlinked factors which colour the overall perceptions of both the local police at Honeydew station and, more broadly, the entire western judicial system. These factors include widespread perceptions or experience of: poor police response times or complete lack of response; bureaucratic incompetence and police corruption; the general ineffectiveness of formal courtrooms and the leniency of criminal sentences; distrust of a judicial process which allows multiple 'voices'; rejection or misunderstanding of bail procedures and the primacy of evidence and due process; police brutality and arbitrary arrest; a lack of empathy on behalf of police concerning the difficult conditions associated with life in the informal settlement and a lack of community consultation. Interestingly, despite all of these negative factors, most interviewees expressed a hope that the police would play an increased role in the community in the future. This optimism for improved police-public relations suggests a significant level of complexity regarding resident perceptions of the SAPS. The remainder of this chapter will explore the complex relationship between the SAPS and settlement residents and provide a more detailed analysis of interview data.

Lack of Service

Tardiness or a complete lack of response from police was a major grievance expressed by nearly all of the research participants. This perception has a number of important implications for both Zandspruit residents and the local police. Firstly, poor levels of service tap into negative historical experiences of policing, with SAPS personnel perceived as often indifferent or uninterested in the plight of settlement residents. Consider the following statements, which indicate the levels of disassociation experienced between settlement residents and the local police:

“The police, they don’t live there. Their families are not around so they don’t care much about the crime in the community” (M14).

“The police come late and it is us who get killed [and] lose our property. They don’t know how painful this is because they don’t live in our community” (K60).

These responses highlight both perceived indifference and the social distance between police and members of the Zandspruit community. Many settlement residents view the local police as ‘others’ whose priorities, just like those of the state, are far-removed from the concerns of those living in the informal settlement. Poor police response times (if they respond at all) are perceived partly as a result of a lack of empathy with settlement residents, who are often acutely aware of their lack of wider social status and the daily hazards with which they must contend. As inhabitants of an informal settlement, residents living in slum-like conditions often reported feeling that they had been abandoned by both the police and by the state more generally. These feelings contribute to wider experiences of despair, hopelessness and abandonment.

Frustration at squalid living conditions and disillusionment with police and the government more broadly, combined with little hope for future prospects, have a particularly damaging effect on the youth of Zandspruit. Many young people feel that basic living conditions and economic security have not improved in any tangible sense since democratic transition and, while all South African citizens now enjoy political rights³⁷, expectations of a more equitable society have to a significant

³⁷ It is important to note that while most South African citizens now enjoy political rights, many residents of informal settlements such as Zandspruit are undocumented migrants from neighbouring African states, particularly Zimbabwe and Nigeria, and are therefore without political representation. Undocumented

extent been unfulfilled. The damage caused by a lack of hope and opportunity is a particularly salient issue for youth as it is young people (and more specifically young men) who are most likely to be involved in crime and subsequently, if caught, bear the full force of either the formal or informal justice systems. The following quotation is from a youth community leader describing the effects of continual deprivation on the youth of the settlement:

“Through all my interactions with young people that’s one thing I always pick up is there’s no point in living in this place. The government doesn’t care about us, there’s a lot of crime, people are killing each other so what’s the point of me as a young person going to school and looking for a job and trying to live a normal life. And you listen to them and think you shouldn’t be living like that. You shouldn’t be thinking like that, especially as a young person. You should be energetic, be the agent of change. Try to make a difference. If you sit there and wait for the government to do something you are going to wait forever. You need to stand up and do something” (MKM).

This youth leader is almost certainly calling for the sometimes crushing despondency experienced by young people living in the Zandspruit informal settlement to be redirected into constructive community development or political activism. However, the decision to ‘stand up and do something’ – to not be overcome by rampant crime, poverty and government neglect – does not always manifest in a socially constructive manner. Due to the apparent indifference of the state, and particularly the police, residents report that they are much more likely to engage in other, informal methods of crime-fighting. Conspicuous or deliberate absence of police was commonly used a justification for private citizens to come together and dispense their own improvised punishments. Consider the following responses, which may be considered as broadly representative of the interview sample as a whole:

“They came here and they stole everything in my house... but the police took time to come. So I just lost my temper. I was angry and that’s when I called the people and we

migrants also report high levels of anxiety regarding interactions with police, and commonly express concern that they will be deported. Fear of state law enforcement contributes to the vulnerability of these migrants and the high levels of victimisation they experience in settlements such as Zandspruit (Neocosmos 2008).

attacked them [offenders]. But maybe if the police had come in time maybe we wouldn't have beaten those people up" (MPK).

"The community prefers informal justice over the police because of the slow response ... also the community feel that the slow response from the police is because [they] don't care" (K66).

"Sometimes a community, they report things to the police. And then the police does not make an effort. So people, the community, they thought, 'No, let us do [justice] our own way" (M11).

"People tend to take the law into their own hands because police do not respond in time" (K63).

"If only the police would do their job the people in the community wouldn't have to take the law into their hands. I mean they are not doing anything from what I can see" (M14).

These responses indicate a clear and causative link between a lack of police intervention and a willingness amongst residents to engage in acts of informal justice. Even if police are not blamed for high crime in the first instance, they are considered to bear at least partial responsibility for what happens to those suspected offenders apprehended by the public if law enforcement do not respond in a timely manner. In this way, those who participate in informal justice may displace the burden of responsibility for collective acts of assault and murder onto agents of the formal criminal justice system. This act of displacement is instrumental in preventing participants in the informal justice process from considering themselves as involved in criminal processes of assault or homicide. Rather than murderers or thugs, participants of informal justice may thus perceive themselves as highly motivated yet regular members of the community who simply compensate for the laziness and failures of the local police. This self-conception matches Johnson's (1996) view of vigilantes as righteous 'autonomous citizens' concerned with crime control and the maintenance of local security.

Finally, police tardiness was interpreted by some respondents as an open invitation to beat or kill suspected offenders. The passage below is indicative of the mixed messages prevalent in Zandspruit concerning the attitudes of police towards acts of informal justice:

JMPK: They turned to them and said why do you want us to call the police? And then other people said the police gave them the right to beat people first before calling them.

INT: People said that the police allowed them to do that?

JMPK: Yes. People said the police gave them permission. The police only came at 6am and this thing happened at three. They just asked a few questions and people said I don't know and that was it...

Sample data suggests that the belief that police openly condone acts of retributive violence towards suspected criminals (in the above case, the killing of a suspected thief) is in the minority amongst Zandspruit residents. However, the understanding that police *implicitly* condone or at the very least turn a blind eye to acts of informal justice is more prevalent. This notion is supported by public statements of support for vigilante activity made not only by police themselves but also by political leaders seeking to exploit community frustration about high levels of crime. Scholars who investigate informal justice in other regions of South Africa have noted numerous examples of serving police members joining organised vigilante groups (Oomen 2004:163). Even the current South African President Jacob Zuma has previously weighed into the political debate surrounding vigilantism. At a political rally during the run-up to the last national election, candidate Zuma claimed that people who are tired of being victimised “cannot be blamed for taking the law into their own hands” (Bearak 2009). Such rhetoric from the highest levels of political authority validates vigilante sentiment and contributes to confusion over the official stance towards acts of informal justice.

Notions of official tolerance of vigilantism are supported not only by consistently poor police response times (an important point considering police would be aware of the likely consequences of failing to act quickly on reports of a captured suspect) but also by seemingly lacklustre investigation into crimes related to informal justice:

"Nothing is really done [in response to mob attacks] and the cases do not even go under any investigation. As the police say, 'We can't arrest the whole community. Jails are crowded already'. I really don't recall where people went to jail after finding out they killed or beating the wrong person" (K67).

It is interesting to note in the quotation above that interviewee implies that a mob 'killing or beating the wrong person' could be viewed differently by police than cases in which a mob attacks a bona fide offender. Regardless of the suspected guilt of the offender, police may, perhaps, be forgiven for being daunted by the prospect of investigating instances of mob-led informal punishment. Such cases, particularly those where the victim/suspect has died (thereby denying the police their most reliable witness), are notoriously difficult to prosecute. From the outset police are likely to be hampered by a general lack of cooperation from witnesses who live in the settlement. Interview data suggests that this lack of cooperation has a number of possible proximate causes. These include witness involvement in the crime itself; a belief that no 'real' crime has been committed and that the suspect was given their just deserts or witness intimidation by a violent and immediately threatening mob. Even if police do overcome these hurdles they are faced with the procedural nightmare of charging tens or perhaps even hundreds of people with an offence. Attributing individual blame or responsibility for mob violence, particularly in a formal courtroom setting is dangerously problematic. As a local forensic pathologist observed, there is no way of knowing, "when someone was stoned, which one was the killer blow" (JMG).

Steinberg (2008) also explores the issue of public cooperation with police, and again highlights the fundamental necessity for a population to consent to being policed before an effective reciprocal relationship between the public and law enforcement agencies can develop. For Steinberg (2008), this consent has not been forthcoming in South Africa, particularly in indigent areas such as Zandspruit, thereby limiting the ability of the SAPS to playing anything other than a peripheral role in policing. When explaining the inability of police to prosecute vigilante mob-related crimes, Steinberg (2008) points to a pervasive and well-founded fear on behalf of police when confronting crowds in South Africa. According to Steinberg (2008), rather than indifference to the plight of settlement residents, SAPS personnel avoid highly charged crowd situations because police safety is likely to be seriously threatened. The prospect of an angry crowd turning on police is also likely to significantly increase if officers intervene to try and rescue a suspected offender from mob punishment. Arriving at a scene of mob-led informal punishment therefore poses two mutually unappealing alternatives to SAPS members: either they can intercede and run the very real risk of becoming the additional targets of mob violence or they can stand back, let the mob have its way and betray their powerlessness for all to see. Given this limited set of options it is unsurprising to hear that police are slow to react to reports of mob volatility until well after large-scale violence has passed.

Incompetence & Corruption

Closely related to perceptions of police responsiveness (or the lack thereof) are the serious concerns of Zandspruit residents regarding the general competence of SAPS personnel. Again, an overwhelming majority of interviewees responded negatively, regarding police as simply unable to perform their duties in a responsible and efficient manner. Complaints ranged from bureaucratic bungling to rampant absenteeism to a lack of training and literacy skills:

"Some case dockets get lost or just disappear without a trace" (K56c).

"For instance, they [an offender] rape a child or a woman, and then the person they caught him red-handed. Then they call the police and say, okay this person has done the rape. So they open the case. When they go to open the case the documents are missing. And then when they ask the person who was involved with the case, he's on leave. Automatically things, they disappear in the police station. So the community get fed up with these things" (M11).

"Because people are tired of the services they are getting from the police the end up taking the law into their own hands... There is a guy who killed a lot of people last year... he was handed over to the police. Later on the docket went missing" (M55c).

"I think if the police could take peoples' grievances seriously, report their case and the police would make sure that the case was handled properly then there wouldn't be a need for mob justice" (M13).

Resident perceptions of sub-standard service provision are supported by contemporary research that also indicates high levels of incompetence within the SAPS (Steinberg 2008; Shaw 2002a). Low standards of police performance have been attributed to a variety of causes, such as poor training and insufficient pay, particularly when considering the exceedingly dangerous environments to which SAPS personnel are routinely exposed (Steinberg 2008).³⁸ Perhaps even more significant is the South African police's basic lack of organisational experience with traditional modes of law enforcement. The official historian of the SAP estimates that under apartheid as little as one in ten

³⁸ SAPS personnel face very high levels of danger when on duty, particularly in relation to criminal use of firearms. According to official statistics, over a one year period to April 2010, over 100 SAPS members (out of a total number of 151,164 SAPS personnel) died whilst on duty (SAPS 2010).

police resources was dedicated to conventional crime-fighting activities such as neighbourhood patrols and criminal investigations, with the bulk of the remainder of resources directed towards racial/political counterinsurgency (de Witt Dippenaar 1988:374). Under that iniquitous system, enemies or troublemakers known to the police could simply be (and often were) illegally detained, beaten or even killed, and there was no pressing need for officers to follow lawful procedures regarding the investigation and prosecution of offenders (Faull 2007:2; Shaw 2002a). This lack of historical engagement with conventional law enforcement techniques has left contemporary SAPS personnel without many of the skills necessary to deal with crime in a new era of increased expectations regarding police accountability and transparency (Steinberg 2008).

The fact that the SAPS has proven itself so spectacularly unprepared to police the country has taken many South Africans by surprise. As Rauch (2000) suggests, “it never occurred to the leaders and members of the ANC... that the police, who had been so ruthlessly effective against them, would be any less effective against criminals in the new era” (Rauch 2000:119). It seems possible that many South Africans simply assumed that the police would retain their fearsome *modus operandi* but redirect their hostility from political opponents to more deserving, anti-social criminal elements. Whatever the expectations of the general public, at the dawn of the democratic era the SAPS hierarchy focused its efforts on improving police legitimacy rather than competency. This crucial strategic decision resulted in a new organisational emphasis on transformation that stressed the importance of human rights, due process, public accountability and increased community engagement and consultation over developing new and effective crime-fighting strategies (Gordon 2006:249-250; Shaw 2002:37). Such efforts reflected the high-minded and optimistic sentiments which dominated the public sphere in immediate post-apartheid South Africa; however, it unfortunately had limited success in improving police-public relations. While some benefits resulted from rehabilitating the image of police as oppressive racists, newer and more serious problems began to appear as crime came to be perceived as spiralling out of control. The apparent inability of the SAPS to adequately confront the threat posed by violent crime caused serious and largely unanticipated damage to their public image. No longer feared as the brutal enforcers of apartheid, the SAPS acquired a reputation as hapless and bumbling in the face of a determined and ruthless criminal threat (Gordon 2006:250).

Considering the appalling record of the apartheid SAP, it is perhaps surprising that accusations of police brutality on the part of interviewees were relatively limited. Residents did not generally report feeling victimised by police, but rather perceived police heavy-handedness as an extension of poor training and an overall lack of competency:

"They [vigilantes] will go see the criminal and if they don't find him at home but his brother, they beat him up and assume they were together. This is wrong [but] there is nothing we can say as this is the same thing done by police, if they don't find me they will take my brother" (K57).

"The problem is the police, just like us, do little investigation and can also arrest the wrong person" (K59).

Rather than believing the police capable of such routine blundering, many Zandspruit residents attribute a more deliberate and sinister factor to their failure to successfully prosecute offenders. Widespread suspicions of corruption further compound already negative impressions of police performance. These suspicions usually centre on the readiness with which police allegedly take bribes in order to release suspects prematurely or lose case dockets and other vital pieces of evidence:

"If we could just find proper policemen who could make sure that if I come today and report a case and tomorrow if I come and look for the case number, then they wouldn't say that they don't know what happened to it, that I have to make another statement. I don't want to report that someone has raped me and then see that same person on the street two weeks later. That makes me unsafe in my own community. I feel that in a community we need to be safe. I don't want to feel like a victim in my community and [live] where criminals can walk around freely. They know that if I'm caught, I go to the police station and pay a certain amount, then I'm off. Because I think as a law abiding citizen, I would like to stay that way [relying on the police]. But if the law now pushes me to a point where I feel I must take the law into my own hands and do things myself, then I will be justified in taking a gun and shooting whoever is going to be invading my space" (M13).

"I would prefer the police but since they are corrupt and receive bribery, such as buying them alcohol, then the docket just disappears..." (K66).

"The other reason that makes us to lose faith in the police is because when we go and report criminals to them the next day they are free... [because of] bribing no-one can make them rot in jail" (K64).

Entrenched perceptions of police corruption severely disrupt the long-term relationship between Zandspruit residents and the local members of the SAPS. Interviewees reported that they were unlikely to make criminal complaints against those whom they believed capable of simply bribing their way out of custody. Respondents reported worrying that arrested offenders could easily exploit corrupt police officers and be set free to seek revenge against whomever they suspected of reporting their activities to the authorities.

"I feel more unsafe because what if he manages to escape and he comes back with his crew to beat me up?" (K66).

Obviously, such beliefs are highly damaging to any notions of public trust in the SAPS – if residents believe that calling the police is likely to put them at higher risk of criminal violence then they will be less likely to report future incidents. This further alienates police from those who most need their assistance.

Police corruption is a serious and well documented concern across much of South Africa. Numerous studies have explored the extent and causes of corruption within the SAPS. These include a lack of basic pay; the willingness of members of the public to pay bribes; and an opaque police culture that resists anti-corruption initiatives (see Steinberg 2008; Faull 2007; Altbeker 2005; Newham & Gomomo 2003; Newham 2002). Many recent empirical studies explore these causes only briefly and as prelude to large-scale quantitative analysis, while others offer more in-depth, qualitative discussion of why corruption is so pervasive within the SAPS. An example of the latter, Steinberg (2008) explains high levels of police corruption in terms of a ubiquitous and irresistible desire on the part of police officers to escape poverty and enter the burgeoning South African middle-class.

Discussing an interaction with 'Constable T', Steinberg (2008) outlines the stark choices facing many SAPS personnel:

Constable T is going to the suburbs and will do what he must to stay there. That much is a fait accompli. Which means that he must either stop being a policeman or become a compromised policeman. He must either get a better paying job or get financial help from vested interests in his jurisdiction. Or he must do 'cho-cho', as Bra Jack pointed out: he must seek graft where he can (Steinberg 2008:109-110).

This explanation offers an insight into an ethical and financial dilemma facing police officers in South Africa, a dilemma that is particularly well known to the residents of poor settlements such as Zandspruit. According to Steinberg (2008), people who reside in disadvantaged areas are uniquely positioned to recognise and understand the motivation of police officers in wanting to escape poor living conditions, but baulk at the cynicism involved with abusing a position of authority for financial benefit and exploitation. This dynamic reportedly disproportionately affects different racial groups of SAPS personnel. White officers are generally better insulated from corruption pressures because they are more likely to come from a well-established and more financially secure middle-class background. The surprising result of this trend is that poorer South Africans sometimes report higher levels of confidence in White rather than Black SAPS personnel, not because they are perceived as any less violent or more empathetic, but rather because they are seen as less susceptible to bribery (Steinberg 2008).

Resident concerns regarding police corruption are unlikely to be adequately addressed anytime soon. In fact, public anxiety about corruption in police ranks has only grown in recent years with the closing of the formidably effective national Anti-Corruption Unit (ACU) and the high-profile and elite Directorate of Special Operations, otherwise known as 'the Scorpions'. Founded in 1996, the ACU was an independent law enforcement body dedicated to investigating and prosecuting instances of police corruption – an increase which was likely predicted due to observation of police corruption trends in other transitional states (Newham & Gomomo 2003:7). Over its seven years in operation the ACU successfully prosecuted and imprisoned hundreds of SAPS personnel and gained a reputation as a truly independent, fearsome and effective check on police power and integrity. The 2002 decision to close the ACU was never sufficiently explained by the SAPS hierarchy and rumours,

including that the corruption watchdog had commenced investigations into several senior SAPS leaders, began to circulate. (Newham & Gomomo 2003:9). Regardless of their veracity, it is likely that stories of a corrupt police hierarchy protecting its own would find considerable support amongst the many Zandspruit residents who regard the police as shameless and unscrupulous financial predators.

Perspectives on the Legal System

Poor police performance and corruption provide readily understandable explanations to the inhabitants of Zandspruit as to why criminals who are arrested so often quickly return to their streets. While the veracity of these claims is tenable in many instances, interviewees also commonly revealed a misunderstanding or even outright rejection of the basic tenets of the Western judicial system, such as *habeas corpus*, due process and the rights of the accused to legal defence and counsel. For many interviewees, the notion that a well-known thief or rapist would, upon arrest, be provided with legal rights and protection and then could later be freed from police custody simply because of a lack of evidence is completely unacceptable. In these cases, where the formal criminal justice system is perceived to have failed, frustration, anger and even notions of betrayal manifest within the community. As the most visible representatives of the formal criminal justice system, police bear the brunt of the resultant outpouring of collective distress. Whether directly responsible or not, the image of police is tarnished as victims and other residents, desperate to apportion blame for yet another perceived injustice, find themselves more willing to entertain notions of police incompetence, corruption or conspiracy. Police would likely be highly troubled by this outcome whereby they are held responsible for the perceived failings of other aspects of the criminal justice system.

The issue of bail is a particularly troubling aspect of the formal criminal justice system for many interviewees. The sight of offenders wandering the streets only days or hours after being arrested often leads Zandspruit residents to conclude that they have simply escaped punishment. In some ways this is a worse outcome for police than if the offender had escaped detection by law enforcement officers altogether. In the latter instance the offender may be considered to have been lucky or cunning enough to evade capture; in the former, the criminal justice system itself is implicated in the offender's efforts to escape punishment. In an instance such as this the community's impression of the effectiveness and rigour of the formal justice system will, unavoidably, be undermined. At best, the offender may be considered to have duped the system,

thereby demonstrating its ineffectiveness and vulnerability to manipulation by seasoned law-breakers. At worst, the state (or its agents) may be seen as having actively colluded with the offender for financial profit or some other nefarious purpose. Widespread misunderstanding of bail procedures has also been noted as a major factor in motivating contemporary vigilante activity in other indigent and under-policed areas (Harris 2001a:5).

The formal judicial courtroom, with its heavy reliance on procedure and due process, including cases made for the prosecution *and* defence, together with its focus on the primacy of evidence, was considered by many interviewees as unwieldy, inappropriately lengthy and, ultimately, ineffective in prosecuting crime. In cases where an offender was caught red-handed, settlement residents were likely to query the necessity of a long and drawn out legal debate – what use is a trial when everybody knows the accused is guilty? The labyrinthine intricacies of the courtroom were commonly perceived as offering a known offender the opportunity to escape punishment on irrelevant technical or procedural points. Worse still, further acrimony could be created within the community as the suspect is given a platform to make excuses or even additional, false accusations of their own. The belief that the legal system is flawed due to its procedural complexity and insistence on allowing the accused a prepared defence is reflective of a deep anxiety regarding the capacity of the criminal justice system to adequately punish offenders, an anxiety that (perhaps correctly) equates legal complexity with a suspected offender's ability to escape punishment:

"If someone is caught then goes to court, next thing they say there is not enough evidence and the charges are dropped. So the community loses trust in the formal justice system" (K65).

"I prefer a situation where we deal with the person at the same time, no pointing fingers or assumptions" (K66).

"So why do people prefer informal justice over the police? Because it's quick and it gives them that sense of security that if something happens in the community, I have the power to do something about it" (M13).

"Most of the time you will find that somebody is arrested today and tomorrow is out harassing the some people who complained about him or her... until the community lose patience and take the law into their own hands" (M50).

Residents have good reason to be dubious about the prospect of securing a criminal conviction in the average South African court. According to Monaghan (2008) only 6% of violent crimes recorded by the SAPS results in a conviction, while “conviction rates for rape of a girl under 18 were less than one in ten (9%), reported murder cases 11%, adult rape 5%, and aggravated robbery 3%” (Monaghan 2008:85 – offences recorded in the twelve years up to 1999). By comparison, in Britain the conviction rate for homicide in the year 2000 was approximately 65% (Garside 2006). Analysis of international statistics confirms the notion that the South African criminal justice system is relatively ineffective at securing criminal convictions.³⁹

Interviewees also revealed that at the root of their circumspection about the ineffectiveness of the police and courts lies mistrust of a human rights discourse that is often assumed to protect or favour criminals over honest citizens and victims.

*“They feel that the police give the criminals more rights than them. Why would the criminals have rights when they are violating our rights? They just deserve to be beaten up... I feel that a community like Zandspruit, most people are uneducated. So they don’t understand this thing of rights. To them it’s **just a matter of giving preference**; it’s not a matter of rights” (MPK).*

“The police are too slow sometimes. They protect criminals more than us. They always say they [offenders] have rights and they forget they violated our [rights]” (K65).

“I know it [informal justice] is illegal. It’s illegal because of our constitution, because of the rights that we have. But then he doesn’t have a right to go around abusing people” (M50).

These perceptions are understandable, especially given the vulnerable and exposed living conditions of those who inhabit informal settlements such as Zandspruit. In these impoverished and neglected areas, residents have little appreciation or enjoyment of the rights with which they are endowed by

³⁹ Accurate international comparability of conviction rates is exceedingly difficult and is complicated by a range of factors, including: jurisdictional differences in the legal definitions of various offences and national variations in reporting of crime. Use of statistics in this instance should be interpreted as generally indicative of broadly divergent national trends, rather than as a part of rigorous and thoroughly tested quantitative analysis.

the South African constitution. Instead, the very limited interaction residents have with agents of the state include regular instances of police releasing criminals whom they believe to be guilty – all because of their ‘rights’. These experiences are likely to prove particularly traumatic considering the exceptionally high levels of endemic crime and victimisation. Further, they may catalyse feelings of secondary victimisation, where victims of crime again feel victimised by a justice system appearing to act in collusion with predatory offenders. Consistent episodes of this nature logically engender a distrust of human rights discourse amongst settlement residents and stoke antipathy towards police and the criminal justice system as a whole. Collective feelings of isolation and a lack of empathy with police are also created and result in many residents feeling abandoned by an uncaring and distant state.

The circumspection regarding the value and purpose of human rights expressed by many within the Zandspruit community ties into a larger scholarly debate surrounding this issue, the scope of which is largely outside of the focus of this thesis. Advocates of human rights point to its achievements in improving the living conditions and dignity of people all around the world (Robertson 2006; Sen 2004). According to this conception, human rights are invaluable tools used to alleviate the suffering of the disempowered and provide a check on the military and bureaucratic obstinacy of nation-states. Running contrary to this view, however, are the perspectives of cultural relativists and others sceptical of claims to universality, who argue that human rights come at the expense of valued socio-cultural practices (Ignatieff 2001). For these observers, the advance of human rights represents one of the destructive tendencies of contemporary globalisation and may be rightly resisted as "just another exercise in Western moral imperialism" (Ignatieff 2001:102).

Of course, none of the factors that negatively influence perceptions of police exist in isolation, but combine rather to erode public trust in the SAPS and the wider criminal justice system. This confluence of factors is articulately expressed in the following quotation:

INT: Why do you think some people prefer informal justice over the police?

M50: Because of the bail thing and the case-buying [bribery] thing. Because also when you've been hurt or victimised you put your trust in the police force to bring justice, only to never see that happening ever. There's actually a person who ran [over] their

neighbour's child with a car and they've killed the child. That person got away with that crime. But if the community was then what it is now they would have beaten up that guy to a pulp and they would have brought justice. He would have paid [and that] would have compensated the woman. But she was left with nothing - no child, just a void. The criminal justice system let her down.

Reconciling Police and Public

It is clear from interview data that the SAPS are not trusted by a majority of interviewees to manage many of the serious law and order issues in Zandspruit. Police are widely considered to be too corrupt, too incompetent or, as representatives of the formal criminal justice system, simply too 'soft' when it comes to dealing with hardened offenders. Considering the significant dissatisfaction experienced between Zandspruit residents and the police, as well as the multitude of complaints regarding the deficiencies of the formal criminal justice system, it is somewhat surprising that a clear majority of interviewees also expressed a preference for more police intervention in the community. These views indicate that although police may not presently be up to the standard expected by interviewees, there are hopes that in the future the situation may be improved. Despite these positive sentiments, resident perceptions of police are conflicted, and we should remain cautious about interpreting public hopes for a better relationship with police as an inevitable or even likely indicator of future trends. In order to appreciate the complexity associated with resident perceptions of the SAPS, seemingly positive interviewee responses first need to be analysed.

Expressions of hope on the part of interviewees for increased engagement with police were usually prefaced with an appeal that police engage in some form of community consultation so that they can better understand and respond to the needs and concerns of Zandspruit residents:

"I think that police should be involved more. I think that if our police were listening to us as a community... most of the issues wouldn't have happened as they have been happening" (KM11).

"I think the police should maybe invite the community and have a conversation. They should say to the community, what do you think we should do? Because we can see this is getting out of hand. We are all getting in trouble. The police are having fingers

pointed at them with people saying you are not doing your work. At the same time we in the community might end up in jail if we kill somebody” (JMPK).

“I think we should have good cooperation between the police and the community” (PK63).

Liaising between the Zandspruit public and the local police at Honeydew Station (located approximately two kilometres from the settlement) is supposed to be the function of the settlement Community Policing Forum (CPF). However, continued appeals for substantive dialogue and cooperation between the community and the local SAPS indicate that there are serious deficiencies regarding this existing consultative channel. Issues relating to the CPF are discussed in detail elsewhere in this thesis (for an in-depth analysis of this organisation, its historical development and its present role in South Africa see *Chapter VII – Community Policing in South Africa*). Suffice it to say that despite past and ongoing efforts on behalf of the CPF and local SAPS members to bridge the divide between police and public, they remain firmly and intractably separated.

Due to the fact that appeals for increased police involvement and consultation are accompanied by consistently negative appraisals of their performance, it is difficult to interpret them as a comprehensive expression of community confidence. More likely, interviewees recognise that the current, largely informal system of policing in the community is a poorer alternative to one that could *potentially* be offered by an engaged and effective local police force. Expressions of hope in police could therefore be attributed as much to the fears and volatility associated with the informal justice that is practiced in Zandspruit, than to any perceived positives or faith in the formal criminal justice system. This perspective is strengthened when one considers that the few interviewees who expressed wholehearted enthusiasm about the efficacy of informal justice and mob vigilantism were unlikely to indicate a preference for an increased police presence in the settlement. For these residents, the police are unlikely to ever be accepted as anything other than a token and toothless force.

Contrasting with the views of hardline supporters of informal justice is the litany of reservations expressed by other interviewees concerning the violence and lethality of mob violence.⁴⁰ For these more moderate residents, there was an obvious need for a more restrained response to some crimes. One novel approach expressed by a number of respondents advocated a sort of formal-informal justice system hybridisation depending on the offences committed:

"I think that those petty crimes, you wouldn't want to beat a person to a pulp just because he stole something small. I mean those kind of things you can just take to the police and let them deal with it. But when it comes to issues like rape or murder then I think mob justice is justified" (M13).

"If it is murder then the case goes to the police then the next day the criminal is roaming the streets, that's where informal justice takes place because the law did not take its course... when it's murder I feel the culprit deserves to die because they have also taken somebody's precious life" (K59).

Should we hand that person to the police? I think it should be both, yeah. If that person is caught red-handed raping a child, strangling a child, you know, a defenceless person or attacking an old woman, an old guy for his pension. I believe he should be punished because that's barbaric. Because if you just hand him over to the police he's going to come back and harass the community again. Yeah, so both formal and informal" (M50).

It is unlikely that any such dual formal/informal system could ever be sustainable or feasibly implemented. Among other reasons, police would almost certainly resist any attempt to curtail their authority, and vigilante mobs (for greater discussion of this topic see *Chapter IX – the Vigilante Mob*), once aroused, are unlikely to be restrained because an offence does not fall under their 'jurisdiction'. Despite the impracticality of combining the formal and informal justice systems, statements reflecting a tentative acceptance of police offer a tantalising prospect that perhaps, one day, settlement residents unsatisfied with the volatility associated with mob violence will more fully consent to being policed by a state law enforcement agency. However, with so many seemingly

⁴⁰ Resident interviewees tended to employ the term 'informal justice' when referring to vigilante events involving mobs or other violent groups. The activities of other informal groups reportedly involved with non-violent dispute resolution, such as the 'elder' or 'community committee', were not commonly referred to as constituting 'informal justice'.

intractable issues continuing to obstruct an effective and trusting relationship between the police and public, such a significant shift in community sentiment seems a long way off. Steinberg (2008), in his in-depth analysis of police and townships is even less optimistic, suggesting that “perhaps what the crowds are saying is that they do very much want to be policed, but not by this police force” (Steinberg 2008:36). Either way, the fact that the residents of Zandspruit are at least speaking of an increased police presence as beneficial for the community is a hopeful sign – one that police and other agents of the formal criminal justice system will no doubt have to work extremely hard to validate.

Conclusion

This chapter has sought to examine the complexities and contradictions associated with resident perceptions of the police in the hope that these experiences may serve as a useful case study in understanding many of the wider issues affecting police across the rest of the country. The problems which beset the contemporary South African Police Service (SAPS) have at their basis long-entrenched historical narratives of disassociation, abuse and neglect, in addition to more contemporary issues relating to a lack of organisational expertise, high levels of corruption and poor performance (Steinberg 2008; Gordon 2006; Shaw 2002a). These issues are the legacy of an apartheid system of policing which regularly characterised the majority of the population as enemies to be opposed, rather than citizens to be policed. Adapting so hostile and antagonistic an organisation as the apartheid police to racially inclusive policing has not proved easy. Not only has the contemporary SAPS been forced to reform itself into a modern, democratically accountable police force, but it has also had to do so amidst a criminal environment so ferocious that it would likely test the most developed and well resourced of law enforcement organisations anywhere on Earth – a challenge eloquently captured in the title of Mark Shaw’s (2002a) landmark text on South African policing – *Transforming under Fire*.

The result of this turbulent history today is that the SAPS is in an existential funk. Its officers remain viewed with suspicion by large segments of the population because of their brutal past, and endure widespread derision because of their perceived present-day impotence (field interviews; Steinberg 2008). They remain an unpopular choice in a diverse and largely privatised policing environment that is served by record levels of corporate security providers and, in poorer areas such as Zandspruit, informal policing groups and vigilante mobs (Baker 2002). Despite their tarnished public reputation,

a yearning for an increased role for police in the daily lives of South Africans was revealed in both field data and other contemporary research (field interviews; see also Steinberg 2008). Expressed hopes that the police would improve their performance and be reintegrated into the poorer areas of South Africa indicate a complex public perception of this troubled organisation. These conflicting perceptions suggest that, while not currently up to the standards expected by the general public, police may in the future fulfil the role envisaged for them by the national government and the people of South Africa.

Chapter VII - Community Policing in South Africa

Introduction

Since the end of apartheid, South Africa has witnessed the nationwide introduction of a range of community policing initiatives. The largest of these programmes, the Community Policing Forum (CPF), has had a major influence on both formal and informal modes of policing, although not in the manner that the original designers of the scheme intended. While some CPFs are still operating, government support for the programme has largely waned, and aspirations that the forums would provide “a public-empowering opportunity that would help consolidate the South African democracy” (Gordon 2006:219) have gone unrealised. This chapter will explore the origins of the CPF movement and seek to explicate the reasons for its implementation and subsequent failure. An analysis will be presented of the development of community policing through South Africa’s early years of political transition; followed by a discussion of the various limitations of the CPF model; the reasons for its poor performance in transitional South Africa; and the influential role that international aid donors play in the development of this and other fashionable ‘export policing’ programmes of often dubious potential. Finally, the chapter will conclude with an exploration of the future of South African community policing, and an overview of one of the more recent and successful innovations in this area, the Zwelethemba model.

Negotiations and Transition

The necessity for some type of national community policing initiative became apparent to South African political and law enforcement leaders when the wheels of democratic transition finally began to swing into motion in the early 1990’s. With the unbanning of the liberation movements and the freeing of Nelson Mandela, South Africans of all races were faced with the likelihood that, for the first time since the election of the Afrikaner National Party in 1948, substantive political change was approaching. The imminent transition towards representative democracy forced state law enforcement agencies and Black liberation organisations, particularly the African National Congress (ANC), into a new and awkward phase of interaction. Under apartheid these two powerful forces had fought in trenchant and bloody opposition. While producing terrifying levels of political violence, a degree of basic ideological clarity defined their relationship: they were sworn enemies with bitterly opposing political and philosophical objectives (Shaw 2002a:22-23). However, as negotiations

between the apartheid leadership and the ANC progressed, members on both sides of this long-standing conflict realised that they could no longer maintain an attitude of untempered belligerence towards one another. As soon as the shift to representative government was achieved, the general public would quickly expect these former die-hard enemies to work together.

The shift to representative government posed different sets of problems for leaders on both sides of the transitional negotiations. Police who had long opposed the democratic aspirations of the non-White majority (and who were implicated in several massacres and the fuelling of sectarian violence right up until the transfer of power in April 1994)⁴¹ would no longer be protected by the national government, but would be charged instead with policing a largely hostile population traumatised by decades of state brutality. Police would also likely be expected to increase racial diversity within their ranks and submit to greater oversight by their new political masters (Knox & Monaghan 2002:167). Contrasting with these difficulties, as the leaders of the first universally representative South African government, the ANC would have to find a way of working with their former oppressors to ensure adequate provision of policing services to all citizens. Post-transition security could hardly be achieved if police were not firmly coopted into the new democratic system. Compounding general anxiety about the process of transition, were serious concerns that police would resist change altogether and actively seek to destabilise the infant regime (Pelser 1999). Some political leaders even feared that the police and apartheid security services would go so far as to stage a *coup d'état* (Schärf 2001:75; Rauch 2000:123). Clearly, in this tense and uncertain phase, fresh ideas were needed – ideas that promised to help bridge the significant divide between the police and the newly freed leaders and people of South Africa.

Community policing, a popular concept amongst criminal justice scholars, foreign aid donors and progressive policing agencies, was one approach that seemed to fit the needs of both the nascent government as well as apartheid law enforcement and security forces. Advocates championed community policing as a way of softening the image of police and adding legitimacy to their operations, while at the same time increasing civilian control of an aloof, even hostile, highly-

⁴¹ The role of the apartheid SAP in fermenting political violence became increasingly clear during the Truth and Reconciliation Commission hearings in the late 1990's. During these sessions, former apartheid-era police officers seeking amnesty confessed to a stunning litany of crimes, including political assassinations, torture and the deliberate fanning of 'Black-on-Black' sectarian violence, particularly between the ANC and the conservative, anti-liberation Inkatha Freedom Party (Shaw 2002a). For a more detailed discussion of this topic please see Chapter II, Policing Under Apartheid.

militarised law enforcement apparatus (Gordon 2006:218; Schärf 2001; Pelser 1999). As negotiations towards democracy progressed, both sides committed to community policing as an integral component of the post-apartheid law enforcement paradigm. Exactly what this enthusiastic mutual commitment meant at so early a stage was unclear. Unlike other plans on the police reform agenda, such as centralising homeland, rural and urban police forces into one unified national police service⁴², embracing community policing did not necessarily commit either government or law enforcement agencies to anything substantial. To a certain extent, this lack of early specificity resulted from the general vagueness inherent in the community policing model. Community policing has long been criticised as vague (Brogden 2005:66; Rosenbaum & Lorigio 1994:302), often seeming “less a programme than a set of aspirations wrapped in a slogan” (Bayley 1988:225).

In the context of South African transition, the absence of a concrete and detailed community policing reform programme may have actually assisted in the progress of early negotiations. A number of scholars have speculated that early police enthusiasm for community policing was due precisely to the lack of explicit dictates in favour of conceptual malleability (Gordon 2006:218-219; Pelser 1999). The lack of clarity inherent in the community policing model would, therefore, likely make it easier for reforms to be subsequently shaped and exploited by police leaders. Interestingly, the incidence of policing elites taking advantage of uncertainty around aspects of community policing has been observed by scholars investigating similar initiatives in other parts of the world. Rosenbaum & Lorigio (1994) note that in the United States, “some police chiefs see this ambiguity as an opportunity to define anything and everything as community policing for political gain” (Rosenbaum & Lorigio 1994:302). These critiques suggest that there is universal potential for police leaders to exploit the ‘feel-good’ public image benefits of community policing without necessarily incorporating many of the critical aspects of this conceptual approach, particularly those involving substantive community consultation and engagement.

In spite of pretensions of a unified front, each stakeholder in the South African transitional context had their own particular vision of how community policing would be implemented to maximise the

⁴² The decision to combine the various apartheid and homeland police forces into a single, unified national police service was primarily intended to enable greater civilian control over police. A centralised organisation was believed to offer less opportunity for rogue elements within the various police forces to provide political resistance or obstruction to the new representative government (Gordon 2006). That the newly elected leaders of South Africa considered police to constitute so serious a political threat to the new regime is indicative of the tense and distrustful atmosphere permeating the crucial early years of democratic transition.

benefit to their interests. The SAP initiated their own 'Community Policing Division' in early 1993 with the expressed aim of increasing public cooperation and intelligence gathering capacity in areas from which state law enforcement had long been excluded (Gordon 2006:218; Dixon 2004:370; Schärf 2001:75). Under this model, newly liberated citizens would hopefully become the active junior partners of the police and assist the government in its crackdown on crime. For the ANC, however, community policing was to mean something much more comprehensive. As reflected in the 1993 Interim Constitution, community policing would entail widespread civilian oversight of police operations and, critically, civilian influence over executive planning, resource allocation and the development of local anti-crime initiatives and strategies (Gordon 2006; Shaw 2002). These two very different visions of community policing – one scarcely more than a token effort intended to provide a fig-leaf of public legitimacy, and the other, a near total, civilian-directed revolution of policing funding and strategies – obviously stood in stark and mutually exclusive contrast to one another.

Implementation and Resistance

The first detailed reference to community policing in South African government legislation was contained in the 1993 Interim Constitution. These passages would be translated directly into the 1995 Police Service Act which, among other articles, reconstituted the SAP into the SAPS. In both of these landmark pieces of legislation, specific sections called for the creation of 'Community-Police Forums' (CPFs) which would fulfil the following set of functions:

- a) the promotion of the accountability of the Service to local communities and co-operation of communities with the service*
- b) the monitoring of the effectiveness and efficiency of the Service;*
- c) advising the Service regarding local policing priorities;*
- d) the evaluation of the provision of visible policing services, including –
 - i .the provision, siting and staffing of police stations*
 - ii. the reception and processing of complaints and charges;*
 - iii. the provision of protective services at gatherings;**

iv. the patrolling of residential and business areas; and

v. the prosecution of offenders; and

e) requesting enquiries into policing matters in the locality concerned.

(South African Interim Constitution, Chapter 14, Section 221)

Together, these two pieces of legislation mandated the development of CPFs at *all* police stations in the new South African Republic. CPFs would be locally constituted bodies comprising civilian volunteers, often drawn from political organisations (Gordon 2006; Dixon 2004; Shaw 2002). The size, operation and organisational structure of each CPF were to be developed by the local members themselves. This ad hoc approach produced a diverse range of CPFs, often with few features overtly in common except for certain standard institutional requirements. As Gordon (2006), explains:

“There is no typical CPF, but some organisational characteristics are common. Each CPF must have a written constitution, a code of conduct, and an annual general meeting; and both police and residents must be involved” (Gordon 2006:220).

Membership of CPFs remained open to all. Crucially, democratic processes were not deemed a necessary component of CPF recruitment. The lack of transparency and constituent representation associated with an absence of democratic process is one aspect of CPF structure that has since been consistently criticised by a number of scholars and experts working in this area (Shaw 2002:121; Peter 1999). The highly localised nature of CPF formation meant that different CPFs varied significantly in their membership composition, availability of resources and capital, and general skills and efficacy. For example, CPFs functioning in middle-class, predominantly White areas were generally composed of volunteers with greater financial resources which allowed them more time and equipment to donate to community policing activities. The unfortunate result of this trend was that more efficiently functioning CPFs tended to be located in more affluent areas – in other words, amongst people who could better afford private security and therefore required CPF assistance the least (Gordon 2006; Pelser 2000; 1999).

As is made clear by the legislated functions listed on the previous page, of the two contested visions of community policing it was the civilian government which prevailed in the transitional negotiations. Local citizens were mandated to take up posts overseeing the functions of nearly all policing activities, sometimes even setting up permanent offices for volunteer 'staff' within the police station itself. Also civilian 'advice' began to flow regarding local policing priorities and evaluation of the 'staffing of police stations', with many CPF volunteers considering their mandate as including discretion regarding the hiring and firing of police personnel (Gordon 2006:222). The introduction of CPFs seemed on track to completely overhaul the functions of the police and introduce unprecedented levels of civilian control and observation (thereby also ameliorating the threat of politically subversive police cells forming).

From the point of view of the SAPS, particularly when considering their long history of autonomy and alienation from so much of the public, a more onerous set of impositions could scarcely be imagined. Stubborn police resistance to the more radical aspects of CPF implementation was, therefore, all but guaranteed. While many police members no doubt simply quit their posts and joined the long exodus of Whites leaving the country⁴³, others were determined to stay and continue their work. For those who remained, the community consultation aspects of the CPFs were likely to be perceived, at best, as "a necessary evil, required to bring citizens into contact with the police" (Shaw 2002a:31). While police may have begrudgingly accepted the importance of CPFs in securing the cooperation of the public, serious attempts by CPF members to influence police policy and operations were resolutely ignored. This partial rejection of CPF powers by the SAPS placed advocates of the community policing model into an awkward position. Despite the nominal support of the government there was little that they could do to compel the police to accept their primacy. This critical stand-off is described in succinct terms by Shaw (2002a):

⁴³ Since the end of apartheid, roughly 800,000 of the approximately four million of South Africa's Whites have emigrated. This loss of population is described by Johnson (2007) as so severe as to be comparable to that caused by "widespread disease, mass natural disasters or large-scale civil conflict". The effects of this large scale emigration, especially when considering the large number of non-Whites who have also left the country, are seriously destabilising. Many of those who have left South Africa are middle-class professionals with valuable and difficult to replace skills (such as medicals doctors and lawyers), who have found it easy to migrate to more affluent and stable countries such as Australia. This has left South Africa with a significant problem in terms of 'brain drain', whereby professionals, often trained at considerable expense by the state, leave at unsustainable rate. For more information on this topic see (Crush et al 2000).

“A key debate which arose in this regard was disputes between community policing forum members and the local SAPS as to the operational independence of the police. CPF members demanded that the police do what they said, the police refused. Legally, the police were generally on solid ground, but that enhanced the perception that CPF were simply ‘toy telephones’” (Shaw 2002a:31).

The recalcitrance of the SAPS was eventually rewarded. Government rhetoric regarding CPFs, reflected in various policing guidelines and policy statements released towards the end of the 1990's, demonstrates a gradual shift in the role supported for the CPFs. Highlighting their importance as 'collaborative partners' providing 'community consultation', these documents indicated the increasing willingness of the government to abandon CPF attempts to control police resources, and instead manage a "shift in CPF functions from oversight to assistance" (Gordon 2006:222; Rauch 2000:122). By the turn of the millennium, the hobbling of the CPF was made even more explicit. A range of policy initiatives, most notably the 1998 'White Paper on Safety and Security', were implemented by the South African government; this limited CPF functions to little more than the superficial intelligence gathering and community 'meet-and-greet' facilitation that had first been envisioned by the apartheid-era SAP (Gordon 2006:222-223; Schärf 2001:75). The bold transitional attempt at creating a genuinely influential civilian body capable of holding police to account had floundered and failed in just a few short years.

Accounting for the Failure

So what exactly went wrong with the imposition of the CPF model? Aside from the obvious and largely predictable hostility from the SAPS, scholars have pointed to a number of critical factors that contributed to the failure of the CPF. Firstly, the massive scale and radical nature of the programme was always likely to prove problematic in terms of implementation. Rolling out an under-tested, nationwide community policing initiative may have seemed possible against a backdrop of post-apartheid ebullience and joyous optimism. However, with the sober benefit of hindsight we may perceive the folly associated with such a grand and ambitious approach. Volunteers associated with the CPF movement were simply not sufficiently equipped in terms of either resources or training to undertake this vital role in overseeing the transformation of the nation's police forces (Gordon 2006:223-224; Shaw 2002a:121; Pelsers 1999). With the transitional government's resources already stretched to the limit, together with a massive shortage of critical policing infrastructure CPFs were,

according to Gordon (2006:224), doomed to be “merely an additional burden, rather than a resource” for both the newly elected government and the beleaguered SAPS.

Of further crucial importance in the failure of the CPF was the decline in support from the national government. While the government never made explicit their reasons for abandoning the CPF, there are reasonable grounds to suppose a logical, chronological shift in the attitude of the ANC leadership as its tenure in government lengthened. As the years progressed and the ANC administration consolidated its grip on power, it seems likely that fears of a police-led counter-revolution would have eased. As this threat diminished, so too did one of the government’s principal motivations for installing comprehensive civilian oversight of the police. Also, decentralisation and the prospect of direct civilian control of police probably held more appeal to ANC leaders before the handover of government in 1994. Indeed, plans to limit the autonomy of the police in favour of their civilian enemies in the townships must have seemed particularly fitting given the long-standing conflict between apartheid and liberation forces. However, after the ANC assumed office (and therefore direct control of the police) these plans may have increasingly appeared to be more trouble than they were worth. After all, government forces were bound to follow the dictates of the newly elected administration. Decentralised, civilian-directed CPFs, on the other hand, had much greater rein to ignore or obstruct the wishes of the ANC leadership. It seems a telling lesson in *realpolitik* how quickly the government dropped its plan to democratise policing in favour of concentrating executive power into its own hands.

Lastly, the successful implementation of the CPF depended not only on the severely limited levels of trust between police and various communities, but also on a minimal reservoir of goodwill existing *within* the communities themselves. United opposition to apartheid had helped conceal serious divisions within South African society. As democratic transition progressed, the highly fractured nature of many South African communities became increasingly evident (Shaw 2002a:30-31). The critical importance of community cohesion to the CPF project, and the perils associated with disunity, is made clear in the following passage from Friedman (1998):

"This is no semantic quibble, given that 'communities' are meant to set priorities, to engage in decision-making, and to engage the police in Community Police Forums. In reality 'the community' is not a uniform, definable entity: communities are extremely

divided with little commonalties in terms of needs and aspirations. It is, therefore, by no means clear to whom safety and security strategists are responding when they invoke 'the community': this is of crucial operational importance... (Friedman 1998:8).

The concept of 'community' has come under considerable scholarly scrutiny over the last few decades.⁴⁴ One of the principal critiques presented in academic literature posits community as a symbolic, social construction rather than an objective and universally perceived entity (Herbert 2006; Wisenfeld 1998; Cohen 1985; Suttles 1972). Communities, according to Wisenfeld (1998:339), "ignore the unique characteristics of each individual and the potential sub-cultural and intra-group differences which are present in every group". Perspectives such as these undermine the notion that community homogeneity can exist anywhere at all, let alone in a country as fractious and divided as South Africa. An absence of community homogeneity has dire theoretical implications for CPFs, whose authority is premised upon collective representation. If no single, coherent community exists, and there is no democratic basis underpinning CPF appointment, then members' claims to collective representation are seriously undermined. This line of reasoning has strong parallels with long-standing sociological critiques of community. As Brint (2001) explains:

"The comforting image of community-centred governance was replaced by discovery of a self-interested and self-reproducing power structure ruling from behind the scenes. Even the much-vaunted spirit of community cohesiveness was reinterpreted through the lens of the sociology of power. What appeared to be a spontaneously generated consensus was seen as reflecting the views of dominant status groups, resistance to subordinate groups threatening the community's boundaries, or both" (Brint 2001:6).

That such comprehensive debunking of the myth of community homogeneity began as long ago as the 1950's prompts one to speculate how the community policing paradigm has continued to thrive in the public domain for so long. It appears that just as the concept of the homogenous community was being increasingly discredited in the field of sociology, community policing was simultaneously beginning its rise to prominence in the field of criminology. While the two concepts exhibit important differences, they do share fundamental theoretical bases; principally that communities

⁴⁴ For in-depth sociological analysis of the problems associated with community see particularly Cohen 1985, Suttles 1972.

are definable and coherent entities. Well established scholarly critiques of the homogeneity of community point not only to critical weaknesses in the community policing paradigm, but also highlight the importance of maintaining cross-disciplinary links and communication across the social sciences (Brogden 1999).

Notwithstanding debate concerning the existential contingencies of community, recognition of the diversity inherent within human association is particularly important in the South African context. Certainly, any assumption that the general public would come together to articulate a cogent and unified contribution to community policing belies the historical experiences of modern South Africa. Serious intra-communal divisions based on tribal association⁴⁵, age/generation, gender and political affiliation have troubled the nation since its inception. These divisions have also been felt especially keenly in relation to emotive law-and-order issues such as the police, policing methods and accountability. As detailed in *Chapter IV – Politics and Policing under Apartheid*, intra-communal differences of opinion regarding policing issues catalysed significant levels of conflict throughout much of apartheid. Given these various historical and theoretical limitations, expectations of functional community involvement with CPFs appear, at best, naively ill-conceived.

Foreign Aid and Export Policing

The fact that so seemingly inappropriate a model was implemented at all in transitional South Africa raises a number of important questions. Surely, the nation's new political leaders, many of whom were a genuine product of their constituencies and had risen to prominence through a process of grass-roots activism, were aware of the many rifts within South African society. Why then would they proceed with a programme that was seemingly so ill-suited to its operational environment? Who was responsible for advising a young and inexperienced administration in policing matters? In addressing these questions, attention needs to be drawn to the role played by various foreign aid donors in the conception and implementation of the CPF programme.

South Africa's transition from pariah state to democratic *cause célèbre* captured the attention of international civil society. An army of lawyers, academics and activists across a range of disciplines,

⁴⁵ South Africa possesses a multiplicity of tribal ethnicities, the largest of which are the Zulu and Xhosa. Other tribal ethnicities include the Venda, Swazi, Ndebele and Sotho (Statistics South Africa 2011).

many of whom were drawn from the affluent Global North, descended upon the nation as the edifice of apartheid began to crumble, keen to contribute their skills and ideas, as well as bringing significant financial resources to directly initiate various projects.⁴⁶ These foreign experts participated in the introduction of a range of development programmes, from economic initiatives and efforts to improve public health, to the formulation of the South African constitution (Hearn 2000); the latter often celebrated (by foreign elites at least) as “the most admirable constitution in the history of the world” (Sunstein 2001:280). The transformation of the South African police forces was also the subject of intense international development assistance, in a process more commonly known as ‘export policing’.

Export policing, whereby policing ideals, strategies and training are transplanted from affluent, predominantly Western states to recipients of foreign aid, is now an important and broadly acknowledged aspect of international development assistance (Bayley 2005; Brogden 2005; Marenin 1998). Due to a growing recognition that effective policing and the provision of security is crucial to the success of other aid and development initiatives, the role of export policing has expanded dramatically in recent decades (Ellison & O’Reilly 2008). This means that those elements that comprise the export policing industry such as state police forces, private security/policing firms, NGOs and individual, entrepreneurial specialists, will now often be seen side-by-side with more traditional aid representatives from the health, construction and financial sectors, assisting with the ‘hands-on’ delivery of foreign aid:

“Police assistance programs have become core elements in bi-lateral and international security and development assistance in the post cold war era. It has become an accepted idea and policy goal that the promotion and development of democratic political (and economic) reforms must include efforts to recreate, restructure and retrain abusive, corrupt and ineffective police forces. International police assistance, in the form of training, equipment, advisors and (occasionally) actual police work, has a number of goals... [including] teaching existing police forces the norms, procedures and values appropriate to a free-market economy” (Marenin 1998: 159).

⁴⁶ Hearn (2000:819) estimates that between the years 1994 to 1995, almost one billion US dollars was spent on South African aid by the two largest foreign donors the US and EU.

The transference of policing methods and personnel from more affluent, Western states to poorer nations is not a new phenomenon. Up until the mid-20th century, European imperial states imposed colonial police forces into every corner of the world, including South Africa. The apparent similarities between colonial-era policing and contemporary policing programmes and multi-lateral peacekeeping initiatives have prompted some scholars to go so far as to construct these latter initiatives as examples of modern-day 'imperial policing' (Last 2006; 2003; Foster 2002). This is perhaps, an exaggeration, and it is arguable that these more radical perspectives over-simplify the contemporary mechanisms of global hegemony. The realities of neo-liberal globalisation mean that nation-states no longer possess the concentrated power of old imperial colossi such as 18th century Britain or Russia. Power is now more diffuse, and is transmitted across the world through a multiplicity of different mechanisms, of which export policing is just one. Furthermore, 20th century imperial policing, as opposed to regular *colonial policing*,⁴⁷ was premised upon the use of overwhelming military force to subjugate the citizens of imperial possessions. The extent of force proposed in seminal texts, such as Major-General Sir Charles Gwynn's *Imperial Policing (1934)*, is not conceivable in today's policing environment, and nor were comparable levels of state violence commonly witnessed in the earlier era of colonial policing (Buckley & Holmes 2001).

Fundamental differences notwithstanding, contemporary export policing does share a number of important characteristics with colonial policing practices. Notably, the aims and priorities of international policing assistance are not value neutral, but rather must demonstrate correspondence with the broader foreign policy objectives of the donor nation (Marenin 1998:164). This means that export policing is inextricably linked with the furtherance of foreign economic and political imperatives. In the case of the United States, by far the largest funder of export policing, a commitment to free-market principles and neo-liberal ideology are often institutionalised pre-conditions of development assistance (Easterly 2003). Indeed commitment to the free movement of financial capital appears, upon inspection, a much more important guarantor of US aid than a much-

⁴⁷ Colonial policing refers to policing styles and strategies exported from European imperial states, principally Great Britain, from the age of 18th century colonial expansion. Colonial policing was characterised by the imposition of European norms and practices, and the destruction of indigenous cultures in many colonial possessions, including those in Australia, Africa, Asia and the Americas (Agozino 2004). Imperial policing, by contrast, refers to a divergent form of colonial policing that was advocated in the early 20th century as the economic pressures of maintaining vast overseas territories began to exceed the capacity of imperial states. Advocates of imperial policing suggested using military forces (principally air power but also chemical weapons) as a more economic tool to guarantee social order than the deployment of expensive police forces (Buckley & Holmes 2001). Thankfully, with the outbreak of WWII and the emergence of more formidable challenges for the various imperial armed forces, this particularly ruthless aspect of imperial hegemony seems to have been consigned to the dustbin of history.

hyped commitment to democratic governance (a point oft-noted in recent times as authoritarian but largely free-market regimes in the Middle East, long supported by US financial and military aid, have succumbed to popular revolution) (Mustafa 2011; Abrams 2011; Bennis 2011).

Export policing, in other words, is not just about policing; it is also associated with the promotion of other dimensions of national transformation including political and, above all, economic ideologies.⁴⁸ These ideologies, or *discourses*, are no longer simply transferred through monolithic imperial bureaucracy or colonial-military adventurism, but rather through a complex and irresistible conglomeration of state and multi-national aid agencies, INGOs, NGOs, corporate and financial bodies and academic institutions (Marenin 2005:1; Brogden 2005). While the preconditions associated with export policing are not as overtly onerous as those imposed during colonial times, mechanisms of foreign control still have the power to wreak havoc upon vulnerable societies in desperate need of help. The seductive rubric of imported specialist expertise, international aid and development assistance helps conceal the subtle imposition of foreign norms, influence and capital. Recipients of foreign aid, many of whom are former colonial states, therefore have good reason to be wary of the prospects of international policing assistance, and should be mindful of associated preconditions.

Another particularly important similarity with colonial policing is that export policing programmes, particularly those related to community policing, are often found to be culturally inappropriate and unworkable when transplanted to their destination societies. Brogden (2005; 2004; 2002) notes the failure of internationally backed community policing initiatives across the former Soviet Union, Latin America, Asia, South Africa, as well as in other African states (Stanley 2007). This unfortunate and much reproduced trend is all the more remarkable when considering the inflated rhetoric surrounding the supposed success of many international community policing initiatives. Advocates of export and community policing have even claimed South Africa as an example of a “best case practice” (Brzoska 2003), where “significant and sustainable reform was achieved” (Bayley 2005:209). It is difficult to imagine on what criteria these advocates have determined the success of South African community policing. Certainly, even a cursory examination of the relevant South African literature would leave one in no doubt as to the broad failure of the CPF, the flagship of the

⁴⁸ For a detailed and highly critical account of the role of supposedly ‘politically-neutral’ international development institutions, particularly the World Bank and the International Monetary Fund, in the economic transition of post-apartheid South Africa, see Naomi Klein’s (2007) *The Shock Doctrine*.

nation's community policing initiatives, particularly in its capacity as a mechanism of police oversight and accountability (Gordon 2006; Dixon 2004; Shaw 2002).

Brogden (2005; 2004; 2002) helps explain the overly optimistic and, in some instances, downright misleading claims concerning the success of international community policing initiatives by pointing to the growing commodification of the export policing 'industry'. According to one recent estimate, the United States alone spends approximately \$750 million per year on export policing initiatives (Bayley 2005:206). This vast sum of money has contributed to the creation of an entire export policing economy, "in which private multinational corporations as well as individual entrepreneurs straddle the world in quest for a market share of law enforcement commodities" (Brogden 2005:67). It appears that the rapid expansion experienced by the export policing industry has been accelerated by the dual forces of neo-liberalism and globalisation. Both of these compelling international forces undermine the power of states to control vital domestic policy areas (including policing), while simultaneously fuelling the rapid global transmission of ideas, influence and capital (Koenig-Archibugi 2003). It seems likely, therefore, that international trends have fostered the ideal conditions in which commodified export policing (where community policing is undeniably the centrepiece product) has become very big business indeed.

Unfortunately, it appears that much less emphasis is placed on evaluating the effectiveness of exported community policing programmes than is spent on marketing these initiatives in the first instance (Ellison & O'Reilly 2008:396; van der Spuy 2006:8; Brogden 2005; 2002; Agozino 2004:351). This is evidenced by the continuing promotion of community policing models that have proven unsuitable when displaced from their developmental environment.⁴⁹ Motivations for continuing these dismally performing programmes are difficult to determine precisely. A cynical observer might suggest that export policing advocates are guilty of peddling a self-perpetuating fallacy whose principle benefit has been to further enrich those on the donor side. This is a highly critical perspective, and care needs to be taken not to impute ill-motivation to those who may well be intending to provide genuine philanthropic relief through law enforcement. However, one cannot ignore the many unsatisfactory results produced by the export policing industry, of which the South African CPF is but one example. Not only have hundreds millions of dollars been invested around the

⁴⁹ Ongoing programmes demonstrating the continued international commitment to the export of community policing can easily be accessed through USAID, AUSAID, the United Nations and other aid-related internet portals. See also Bayley 2005 for an exhaustive list of export policing destination countries.

world in programmes of dubious potential, but also recipients of foreign aid have been denied the opportunity to employ these substantial resources in the development of more suitable policing programmes that provide lasting value (see, for example, Goldsmith & Dinnen (2007) and Stanley (2007) for work on this subject in relation to Timor-Leste and the Solomon Islands).

Policy Convergence

It is tempting to view the failures of the CPF as primarily resulting from a botched, neo-colonial experiment in export policing. To a certain extent, this perspective is credible; we know that community policing has been aggressively implemented by foreign aid donors, and that much of the CPF programme was funded and supported by these same parties (Brogden 2002). However, suggesting that the CPF was simply the brainchild of an opportunistic export policing industry disregards the critical role played by local elites in implementing the scheme. According to van der Spuy (2006) and Dixon (2004), the development of community policing in South Africa was initially fostered by the involvement of local and international scholars who laid the ideological case and plan for a nationwide introduction of the CPF. This plan was then enacted by the transitional government with the assistance of foreign aid donors who were similarly enthusiastic about the enormous potential of community policing in South Africa. Community policing was, therefore, not forcefully imposed by an export policing industry but rather introduced with the support of influential local stakeholders (van der Spuy 2006; Dixon 2004). Both foreign and domestic developers of the CPF model shared the widespread view of much of the international scholarly community at the time – that community policing was the essential paradigm for the future, and that it was surely the ‘policing panacea’ of which South Africa was desperately in need (Brogden 2002).

The prominence of local elites in the implementation of the CPF suggests a more sophisticated global interaction of ideas and policy development than one may initially suppose. As van der Spuy explains:

A neo-colonial depiction of policy transfer, as a one-way process whereby Western hegemonic ideas are superimposed on local settings, fails to appreciate the diversity of policy exchanges in the contemporary era. Epistemic communities and knowledge

networks situated at local, regional and transnational levels interact with policy elites and a wide range of international and local constituencies with an interest in the reform of police agencies (van der Spuy 2006:15).

The tendency for domestic and international ‘epistemic communities’ or ‘knowledge networks’ to interact and produce the sort of synchronicity seen with regard to community policing in South Africa is known as policy convergence (Holzinger & Knill 2005:776). The increasing international trend towards policy convergence has been much commented upon in recent years as the forces of globalisation have come to exert similarly powerful and destabilising influences on nation-states across the world (Marenin 2005; Jones & Newburn 2002; Drezner 2001). Some scholars, such as Marenin (2005), have actively encouraged the development of such trends and have sought to foster the development of a ‘global police studies community’. The development of this kind of epistemic community poses a number of potential benefits including the pooling of a diverse range of international talent; more rigorous interrogation and testing of theoretical issues and systems; and, with the aid of contemporary communications technology, an even more rapid and prolific dissemination of knowledge and ideas. Perhaps most controversial and ambitious of all are claims that international policing debates could even assist with the spread of liberal democracy (Marenin 2005:125-126).

Researchers such as van der Spuy (2006), Dixon (2004) and Agozino (2004), provide a critical alternative view, and are more circumspect about the supposed benefits or “possibility of mutual and reciprocal learning under conditions of interactive globalisation” (Dixon 2004:359). While noting the *possibility* of ideas to flow from South to North⁵⁰, these scholars suggest that it is unlikely that such exchanges will be equal, at least while the various levels of development between these hemispheres are so divergent. Explanations as to why knowledge exchange is usually biased in favour of the Global North vary. Van der Spuy (2006) claims that the gross commodification of community policing imposes a critical structural obstacle that impedes the equal exchange of ideas from affluent knowledge centres to poorer ones. Dixon (2004) and Agozino (2004), by contrast, suggest that prejudice resulting from Occidentalism and imperialism respectively skews academic

⁵⁰ Two notable examples of South-North idea transmission are ‘nodal governance’ (see next chapter) and the ‘Zwelethemba model’ of community policing (see next section) that were conceived and developed in South Africa before being deployed overseas or utilised by international scholars (Froestad & Shearing 2005; Dixon 2004).

discourse in favour of Western ideas. Taken together, these various observations make a convincing argument that non-Western ideas often struggle to penetrate international academic debate and policy discourse. If nothing else, the sheer volume of criminological scholarship produced in the West, particularly in the US and Europe, suggests that any international criminological discussion will largely take place on Western terms utilising Western ideas.

The growing ubiquity of policy convergence is particularly relevant for developing nations that may lack the depth of resources necessary to develop or implement many policies of their own. In a domestic 'policy vacuum' it is likely to prove attractive to import policies that have been developed elsewhere, particularly when considering a) the prestige and impressive academic credentials of many foreign policy advocates; b) the apparent (but often unsubstantiated) success of programmes implemented in the countries in which they were developed (Brogden 2002:168); and c) perhaps, most importantly, when programmes come with their own external sources of funding (Brogden 2002:174; van der Spuy 2000). This combination of factors means that offers of transitional policing and other aid programmes are often accepted by local parties, even when there may be good reasons to suppose that they will not work effectively, or when they are accompanied by exigent preconditions.

The international proliferation of policy convergence provides a sophisticated benefit to the export policing industry, increasing the likelihood of local elites being exposed to fashionable policing concepts long before aid missions are even undertaken. In South Africa, we may perceive how a global fondness for community policing rapidly translated into the nationwide introduction of CPFs, despite significant domestic limitations that would have been obvious to many local observers. The fact that the CPF programme was implemented at all demonstrates the significant peril associated with the introduction of policies that do not have any record of success amongst a host society or culture, as well as the power, influence and attraction of foreign aid and policy innovation. Interestingly, contemporary research suggests that the international dominance of community policing is coming under threat from revitalised forms of paramilitary policing (Murray 2005). This trend is, again, led by the United States, where 'softer' policing philosophies have come under pressure from politicians and a public spooked by the threat of international terrorism. This new development does not bode well for those wishing to see a more consultative engagement with the recipients of foreign policing aid. Without a substantive challenge to the financial incentives

undermining the efficacy of export policing, as well as the epistemic obstacles distorting international scholarly debates, we may simply see one insufficient policing ideology replaced by another equally as limited.

The Zwelethemba Model and the Future of Community Policing in South Africa

CPFs still persist in South Africa, although in much denuded form. Despite the neglect of both the national government and the police, the movement has been kept alive by the commitment of the countless, individually motivated South Africans who desperately want to make their neighbourhoods safer places in which to live and work. Together these individuals have formed an astounding array of ad hoc committees, patroller groups and business protection associations that, under the broad banner of the CPF, have taken over many policing activities from the state police (Marks & Wood 2010:314). Because many of these groups operate independently of the police and regularly employ illegal violence, their activities do not typically fall under conventional definitions of community policing. Rather, these associations more closely correspond to types of vigilante association, an exploration of which will form the basis of the following three chapters (see also Martin 2010; Harris 2001a; Johnston 1996).

Some scholars see the reluctance to recognise novel forms of civic crime-fighting association that are unsanctioned by the state as a weakness in the community policing paradigm (Wisler & Onwidiwe 2008). Wisler and Onwidiwe (2008), for example, posit state-initiated community policing initiatives as primarily a product of Western ideology. Together they argue that the field of community policing would be enriched with the inclusion of a broader range of 'bottom-up' informal policing mechanisms that are more commonly found in African, Asian and Latin American countries (Wisler & Onwidiwe 2008). This seems a worthy suggestion. As much of the discussion throughout this chapter has outlined, debates regarding community policing could greatly benefit from a more nuanced and sophisticated understanding of non-Western cultures and practices. For the moment, however, the dominant conceptualisation of community policing is undoubtedly one of a method of civic engagement that works within and supplements the capacity of state law enforcement, rather than disregarding or supplanting it altogether. With this constraint in mind, it seems fitting to note a relatively new South African programme derived from conventional community policing principles, but which also taps into indigenous forms of conflict resolution: the *Zwelethemba model*.

Zwelethemba is a small town in South Africa's Western Cape, and has been the home of scholar Clifford Shearing's new community policing programme since 1997 (Shearing 2001). The Zwelethemba model, as the paradigm is now referred to, centres on two distinct problem solving approaches: *peacebuilding* and *peacemaking*, aimed at utilising existing repositories of knowledge and experience amongst participants to avoid or resolve conflict. As Shearing explains:

It is this bringing together of knowledge and capacity to seek a solution, rather than any particular desired form of outcome, for example, 'restoration as a healing component' for victims, restoration as 'accepting responsibility' for offenders and restoration as 'denouncing wrongful behaviour' for communities, that is at the heart of the model (Shearing 2001:20).

The Zwelethemba model builds upon community policing and restorative justice principles in constructing a forum of civic engagement. Inside the Zwelethemba forum, problems are resolved through dialogue and potential future conflicts are identified and anticipated. Aside from an adherence to legality (and therefore, an implicit commitment to non-violence) and commitment to a code of good practice, participants are free to organise themselves or mediate discussion as they see fit. This freedom is intended to remove the constraints of expert opinion and allow participants to assume full responsibility for negotiations and dialogue themselves (Shearing 2001:21).

Zwelethemba has reportedly met with considerable success in South Africa and has now been exported to communities inside Latin America (Freostad & Shearing 2005; Johnston & Shearing 2003; Roche 2002; Shearing & Kempa 2001). This is a significant achievement and testifies to the desirability for community based solutions that originate in non-Western societies. Some criticism has been levelled at the developer of the programme, Clifford Shearing, for not encouraging more independent evaluation of the programme's achievements (Loader & Walker 2004; Dixon 2004:374). However, as Dixon (2004) notes, this does not necessarily invalidate any claims to success, but rather is necessary to "fill in some important gaps in our knowledge about the operation and impact of the Zwelethemba model", such as how the programme is sustained by local communities (Dixon 2004:374).

Conclusion

To date, it seems safe to say that the South African experiment with community policing has not met with much success. In designing and implementing the CPF, the best efforts of international and domestic scholars, foreign aid donors, government representatives and many progressively-minded police were not sufficient to overcome the many problems posed by transitional South Africa. Divided and bickering communities; poor levels of training and a lack of resources; mutual suspicion and distrust between police, politicians and the general public; culturally inappropriate programme design; and, importantly, urban and rural environments under extreme threat of criminal predation, ultimately proved too many obstacles to success. Perhaps, considering this long catalogue of limitations and challenges we should be surprised that community policing has survived at all in this hostile environment for so long.

Whether or not community policing can overcome its prior failings and find a meaningful place in South African law enforcement and social discourse seems a very difficult question to address with any certainty. One thing does, however, seem certain: the people of South Africa are unlikely to cease their efforts to combat crime either with or without the help of the state. The problems are too pressing, and the autonomous spirit engendered by resistance to apartheid is too strong to allow respite. Hopefully, in pursuing their goal to limit the ravages of crime, individual South Africans can restrain from using similar levels of violence as those employed by dangerous offenders, although a widespread culture of violence and permissive attitudes towards corporal and capital punishments⁵¹ are not encouraging signs. However, initiatives such as the Zwelethemba model at least offer the prospect of civic engagement with crime-fighting that is more benevolent than vigilante association. Community policing has so far had a rocky experience in South Africa and, due to the persistent efforts of innovators and community policing ‘true believers’, the experiment is not yet over.

⁵¹ For more detailed discussion of contemporary South African attitudes to corporal and capital punishments, please see *Chapter X – In the Aftermath*.

Chapter VIII - Nodal Security and the Zandspruit Patrollers

*"The accused is beaten... then the properties in their possession is taken,
either his cell phone or money... they take them in front of your eyes,
while you are looking at them." - K56c*

*"We have patrollers and they are doing a great job so far and crime has decreased
because of that." - M53*

Introduction

For those residents of Zandspruit who are not able or predisposed to take their problems to the SAPS, the next most formal policing alternative is through the regional CPF. The CPF is a civilian consultative committee comprising settlement residents and informal leaders who, on behalf of the greater Zandspruit community, are mandated by the government to liaise with local SAPS personnel. In addition to its officially legislated functions, the CPF also coordinates groups of settlement residents to conduct night-time crime prevention patrols. These volunteer patrolling groups enjoy some legitimacy amongst the residents of Zandspruit due to their association with the CPF. Yet patrollers are not deputised in any legal sense and have no special powers to investigate crime or apprehend suspected offenders. As with other citizen-crime prevention agencies such as Neighbourhood Watch, if criminal activity is detected patrollers are required to notify the SAPS, who would then carry out whatever response they deemed appropriate (Marks & Wood 2010:315). In practice, however, interview data suggests that these ad hoc groups have extended their functions far in excess of what is mandated by law. Interviewees have related how patrollers now carry out investigations of their own, often pursuing and punishing those presumed guilty of offences in a brutal and over-zealous fashion.

The Zandspruit CPF is not alone amongst South Africa's remaining network of CPFs in assuming a range of extra-legal functions. While the national government largely failed in its efforts to establish CPFs as an effective check on the power of state police, many CPF activists responded by simply redefining the role of their organisations; instead of overseeing the activities of police, they began carrying out policing themselves (Kirsch 2010; Marks & Wood 2010; Marks & Bonin 2010). Interestingly, the fact that CPFs have failed to realise their potential as agencies of police oversight has not prevented motivated volunteer patrollers from continuing to exploit whatever remaining legitimacy is associated with the CPF 'brand'. The level of symbolic power gained by association with a CPF may be inferred by the practice of informal security groups sometimes fraudulently claiming a CPF mandate when no such relationship exists. While it is unclear to what extent this practice occurs in Zandspruit, such behaviour has been noted by scholars working in other parts of the country (Marks & Wood 2010:310,314). Aspirations on the part of informal patroller groups to associate themselves with a CPF suggest that, despite its many failings, South Africans often still project an air of authority and power onto these government mandated institutions.

That volunteer patrollers associated with the Zandspruit CPF regularly employ illicit force raises a number of important issues. Firstly, the Zandspruit patrollers are the first organisations that openly use violent vigilante methods to be explored in detail in this study. These arouse mixed feelings amongst the populace of Zandspruit who have expressed a range of emotional responses, including suspicion and fear, as well as righteous anger and acceptance. The divergence of opinion expressed between residents regarding the legitimacy of patroller sanctions has significant implications for the governance of the settlement which calls for scholarly analysis. Secondly, the status of the patrollers as durable organisations that regularly employ illegal violence challenges the traditional view of force as being firmly held under the monopoly of the state (albeit with regular delegation to the corporate security sector). This deviation from a state-centric conception of the use of force necessitates the introduction of a fresh theoretical perspective, one that can adequately account for the involvement of non-state, non-corporate entities in the provision of security. This chapter will address these issues by first offering a detailed exploration of nodal governance theory and introducing new aspects developed explicitly to address the functions of informal security nodes (ISNs) such as the Zandspruit CPF. Secondly, an analysis of interviews with Zandspruit residents will be presented, including an exploration of the various functions of the Zandspruit patrollers, before a concluding synthesis is presented regarding theoretical aspects of ISNs and the empirically determined operations of the CPF.

Nodal Governance

Over the past decade, nodal governance has emerged as a persuasive and highly adaptive theory in the field of policing and security studies. The development of this analytical model proved a necessary and timely innovation amidst a global trend, beginning in the latter half of the 20th century, towards diversification amongst security providers. This trend continues today and is strongly associated with the worldwide proliferation of neoliberalism which has encouraged the participation of non-state actors across a range of formerly state-dominated industries and services. Together with the spread of mass private property (Shearing & Stenning 1983; Kempa et al 2004; Wakefield 2003) and an insatiable growing demand amongst affluent consumers for ever more customised security 'products', neoliberalism has catalysed the spectacular growth of the private security industry (Krahmann 2010; Zedner 2009). The introduction of a whole new host of commercial entities involved with security provision parallels similar developments in the informal security sector, where a variety of semi-legal and even criminal organisations may be seen to compete or cooperate with other security providers (Marks & Bonin 2010; Volkov 2002; 2000). The undoubted significance of these informal groups (particularly in poorer areas inadequately protected by the state) has prompted a shift in our understanding of the contemporary governance of security. No longer the sole preserve of hegemonic states or monolithic policing bureaucracies, today's security landscape is cluttered with a multiplicity of state and non-state, commercial and informal organisations whose agendas, resources and operational methods often vary in the extreme.

Nodal governance provides an accessible, lucid mechanism with which to navigate this complex, multifaceted environment. Neatly capturing the diverse array of entities associated with contemporary security, this theory recasts these groups as interdependent and contiguous nodes which interact within a broader network. The functions and relational hierarchy of nodes are considered 'empirically open questions' and state nodes are afforded no conceptual priority within any given network (Shearing & Wood 2003:404). This is an important innovation, as it facilitates the investigation of security contexts in which the state plays a limited or non-existent role. Invariably, environments with limited state penetration present serious security challenges, and are therefore often worthy research sites affording both rich and urgent opportunities for criminological enquiry. Of course, the application of nodal theory is not restricted to these sites of particular interest, or even criminology as a broader discipline. The theoretical flexibility afforded by conceptions of nodal governance allows researchers to analyse the functions and characteristics of practically any

governing site and network, regardless of size, level of state composition and geographic, cultural or temporal location.

Contemporary nodal governance is derived from 'network society' theory which was developed by the eminent sociologist Manuel Castells (1998; 1996). This theory describes the post-industrial ubiquity and growing power of networks, which are advanced by Castells (1998; 1996) as superseding the long-dominant and conceptually dated paradigm of the centralised state. In addition to providing a decentralised alternative to traditional, top-down modes of power distribution and production, network theory also introduced the concept of nodes. According to Castells (1998; 1996), nodes are simply the constitutive elements of a network and, because of their close theoretical pedigree, early nodal and network models share a number of important parallels and similarities. Both envisage a system of governance whereby power cascades from one node to another along a path of networks. The essential difference between node-centric systems and those oriented towards networks is one of focus. As Huey (2008) explains:

A nodal governance model takes 'nodes' - participating actors within a network - as the principal frame of reference in analysing contemporary modes of governance. In doing so, nodal governance shifts the focus of inquiry away from the hegemonic state to questions of how variously situated actors within social networks mobilise 'mentalities, technologies, institutional arrangements and resources' to facilitate common goals (Huey 2008:209).

According to Huey's (2008) analysis, nodal governance neither invalidates nor necessarily contradicts networked modes of conceptualisation. Rather, this emergent theory simply refocuses attention upon the nodes within a network, instead of on the network itself. This shift in focus allows researchers to speculate more easily on the composition of nodes, on how they affect their environment, and also on ways and means by which they interact with one another.

While network theory was critical to the development of nodal governance, over the past few years scholars have suggested that networks may pose more normative problems for nodal theory than they do solutions. For instance, while networks provide a conceptual space for nodes to inhabit, they

also imply a synchronicity of purpose that is often absent when comparing the actual functions and purposes of proximate nodes (Loader & Walker 2006; Zedner 2009:62; Crawford 2006). Indeed, security nodes may sometimes pursue divergent or even conflicting priorities whilst ostensibly operating within the same network. Nodes may also attempt to function in isolation and remain operationally segregated, despite the immediate or nearby presence of other security actors (Baker 2010; Shearing & Wood 2003:405). Despite these issues, nodes and networks remain indivisible elements of the same theoretical landscape, and are both vital to the conceptualisation of contemporary governance and security.

So, how does one conceptualise a governing node? Burris, Drahos and Shearing (2005:31-32) define a node as a site of governance exhibiting four fundamental characteristics: mentalities, technologies, resources and institutional arrangements. While the various aspects of nodal composition are described in detail elsewhere (see Shearing & Wood 2003; Burris, Drahos & Shearing 2005), a brief discussion of these four characteristics will be presented as a necessary prelude to addressing new theoretical developments later in the chapter. *Mentalities* reflect how those within a node conceive of its purpose and role within the broader environment. A nodal mentality may be a political or economic ideology, or it may represent a philosophical approach to a particular nodal function. With regard to policing, for example, Zedner (2009:61-62) contrasts an historical difference between state police, who have traditionally pursued a justice or punishment-oriented approach, and private security firms, which eschew retrospective justice in favour of a risk awareness and management. These divergent approaches represent fundamental differences in how those directing each node conceive of their role and function – differences, that is, in nodal mentality.

Mentalities have a profound impact upon nodal *technologies*, which represent the various methods, strategies and tactics employed by nodes. Surveillance, street patrols and emergency response provide typical examples of the technologies used by state security nodes such as police forces to express authority and achieve organisational objectives. Technologies are implemented by drawing on the various *resources* available to a node, which are “broadly defined to include a wide range of forms of capital” (Burris, Drahos & Shearing 2005:39). Dupont (2006) identifies five primary forms of capital – economic, social, cultural, political and symbolic – employed by security nodes in both their interactions with one another and their regular operations. Economic capital refers to the financial resources or ability of a node to secure funding for its activities. Political capital is the capacity to

influence or exploit political processes in order to secure desired outcomes. Cultural capital implies beneficial institutional knowledge possessed by a node that may be internally transmitted from one individual to another. Social capital entails a node's capacity to "initiate and maintain social relationships with other groups or individuals" (Dupont 2006:101). Finally, symbolic capital results from an effective combination of other resources that produces a favourable impression of the node's functions. As Dupont (2006) makes clear, the five categories of nodal capital are not intended as a either rigid or definitive taxonomy but rather 'as a metaphorical lens' through which we may observe complex nodal interactions.

The different levels of capital available to a node are heavily influenced by the sector from which the node is drawn. State security nodes have traditionally been the richest across each form of capital, with substantial economic resources provided by the taxpayer, and significant social and symbolic capital derived from a long and (hopefully) distinguished record of public service (Baker 2010). As discussed in the introduction, the long-held dominance of state security nodes has, in recent times, been challenged by the waxing power of private security corporations. These commercial entities now often significantly exceed other security nodes in terms of economic capital, particularly in weak or poor states unable to adequately fund and maintain public institutions. Imbalances in capital between state and private security nodes are particularly exaggerated in regions where transnational security firms intervene to provide protection to foreign interests. One notable example of this kind is in Iraq, where over the last decade the notorious Blackwater security firm (recently rebranded with the inscrutable moniker Xe Services) has deployed ex-special forces soldiers equipped with the latest in military technology to service security contracts worth hundreds of millions of US dollars (Scahill 2007; Singer 2003). Clearly, the denuded and badly traumatised Iraqi police force has significantly reduced nodal capital (at least in economic and political terms) when compared to this transnational mercenary behemoth. Similar examples of this kind of extreme imbalance between state and private security nodes may be found in many other resource rich but 'governance poor' states, including Papua New Guinea and Nigeria (Bearpark & Schulz 2007; Baker 2010:600).

Finally, the *institutional* composition of security nodes varies significantly in both empirical and normative terms. A security node may take practically any institutional form as long as it exhibits temporal durability. Formal constitutions or internal hierarchies are not required, only sufficient

coherence so as to maintain a recognisable structure is necessary. For this reason, a gang, for example, may constitute a governing node, whilst a mob cannot. The former possesses institutional integrity, albeit on an informal, ad hoc basis, while the latter is a transitory phenomenon. From a theoretical perspective, once the four fundamental characteristics of a governing site (mentalities, technologies, resources/capital and institutional arrangements) are identified the frequency of nodal determination is an open question, as “more or less of them can be revealed depending on the level of aggregation and disaggregation in the analysis” (Burris, Drahos & Shearing 2005: 38). This means that size is not an important consideration when defining a security node. A lone police patrol or an entire justice department, for example, may constitute a single node, depending upon the needs and focus of the researcher. The adjustable scale of nodal identification explains much about the flexibility of this theoretical model and also highlights the extreme institutional variability characteristic of nodes associated with contemporary security provision.

Nodal Interaction and Regulation

Interaction between governing nodes, like the nodes themselves, is characterised by diversity. Nodes may compete with one another; they may seek to preserve isolation and attempt indifference; or they may form various types of symbiotic relationships (Baker 2010:599-600; Shearing & Wood 2003:404-406). Interaction may also take place within a nodal sector (e.g. between state security node and state security node) or across sectors (e.g. between state security node and private security node). New avenues for cooperation and competition between security nodes across all sectors have, in recent decades, been precipitated by the widespread commodification and pluralisation of policing services (Zedner 2009: 89-90). Appropriately, this ‘quiet revolution’ in the production of security has attracted a high level of scholarly attention. A plethora of books and publications has been devoted to exploring the new and sometimes controversial powers of private security entities and their interactions with the state (see Krahmann 2010; Wakefield 2003; Zedner 2009; Abrahamsen & Williams 2010). This section will explore this literature: it will identify the mechanisms involved with nodal interaction within the formal security sector, and discuss the ways and means by which this interaction is regulated by both state and non-state entities.

Security nodes interact using the various forms of capital at their disposal, and the relational strength of a node is determined by the accessibility and availability of these critical resources. It is

incumbent upon all types of node, whether state or non-state⁵², to utilise the resources available to them to improve or maintain their own position in relation to others. Thus, both within and across sectors, security nodes will be seen to constantly jockey for position, securing helpful alliances with one another or working to undermine rivals' positions in ways that help them achieve nodal objectives (Wood 2006:225). State security nodes, for example, have a long history of intra-sector competition with police forces regularly competing for limited taxpayer funds and other government resources (Dupont 2006). Naturally, nodal competition is not limited to the state security sector; private security nodes also engage in all manner of competitive interaction. Much of the competition that takes place involving private sector security nodes occurs through the use of economic capital. Aggressive pricing strategies, outbidding rivals for security contracts and offering higher wages to recruit or 'headhunt' specialised staff reflect some of the ways in which economic capital is used by security nodes to compete with one another. Other, non-financial resources are also likely to be important to private security firms during competitive interactions, with the effective use of political or symbolic capital, for example in the form of organisational prestige or political connections, providing additional avenues to attain an advantage over other corporate or even state rivals.

Despite the rapid expansion of the private security industry, particularly in relation to conventional public law enforcement, the state continues to play a lead role in nodal regulation of the formal security sector (Braithwaite 2003: 10-11). This role is consistent with a neoliberal framework that recasts the state as in charge of the 'steering' rather than the 'rowing' of security governance (Krahmann 2010; Shearing & Wood 2003). Regulation of formal security nodes is carried out by various agencies which ensure compliance with national laws in the form of licensing requirements, training and professional standards (Wakefield 2003; Prenzler et al 2007; Sarre 2002; Braithwaite 2000). State regulatory agencies also ensure that interaction between security nodes takes place according to the law. The Australian Competition and Consumer Commission (ACCC), for example, mandates the limits to which corporations are entitled to compete. Unlawful use of economic capital by private security firms, such as through predatory pricing or uncompetitive collusion, is prohibited and nodes that violate these laws invite civil or criminal prosecution.

⁵² A number of scholars (Abrahamsen & Williams 2007a:243; Wakefield 2003) have highlighted the difficulty of clearly determining whether various contemporary policing bodies are either state or private entities. Establishing a clear distinction between the two becomes problematic when considering the proliferation of private sponsorship of state policing, the commercialisation of state policing services, and the growing operational dependence between state and private security contractors.

Despite the existence of powerful agencies such as the ACCC, it is unlikely that state mechanisms alone are capable of adequately regulating security nodes. Fortunately, government oversight of security is supported by a wide range of non-state entities, including unions, academic institutions, civil liberties associations, corporate watchdogs and, of course, the news media. While these institutions usually lack any special powers with which to enforce compliance or impose legal sanction, their role in regulating security nodes is critical (Bobb 2003; Braithwaite 2000). Of course, the oversight of these various regulatory agencies applies only to nodes from the formal, rather than informal security sectors. This points to one of the fundamental differences between formal security nodes and ISNs: the degrees to which they are regulated, and the types of regulation to which they are subjected.

As a result of the complementary layers of oversight provided by government, private enterprise and civil society, formal security in societies of the Global North is heavily regulated. These regulatory mechanisms are certainly not perfect, and significant, systemic problems continue to affect state and private security nodes. Racial minorities and other stigmatised groups, for example, regularly experience persistent disadvantage at the hands of the criminal justice system and commercial security (Samara 2009; Antonopolous 2003). However, these concerns notwithstanding, there remains a multiplicity of different actors working to ensure that security providers are held to account, that minimum standards of professionalism are maintained, and that instances of gross misconduct are investigated (see, for example, Goldsmith & Lewis 2000).

Due to the relatively high saturation of both state and non-state regulatory agencies, security nodes are likely to engage in significant levels of self-regulation. Some scholars remain sceptical or openly critical of the effectiveness of self-regulation with regard to security providers (Wakefield 2003; Zedner 2009:52; 2006), although this criticism is likely to vary significantly from state to state. Again, these concerns are not without validity. Security nodes from both the state and private sectors have sometimes elected to conceal or downplay instances of abuse or illegality instead of holding personnel to account and engaging in substantive internal reform (see, for example, O'Rawe & Moore 2000; Skolnick & Fyfe 1993). However, despite persistent breaches of legal and community norms, security nodes are not free to act in whatever way they choose, and the fact that institutions are forced to hide their misconduct points to the ubiquity, if not effectiveness, of regulatory oversight. Persistent and serious illegal or inappropriate conduct is likely to eventually attract some

form of censure, whether through legal prosecution, damage to commercial assets and reputation, or government inquiry and review (De Nevers 2010). It is therefore in the interest of security nodes to act within certain acceptable norms when interacting either with each other or with the general public.

In spite of legitimate reservations regarding aggressive conduct and interaction, it is important to remain mindful that security nodes often seek to work together, rather than compete or clash with one another. The largely complementary interaction between security nodes is sometimes forgotten amidst debate about the effectiveness of regulatory institutions:

Political concern about the antagonistic, competitive, or simply antithetical aspects of the public private relationship has tended to obscure the degree to which professional interaction, reciprocity, even mutual dependency, now characterise working relations between the public and private spheres in pursuit of security (Zedner 2009:54).

Security nodes regularly facilitate cooperative inter-nodal relationships, both within the state sector and across the private and non-commercial sectors. These beneficial relationships are characterised by intelligence sharing, public-private safety forums, community policing programmes, joint operations and so on. Much of the normative emphasis on nodal security has focused on developing these sorts of inter-sector initiatives. The Zwelethemba model for instance, as discussed in the previous chapter, was introduced by nodal governance pioneers Clifford Shearing and Jennifer Wood (2003), and represents an attempt to construct a volunteer authority capable of solving local disputes and interacting with state police when necessary (Froestad & Shearing 2005:27). More recently, Marks and Bonin (2010) provided a further South African example of inter-nodal cooperation taking place on the streets of Durban. These initiatives highlight the apparent potential of interoperability and cooperative interaction between security nodes whose interests and priorities have been successfully aligned. While the long term efficacy of the Zwelethemba model is yet to be established by external authorities (Loader & Walker 2004), we can hopefully assist the development of these and other sorts of inter-sector initiatives by further establishing the theoretical principles affecting the behaviour and capacity of security nodes.

Force Capital and Nodal Exclusivity

Security nodes have traditionally been differentiated from other sites of governance through their use of coercive force (Brodeur 2010:231). This utilisation of force is a common - though not essential - feature of contemporary security providing entities (for discussion of other coercive powers not involving the use of force also employed by security nodes - see Brodeur 2010). The capacity of a security node to utilise force may be referred to as *force capital*, which is defined as the ability to deploy or threaten to deploy force across space. It combines available physical resources (personnel, weaponry, transportation, communications, etc.) with the non-physical (training, expertise, reputation, psychological capacity, leadership). The availability of force capital can vary dramatically between security nodes. State security nodes, for example, are amongst the most powerful because they include national armies, navies and air forces. These ultimate repositories of force capital are the product of thousands of years of experience of organised conflict and represent annual investment of approximately \$1.6 trillion USD (for the year 2010 – SIPRI 2011). At the other end of the spectrum are tiny commercial security departments or informal policing groups whose force capital may consist of only a handful of untrained personnel with little or no weaponry.

Force capital is used by security nodes to assert and maintain control over physical space. Control is achieved via the direct use of force capital (i.e. application of physical force) or, as is more often the case, through indirect means (passive or active threats and deterrence). By employing both direct and indirect force capital, security nodes proscribe or inhibit behaviours that violate norms which are enforced by the node. These norms may be established by an external agency or government, as is the case with state law enforcement bodies applying national laws. Otherwise, regulated norms may be articulated or established by the node itself. This often occurs with regard to vigilante organisations who take it upon themselves to police communities according to their interpretation of moral conduct (Martin 2010; Robinson et al 2008; Jensen 2008; Oomen 2004; Buur & Jensen 2004). Regardless of whether norms are determined by some external process or are imposed by the security node itself, protection within a regulated space is always conditional and whatever freedom is afforded is limited within this context.

Security nodes are also exclusive, and individuals or groups may be denied entry to, or afforded different levels of protection within a regulated space. The conditionality and exclusivity associated with security nodes is consistent with Crawford's (2006) conceptualisation of security as a 'club

good' which is only available to included parties. Those excluded from the 'club' are required to seek alternatives elsewhere, and inclusion or exclusion may be determined according to whatever criteria are deemed relevant by those directing the node (such as ethnicity, wealth, citizenship status, gender, age and so on). People associated with feared or hated groups may find themselves not only excluded from secure zones, but also subject to persecution at the hands of a security node. The apartheid-era SAP provide an archetypal example of this type of exclusivity and aggression. Under apartheid, White South Africans were afforded high levels of state protection, while Black citizens, particularly during the latter years of the regime, were regularly subject to contempt, brutality and homicidal disdain at the hands of police (Gordon 2006; Shaw 2002). The historical actions of this once formidable law enforcement agency demonstrate how a security node can simultaneously act as protector to one group whilst remaining a source of terror and destruction to another.

Whether a security node utilises its force capital for protection or destruction is entirely subjective and dependent upon one's relationship to the node in question. In the case of state and private nodes, much criminological research has already been devoted to determining how different groups relate to and access various security agencies. Ethnic minorities, the poor, drug users, the homeless and those convicted of criminal offences – are some of the groups that scholars claim are disadvantaged when seeking protection from state and private security (Samara 2009; Walsh & Taylor 2007; Antonopolous 2003; Rhodes et al 2006; Cuneen 2001). However, much less is known about what occurs when these otherwise undesirable or unpopular groups seek security from alternative sources. It seems likely that many who are unable to access more legitimised security nodes have a powerful incentive to associate with ISNs. The need for security is both powerful and universal, and in the absence of its provision by the state or private sector, other, less regulated, nodes will inevitably emerge to fill the void.

Informal Security Nodes

The theoretical dimensions of ISN composition and interaction have yet to be developed in any detailed sense. The purpose of this section is to address this theoretical gap, develop a definition for ISNs and also to outline the utility of such a concept. As with other security nodes, ISNs employ a range of means in order to achieve nodal objectives. However, for a security node to be regarded as informal its methods of must be predominantly carried out in ways deemed illegal by the state. Predominance is important as this serves to differentiate ISNs from private and state security nodes

that may, on occasion, deviate from the usual, legal deployment of force capital. ISNs operate largely beyond the confines of the state, and occasional breaches of laws regarding the use of force do not, in and of themselves, relegate all of a node's other functions to the informal sector. Distinguishing between informal and other types of security nodes is even further complicated when ISNs regularly engage in legal activities such as non-violent patrolling, guarding property or enforcing commercial contracts (Marks & Bonin 2010; Robinson et al 2008; Volkov 2002). In such instances the distinction between formal and informal becomes difficult if not impossible to determine.

For these reasons, adopting a Weberian 'ideal type' definition is the simplest way to provide conceptual clarity, whilst simultaneously allowing researchers a degree of flexibility in determining the sector to which a node belongs. An ideal type is a 'perfect' representation used to highlight whatever features delineate one object under consideration from another. Formulating an ideal type involves creating a definition that 'elucidates the features' of reality, rather than one that authentically represents an empirical entity (Morrison 2006:346). An ideal type ISN may be defined as follows:

An ISN is a governing node that uses illicit force capital to assert and maintain control over space.

This ideal type provides us with a theoretical standard for comparison with inevitably less perfect, real life entities (i.e. those nodes that use illicit force capital but also engage in other non-violent or legal activities). With the above definition in mind we can begin to populate our conceptual landscape with those groups whose activities justify their classification as an ISN, such as organised crime groups, vigilante associations, militias and gangs. These groups seek to control space⁵³ using illicit force capital for a variety of purposes. Organised crime groups, for example, may apply force capital to regulate zones used for the production or distribution of illicit drugs (Manwaring & Corr 2008); gangs may seek to control territory for mutual protection or as an expression of urban, counter-cultural identity (Venkatesh 1997); while vigilante groups are known to assert physical

⁵³ Physical space has been the forum in which security nodes of all kinds have traditionally exerted their influence (Brodeur 2010). However, the development of the internet and the creation of 'virtual space' has created new opportunities for security nodes, as well as for individuals and organisations seeking to transgress laws and regulations. The development of online security and the intersection between new technologies and nodal governance theory presents intriguing opportunities for future research.

dominance over communities as a means of protecting and maintaining patriarchal norms and a favourably iniquitous distribution of wealth (Martin 2010; Jensen 2008). It is important to note that, as is the case with other security nodes, ISNs do not offer security as a universal good, but rather only protect those whose presence is consistent with nodal objectives. For example, security provided may only extend to members of the ISN, while others whose activities run contrary to those of the node may instead be victimised.

Regular use of illicit force capital often places ISNs in a state of an uncomfortable tension – if not outright hostility – with local state security nodes. Antagonism between the state and ISNs manifests in police ‘crack-downs’ on gang affiliation, as well as investigation and prosecution by other law enforcement agencies. Aggressive ISNs also have been known to target law enforcement personnel for assault and assassination, with the long-running conflict between the Sicilian Mafia and various Italian policing agencies providing an archetypal example of this kind of inter-nodal conflict (Dickie 2004). In the most extreme cases, ISNs may even challenge the state for supremacy, as witnessed with attempts by sophisticated criminal cartels to create ‘narco states’ in Central and Latin America (Manwaring & Corr 2008). Fortunately, such attempts at state capture are rare. However, weak or failed states, for example, in Northern Mexico or Afghanistan, provide ample opportunities for ISNs to impose their will and reinterpret regulated norms according to their own interests:

Contrary to popular perceptions, such areas are not ‘lawless’ or ‘ungoverned’. These territories are governed by the gangs, warlords, drug barons, and/or insurgents who operate where there is an absence or only partial presence of state institutions.
(Manwaring & Corr 2008:109)

Not all state institutions are hostile to ISNs, however, with a number of militias and organised crime groups maintaining mutually beneficial, symbiotic relationships with incumbent political leaders and parties. The Yakuza, for example, have a long history of affiliation with right-wing, nationalist parties in Japan (Kaplan & Dubro 2003). Similarly, Robinson et al (2008) describe how some Indonesian politicians are dependent upon militias or *satgas* to ‘encourage’ support amongst their constituents and to suppress political rivals. Even more troubling are links between the Indonesian military and non-government militias, which have been employed to carry out atrocities in separatists regions such as East Timor and Aceh (Robinson et al 2008:5). In such scenarios, the mutual benefits to both

militia and military are significant: ISNs are equipped with sophisticated weaponry and are afforded a high degree of autonomy and protection by powerful state security nodes. This greatly increases both the political and force capital available to the ISN. The military, on the other hand, is able to outsource its 'dirty work' in the form of torture and terror. This helps the state protect its symbolic capital by insulating it from national and international scrutiny. Similar examples of states or state representatives employing ISNs to disrupt domestic political opposition or other nefarious purposes may be found across a variety of contemporary and historical contexts, from Weimar Germany (Campbell 2004) to present-day Libya (Meo 2011).

Despite the partnerships that sometimes form between state institutions and militias, ISNs are most likely to emerge in areas where state control is weak, challenged or indifferent. It is in these regions, in the absence of a legitimate, uncontested and strong state security apparatus, that crime is often high and security and policing needs are left to the non-state sector. In areas too poor to afford private security, ISNs provide the only alternative available to those insufficiently protected. A general lack of state presence has important implications for the general behaviour of ISNs. As discussed earlier, state institutions play a central role in regulating the interactions between security nodes. In the absence of this critical oversight, security providers are left without many of the enforceable minimum standards regulating nodal interaction. In these turbulent environments, ISNs are able to employ their nodal capital in a highly aggressive and unregulated fashion without fear of government censure. As well as employing unregulated economic, social, political, cultural and symbolic capital, ISNs are largely free to use illicit force capital in interactions with one another.

Due to the unregulated utilisation of illicit force capital, competitive interaction between ISNs is often characterised by excessive violence. Security nodes are specialists in the use and management of force capital and, without strict controls to prevent its unauthorised use, ISNs seeking to control the same territory will invariably seek to deploy it in order to gain a competitive advantage over rival nodes and other opponents. Empirical examples of competitive interactions between ISNs may be seen in the various 'turf-wars' that take place between criminal gangs. The most serious contemporary example of this kind is in Northern Mexico, where an estimated 36,000 people have been killed over the past five years in conflict between various criminal cartels seeking to control narco-trafficking routes into the United States (Arsenault 2011). This is a staggeringly high number, made all the more shocking when considered alongside the numbers of casualties in 'real' war zones

such as Iraq, where an estimated 70,700 persons were killed (including civilians and non-coalition combatants) over approximately the same period of time.⁵⁴ These grim statistics suggest that in the most serious theatres of ISN conflict, violence is now comparable to that witnessed in major international war zones. This is a hugely significant development, as it means that conflicts between rival ISNs – not state military forces – are now arguably amongst the most deadly in the world.

Most ISN conflict is not of the scale seen in Mexico in recent years, although the vast illegal profits reaped as a result of the US-led 'War on Drugs' (Du Bois & Berg 2002: 201-202; Bertram et al 1996: 12-14) have almost certainly facilitated ISN formation and intensified similar conflicts in many other parts of the world. Without these valuable illicit commodities to fight over, ISNs usually lack the depth of resources required to engage in these sorts of protracted and extremely volatile conflicts that can so badly traumatise an entire nation. However, smaller scale conflicts between ISNs are still marked by the aggressive use of force capital which systematically produces significant deleterious effects upon proximate communities. The following case study presents a brief exploration of this kind of low-level ISN conflict, as well a discussion some of the harmful impacts associated with ISN activity in the Zandspruit Informal Settlement.

The Zandspruit Patrollers

As discussed in *Chapter VI - the SAPS*, local state police maintain a minimal presence in Zandspruit, and to compensate for this informal authorities play a central role in regulating the settlement and the patrollers associated with the Zandspruit CPF constitute some of the more durable entities carrying out this informal regulatory function. Despite tentative links to the state through the now largely defunct CPF system, consistent use of illicit force capital by patrollers constitutes their classification as an ISN. As is the case with many ISNs, tracing the exact organisational dimensions of the Zandspruit patrollers is complicated by a lack of transparent and accessible data. Because patrollers have no legal right to carry out many of their anti-crime activities, official registers as well as formal mechanisms of scrutiny, oversight and accountability are also lacking. Compounding the research difficulties associated with this general lack of information were delays incorporating

⁵⁴ Statistics from Iraq were compiled from data provided by the independent NGO Iraq Body Count. Statistics include all killings involved with one or more perpetrators from January 2006 to December 2010. Since the waning of the anti-coalition insurrection and associated violence in 2008, casualties associated with the Mexican drug war casualties have rapidly outpaced those in Iraq.

enquiries about patrollers into interviews with settlement residents. Questions regarding the Zandspruit patrollers were only included into fieldwork during a relatively late stage as the research assistants and interviewees slowly brought their activities to light. It is a testament to the lack of knowledge of informal justice processes in Zandspruit that no outside sources indicated the importance of both the CPF and patrollers during the process of preliminary research. Notwithstanding these difficulties, the following sections will outline information regarding the operation of patrollers, as well as highlighting the central concerns of interviewees regarding their activities in the Zandspruit Informal Settlement.

Information gleaned from interviewee data and other informal sources suggest that the Zandspruit CPF acts as an overall coordinating agency for the various patroller groups that operate within the settlement (see Table 4 below). However, the degree of control exercised over patroller groups is difficult to ascertain and appears to vary significantly from group to group. At least one patroller group in Zandspruit has actively promoted differentiation from the CPF by rebranding their organisation 'Tsutsumatsotsi'⁵⁵, a move largely considered provocative and inappropriate by interviewees. Respondents indicated serious concern regarding patrollers who consciously distanced themselves from the 'official' workings of the CPF. Patrollers who operated independent of the CPF were perceived as more susceptible to criminality and lacking in legitimacy:

"It is very difficult to see the difference between a tsotsi and patrollers... these people are gangsters not safety patrollers. They call themselves 'Tsutsumatsotsi'... This is not an appropriate name, in my opinion, to call a safety group" (PK56c).

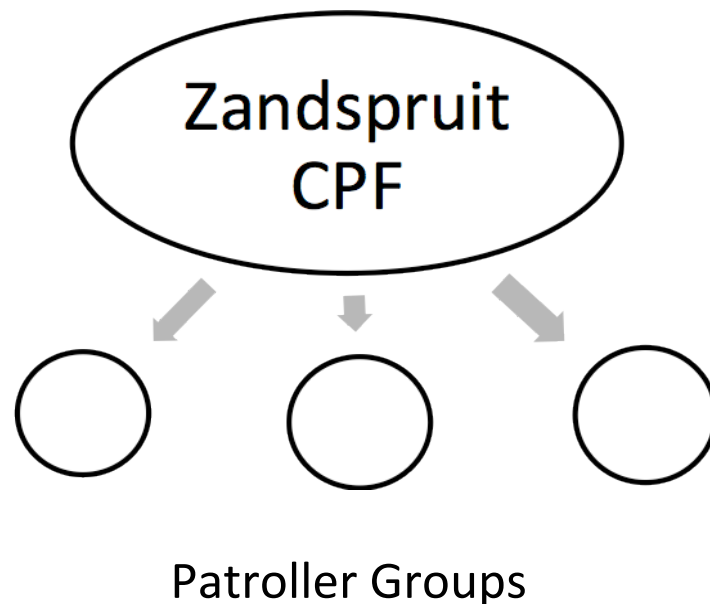
"We also have patroller groups here. We have a group that's patrolling very, very good. They do a hell of a job. The only time I do have a problem is sometimes, some of these little groups become splinter groups and they take issues into their own hands, and from that point of view it's devastating" (JMCN).

The worrying tendency for patroller groups to splinter and evolve into competing policing or even criminal organisations is indicative of the fluctuating and volatile power dynamics at work in the Zandspruit settlement. In the absence of clearly defined state structures, ISNs must work to establish

⁵⁵ 'Tsutsumatsotsi' can be translated as 'Run/flee Gangster' or 'Run/flee Robber'.

their own authority and influence within the community. Amongst patroller groups this can be achieved by establishing a reputation as a feared and effective force, one capable of taking the fight to the criminal underworld. If patrollers can be seen to 'get results' by either regaining stolen goods or punishing those believed guilty of crime then their reputation in the community will be correspondingly enhanced. However, in their enthusiastic pursuit of offenders, patrollers may be tempted to cut corners and use disproportionate and illegal force themselves, either to apprehend suspects, intimidate recalcitrant witnesses or to simply punish the wicked. These sloppy or overly aggressive methods can lead patrollers into dangerous territory where, in the event of a crime or other community disturbance, settlement residents may come to fear their intervention rather than seek it out.

Table 4. Patroller Structure



Adding to concerns over the legitimacy and potential criminality of patrollers were reports that some groups charged complainants fees for engaging their services. This element of monetary exchange between two parties is not necessarily problematic. In a poor community such as Zandspruit, crime-fighting volunteers work with no real infrastructure and sometimes *bona fide* costs may need to be recouped, for instance for fuel or transportation to a neighbouring settlement as part of an informal investigation. However, the line between vigilante group and protection racket is a fine one and interviewees expressed concern that fees were sometimes being charged for no real benefit:

“Why should they have to pay the CPF? They are there to help the community. They shouldn’t take money from the community. The CPF make people pay. They would charge you 1000 for a fine or something...” (JMPK)

Interviewees also related how patrollers demonstrated susceptibility to the dangers of nepotism when adjudicating conflicts and were likely to favour friends or relatives in disputes with other residents. In the absence of a clear favourite, the first parties to take their grievance to the patrollers were reportedly those most likely to be believed. Acute and understandable frustration was expressed by some interviewees regarding patrollers who, upon hearing only one side of the story, had already decided which party was at fault and how the situation was to be resolved. This perceived bias towards one party or another appears to have had a considerable impact upon patroller credibility and to have influenced which residents were prepared to seek their assistance. Residents with no personal association with patroller volunteers expressed concern that their grievances may not be addressed or that they may more readily be identified as suspicious:

“I won’t go to the CPF. I feel like maybe they would favour you if they know you but if they don’t they won’t help” (JMPK).

“It’s not very comforting to watch them beating up someone who is not even guilty, just because they don’t know the person and they look suspicious” (KM50).

As detailed earlier in the chapter, ISNs and other nodes provide security as a exclusive 'club good' that is neither freely nor equally available to all. Accusations of nepotism levelled against patrollers are therefore consistent with Crawford's (2006) conception of security as a club good, one that is only provided on a conditional, selective basis. In the case of the Zandspruit patrollers, as indicated by the above quotations, those with a personal connection to someone within the CPF are likely to be on the inside of the security 'club' and to be able to access their services and varying levels of assistance and protection, while those without this affiliation may be left unprotected, or worse, become targets of victimisation themselves.

Patroller Training & Relationships with the SAPS

Widespread criticism of patrollers was linked to a variety of factors including allegedly violent and illegal conduct. However, the most common reservations expressed by interviewees were related to an overall lack of training and an absence of genuine consultation with the SAPS:

“They must hand me over to the police, not decide on their own and punish me for something that was not thoroughly investigated by trained personnel” (KM54).

“It’s unethical because the police are not there. They are not trained, they never involve the police” (KM11).

Responses such as these reflect community anxiety regarding the willingness of patrollers to act without police consultation and to enact seemingly arbitrary punishments of their own accord. From the patrollers’ perspective, criticism related to a lack of police consultation might seem unfair. Interviewees associated with the patrollers indicated problems garnering sufficient attention from the local SAPS. Just as is the case with 'regular' settlement residents, police were perceived as not responding to requests for assistance from patrollers in a timely or consistent manner. The absence of an effective working relationship between police and patrollers, while not excusing the latter group’s deficiencies, does help explain why patrollers may feel a sense of independence and entitlement to make law-and-order decisions within Zandspruit that are far in excess of their original mandate. If police are seen as non-responsive to both the residents of Zandspruit and crime prevention volunteers, then this conspicuous absence of official law enforcement may be interpreted by patrollers as a green-light to run their anti-crime initiatives in their own way.

A lack of adequate training was also considered by many interviewees as a fundamental flaw in the current patroller approach. Comprehensive training was perceived as crucial to providing patrollers with a clear and structured procedural framework, thereby establishing operational protocols and clear standards of personal and organisational responsibility. Interviewees reasoned that training and educating patrollers as to their rights and responsibilities may, perhaps, prove effective in curbing violent excesses. This lack of effective training was acknowledged in an interview with KM55c, a Zandspruit resident with strong links to the CPF:

“We are trying to respond to each and every problem in the community before the community takes the law into their own hands. We acknowledge that we are under resourced and not well trained...I must admit the patrollers have been working in a wrong way. But now they are being trained and I believe that they will do a better job and things differently” (KM55c).

Training would, if anything, most likely have a beneficial effect on patroller operations. However, even if the highest quality training could be provided it would still not resolve the issues presently compromising police-patroller relations. Most significantly, there is no reason to suppose that local SAPS personnel would be any more willing to engage with well trained patrollers than those with no training at all. As was made clear both during and after the design and implementation of the original post-apartheid CPF programme, police staunchly resisted any attempts to empower civilian volunteers beyond a public relations/intelligence gathering role (Shaw 2002a:31). Taking into account the historical antipathy of the SAPS towards civilian bodies emulating ‘traditional’ policing activities, it is reasonable to assume an inherent and, perhaps, unavoidable degree of police antagonism towards the Zandspruit CPF and patrollers. One solution to this problem embraced by KM55c is to formalise the CPF into “a fully functioning structure” one, presumably, with the legal authority to manage law-and-order issues in Zandspruit as the CPF leadership committee sees fit. This would circumvent the necessity for patrollers to involve police in their daily activities, effectively ceding control and legal responsibility for policing the settlement from the SAPS to the CPF and its patrolling groups. This proposal may sound radical but, in many ways, it would simply be a formal recognition of a longstanding reality, namely that the SAPS has never established a credible policing presence in Zandspruit. The proposed changes may also clarify some of the current confusion in the settlement around where residents should take their grievances and disputes.

Despite these potential benefits, any official empowerment of the CPF would most likely be met with very heavy resistance. Police would almost certainly reject any proposal delegating their jurisdiction and authority. The most strenuous opposition, however, could well be expected to come from those residing within the settlement itself. Opposition to an expansion of CPF powers would most likely be expressed by those residents with concerns or even first-hand experience of brutal punishments and interrogation at the hands of patrollers. Several interviewees detailed highly

troubling instances of assault, property destruction, theft and even torture by patrollers acting well outside the boundaries of the law:

"People get beaten up before they are found guilty in any court. Some were suffocated in Black plastic rubbish bags. They were tortured to say [incriminating statements]... they have been tortured in many ways. They are very scary... they put the head in the plastic and strangle the victim with it" (PK56c).

"They come and destroy my property, which is wrong. That property belongs to my children... why punish my children for something that I have done as an individual?" (KM54).

"Most people here in Zandspruit don't feel okay with what the CPF is doing. They feel like the CPF is not supposed to beat people up" (JMPK).

Patroller groups that act in such a disturbingly hostile and seemingly aberrant fashion were considered by some interviewees to have 'gone rogue' and to be acting without the consent of the CPF. Again, establishing degrees of responsibility and accountability for these incidents is complicated by the informal nature of the relationship between the CPF and patroller groups. However, regardless of the level of control the CPF exerts over patrollers, it appears that wanton acts of violence and criminality have tarnished the image of both the CPF and patroller groups more generally.

Brutality and Xenophobic Infiltration

In addition to using violence directly against suspected offenders, patrollers have also been implicated in arousing incidents of mob violence where targeted individuals have been hospitalised or even killed. A local political leader recounted the following incident, which occurred in neighbouring Diepsloot, as an example of how patrollers can unwittingly incite a dangerous mob:

"Patrol group were told that Person B was hiding a gun. So they went to that person's house and they searched the house which took some time. They took all the furniture

out and eventually they found the gun. Now at that time what they should have done is they've identified the place; they should have called in the police, done the search and taken the person off. What they did was they went themselves and they said, 'We're the patrollers, we've got the right' – which is where I think the line should be drawn – they took the man out. Obviously when you start taking furniture out of somebody's house the whole mob comes. The whole crowd comes. Then they tie him up with his hands behind his back and they march him all the way down through the streets to the patrol house. Now by this time you've got a couple of thousand people and then they phone the police. The police don't come straight away and the mob gets more and more frenzied and then they broke the place open and killed him. Okay? Now that's mob justice" (JMCN).

This event demonstrates the tragic consequences that can result from poorly implemented patroller operations. In the above case it was most likely patroller ineptitude that created such a volatile and deadly crowd environment. However, even more concerning are instances where patrollers have been accused of deliberately stirring up mob violence, not just against suspected offenders, but also against other community leaders and perceived political opponents. Interviewees related instances where patrollers would arrive outside their target's house equipped with loudspeakers and a microphone. They would then denounce their target to neighbours and passersby, accusing them of various misdeeds and quickly whipping up an agitated crowd:

"They [the Patrollers] take [amplified] speakers and shout to the community that this person has done this and that. This is one of those things that causes informal justice to be more and more. Because when you are a leader and you take the speakers and say, 'James has done this and this', everybody will just think they are telling the truth because they are a leader" (JMPK).

"Right now they [the community] don't know who is wrong and right. They just listen to whoever [is] energetic and influential. Such a leader would take a speaker and say to the community, 'Go and burn Mina's house'. The community come and burns the house. After that, they are in jail and the leader is free" (PK58).

Such environments are highly volatile and can rapidly degenerate into explosive violence, particularly in informal settlements that have an legacy of mob violence. If the targeted individual is fortunate enough to escape this deadly scenario with their life, their property may be ransacked and their shack or dwelling burnt to the ground. They will also have had their reputation sullied, thereby complicating any subsequent reintegration into the community.

Deliberate use of these tactics may be perceived as both an enterprising and entrepreneurial use of force capital as well as troubling exercise in populist manipulation. Patrollers implicated in these crimes were considered by some interviewees as showing a ruthless and calculating readiness to exploit community anger and frustration for their own purposes and to commit murder by proxy. The targeting of suspected offenders for so terrible a punishment is troubling enough. However, allegations that patrollers have knowingly used these tactics against innocent people have aroused significant levels of concern amongst sections of the Zandspruit populace. Interview data suggests two possible interlinked explanations as to why patrollers would be motivated to carry out so outrageous a crime against non-offending targets.

Firstly, a simple but determined lust for power was perceived by interviewees as motivating patrollers to target non-criminal political adversaries. The desire for more exclusive control of Zandspruit affairs is thought to have brought patrollers into conflict with the older and more established informal leaders in the settlement, known as collectively as the 'community committee'. Community committee leaders, some of whom were instrumental in the founding of Zandspruit in the 1980's, have reportedly been amongst the most recent targets of patroller violence and intimidation. Patrollers have sought to justify these attacks as legitimate crime fighting interventions. However, these incidents have been interpreted by some residents and local politicians as signs of a larger battle between the two groups for political control of the settlement:

"There's quite a good [informal] leadership here. We've now got another little group that's fighting against that leadership and they've actually caused a lot of pain in the last month, a lot of pain with their own justice. They stand up with a microphone and tell the community, 'that person is harbouring stolen goods' or 'that person is doing this and this...' and then the community went and beat him up and pulled his house down. Just from wrong information from somebody by himself who stands up or with a few rebels.

Whereas the leadership is more even. They're older; they have been here a long time. They have more understanding" (JMCN).

The conflict between patrollers and the community committee represents typical examples of both ISN formation and interaction marked by the aggressive use of force capital. In the absence of any significant formal (i.e. state) mechanisms of security and social control, both of these informal groups emerged to fulfil the various regulatory needs of settlement residents. Unfortunately, because no external agencies are present to delineate territory or duties, or regulate methods of interaction, the relationship between these two governing nodes is characterised by violent competition. This dynamic is likely to persist until one group triumphs over the other, in which case a new ISN competitor will most likely emerge to satisfy the needs of residents excluded from the dominant security 'club'.

The second perceived justification for patrollers attacking non-criminal targets is the personal desire for revenge for past injustices. These perspectives centre on the widespread belief that patroller groups are largely populated by Zimbabweans who suffered greatly during the nationwide xenophobic pogroms in 2008 (see Martin 2010; Neocosmos 2010:117-119). One resident explained how Zimbabwean infiltration of patroller groups had influenced the current situation in Zandspruit:

"Back in 2008 the xenophobic attacks in Zandspruit were mostly against Zimbabweans. They were evicted from the settlement. So most people who are now part of the CPF are those Zimbabweans who were evicted. So they exacted revenge on the old committee, because at the time it was the old committee that was running Zandspruit. Now those people are taking revenge, saying that you burned our shacks and they attack those people for that, old squabbles. That is what is happening now" (JMPK).

This apparent desire for retribution has meant that the power struggle manifesting between patrollers and the older informal leadership is perceived by residents to have taken on a violent, personal dimension. The belief that Zimbabweans had infiltrated the CPF and patroller groups was also seen by some residents as closely associated with the criminalisation of these organisations. Such perspectives not only indicate anxiety about growing CPF and patroller influence in the

community, but they also betray latent xenophobic sentiment still present amongst settlement residents:

“They take people from outside the country. They are the ones who patrol, you understand? They know they don’t care because it’s not their country. They can do whatever, anything” (KM11).

“These people are not trained... some of them don’t have identity documents or even a passport... some of them are criminals” (PK56c).

Establishing the veracity of these claims was beyond the capacity of this study. However, given the high levels of antipathy towards foreigners in Zandspruit, it seems possible that these and other allegations of racial conspiracy are more products of xenophobic paranoia than genuine criminal victimisation. Regardless of the truth of the matter, the fact that many residents *believe* that patrollers have been compromised by hostile foreign elements greatly diminishes public faith in these institutions of informal policing and social control.

Conclusion

This chapter has sought to demonstrate the importance of new conceptual ideas in determining the dimensions and implications of informal processes of policing in the Zandspruit settlement. By outlining novel developments with regard to nodal governance, particularly nodal exclusivity, ISN composition and force capital, a more flexible and adaptive conceptual model may be employed to complement our understanding of both the Zandspruit patrollers and other ISNs. Importantly, these theoretical tools are intended primarily to assist in mapping unregulated security spaces and to determine the various relationships between formal and informal security nodes. They are not normative or prescriptive guidelines, but rather are intended to describe the security and policing landscape *as it is* - not how it should be. As this and other chapters have sought to demonstrate, severe and intractable problems result from the proliferation of ISNs, including brutality, persistent victimisation and violent inter-nodal competition.

In the case of the Zandspruit patrollers, however, perhaps the most serious negative by-product of their anti-crime operations is the general sense of disillusionment engendered amongst settlement residents regarding the capacity of any formal or informal group to assist them with disputes, security provision or the resolution of criminal issues. While a few respondents indicated that they were satisfied with the overall level of protection that they were offered by ISNs, expressions of cynicism, frustration and despair were much more widespread. Many residents felt let down not only by the formal SAPS but also by the CPF, patrollers and the older, informal leaders in the settlement:

“The community is so angry. They feel like they don’t have power. They don’t know where or who to talk to... and the people have lost interest in the police and their leaders as well” (JMKM).

“There is a saying that when two bulls fight it is the grass that suffers. When these two bulls fight [the CPF and the community committee] people don’t understand who to trust and become confused. There is no need for this power struggle...” (PK58).

One plausible outcome resulting from widespread community disaffection with both formal and informal justice structures is that Zandspruit residents will increasingly avoid engagement with them. This is a particularly dangerous scenario. If the structured and semi-structured law-and-order alternatives are perceived as unreliable, power-hungry or even criminal themselves, then residents may perceive no other choice but to turn to the only remaining alternative that can seemingly offer a pathway to justice – the vigilante mob.

Chapter IX- The Vigilante Mob

"I know that informal justice is a wrong thing to do and I don't want to encourage it at all, but that is how other people learn... it has become the only way possible." - M52

"I like the way it happens. I don't see any need to change. These bastards just need to be taught a lesson." - K60

The least structured and most volatile community response to crime is undoubtedly the ephemeral and chaotic vigilante mob. In Zandspruit, as in other informal settlements, vigilante mobs form either as a result of accusations of criminality made public after the fact, or as a direct response to a victim's calls for help. In either case, once aroused the vigilante mob is a dangerous and terrifying thing to behold. Although they may form in response to any accusation of wrongdoing, mobs often have no clear leader and are capable of the most violently punitive excesses. Interviewees have related how even seemingly petty crimes such as theft have been punished by fatal beatings, stoning and burnings. The apparent harshness of these collective punishments, sometimes in response to relatively minor criminal infractions, may lead one to believe that death or physical incapacitation are outcomes predominantly favoured by community members for those presumed guilty of crime or some other form of gross deviance. However, this punitive attitude, while wholeheartedly embraced by some respondents, is not reflected in the sentiments of the majority of interviewees. While it is fair to say that offenders are not popular in Zandspruit, interviewees more often than not expressed serious reservations or outright opposition to the excessive violence of mob-led corporal or capital punishments.

The interview data collected during fieldwork was not originally intended for quantitative analysis. However, despite a lack of data sufficient to draw substantive conclusions, correlating the relatively limited demographic information available does provide some interesting insights. Levels of opposition to vigilantism amongst interviewees were nearly identical when separately considering gender and age, with those strongly in favour of the practice significantly outnumbered by those opposed by a factor of approximately 3:1. When jointly factoring in both age and gender, however, a

more nuanced perspective emerges. Older men (35 years and older) and younger women (18 - 35 years old) were much more likely to support vigilantism than younger men (18 - 35 years old) and older women (35 years and older). This points to changing levels of support for vigilantism over the course of a person's lifetime, with support for vigilantism more likely to increase for men as they age. Conversely, opposition to vigilantism amongst women is more likely to increase over a similar time period.

This data is, in many ways, unsurprising as there a number of reasons why support for vigilantism should be strongly influenced by both age and gender. Young men have, perhaps, the most compelling reasons to fear and oppose vigilantism. They are more likely than women and older men to be involved with crime (Tibbetts & Hemmens 2010:228; Schönteich & Louw 2001:6) and, as a result, are the most regular targets of vigilante attack. Older men, by contrast, are likely to have more wealth and influence in the community than their younger counterparts, and may more easily avoid the suspicion of vigilantes. Older men also have a stronger interest in maintaining the status quo and may themselves exhibit an increased preparedness to engage in vigilante violence in order to protect their relatively privileged positions (for historical analysis of this issue see *Chapter V - a History of South African Vigilantism*; also Jensen 2008; Martin 2010).

The apparent differences in older and younger women's attitudes towards vigilantism have at least three possible explanations. Firstly, South Africa has one of the highest recorded levels of rape in the world. According to Jewkes and Abramsen (2002) approximately 75% of (female) South African rape survivors that report their crimes to police are between the ages of 18 and 35. This indicates that younger women may feel more vulnerable to sexual assault than older women, and increased support amongst younger women for vigilantism may reflect a desire to diminish this threat. Secondly, older women are more likely to be the mothers of older children or young adults who, particularly if they are male, are at increased risk of victimisation at the hands of vigilantes:

"As a parent you can only pray that your child doesn't get involved in any of this because when caught there will be hell to pay. There is no mercy." KM51 - mother aged in her late 20's

Lastly, Ashforth (2005) provides an intriguing explanation as to why older women may fear and oppose vigilantism. In his groundbreaking ethnographic study, Ashforth explains that older women constitute one of the groups most vulnerable to accusations of witchcraft. As supernatural 'crimes' fall well beyond the scope of government law enforcement, vigilantes represent one of the few organised responses to this deeply felt existential threat. Occult crimes are an ever-present threat in South Africa's poorer areas, and are often punished by vigilantes with the upmost severity (Ashforth 2005; Buur & Jensen 2004b). Interviewees rarely mentioned witchcraft specifically during interviews and, because of the sensitivity of this topic, questions about occult threats were deemed unwise. However, the interaction between vigilantism and witchcraft is an intriguing topic and one worthy for future research.

"I'm not feeling okay. It [vigilantism] is not good. It's unethical, you understand? Most of the people [attacked by vigilantes], they have died. For instance, people like [an] old woman. If she lives long, they call her a witch... They want to burn her house, or they want to burn her" (KM11).

Despite an apparent absence of widespread support, instances of mob vigilantism culminating in severe injury or death continue to occur across the settlement. Determining exactly how many people die as a result of mob vigilantism in the Zandspruit settlement is prohibitively difficult. Violent death is a frequent occurrence in informal settlements across South Africa and establishing who was killed by an individual and who was lynched by a mob is not always possible. However, according to one forensic pathologist responsible for the Zandspruit area, nearly one body per month - usually a male between the ages of 25 and 30 - arrives at the local mortuary bearing injuries consistent with mob attack. These injuries are usually inflicted without sophisticated weaponry and are characterised by their repetitive frequency, rather than their individual seriousness:

"You'll just get multiple wounds all over the body and the cause of death will then ultimately be haemorrhage from blood loss into the soft tissues. That's the most common cause of death. Often the hands are tied together and then they are beaten all over... hundreds of wounds, fifty to a hundred plus... You get really, really extensive soft tissue injuries. All over the body, front, back, head, legs, abdomen... They ram a tyre

over you so you can't use your arms. Then they set it on fire and you basically burn like that" (JMGF).

M01: "They will throw stones. They will find whatever and will hit the person [offender]... At the end of the day, that person will die... There used to be people that, while you were sleeping, they would get inside your house. You won't hear anything. You will just find yourself in your room, the door is open, they took your money, cell phone and stuff in the house... I don't know what happened but they caught the guy [the offender]. Everyone was kicking and doing things... He died in the street".

INT: "How do you feel when things get taken that far?"

M01: "When they're beating people? I feel like they are doing justice. But it is not the way they must do it".

The fact that such appalling levels of violence are inflicted with consistent regularity in the Zandspruit settlement is not only confronting but also confounding, as it reflects a significant dissonance between widespread, relatively moderate community sentiment regarding the degree of violence appropriate in vigilante sanctions, and the recurrent imposition of severe, often fatal punishments. This apparent inconsistency points to one of the most significant and intriguing questions regarding informal responses to crime in Zandspruit – that is, why do people who are usually opposed to the lethal 'rough justice' of mob vigilantism so regularly participate in its execution? This chapter will address this question and examine the apparent contradictions inherent in the practice of mob vigilantism. Crowd theories have particular relevance to this issue as they describe the emotional and cognitive processes that affect individuals when they form part of a vigilante mob. Contagion, convergence and emergent norm theories in particular form the basis of contemporary understandings of crowd behaviour. These and other dynamic socio-psychological models will be utilised to help explain how mob participants, many of whom presumably do not share the popularly constructed characteristics of a killer, can become party to instances of torture and gruesome murder.

Defining the Vigilante Mob

Vigilante mobs are an infrequent sight in Zandspruit. Yet they are an ever-present threat hanging heavily over the lives of the guilty and innocent alike. They exist primarily in the shadows and there

they stay, an unrealised menace, until called upon. Then groups of inert bystanders come together to action and the mob is reborn. The defining characteristic of a vigilante mob, therefore, is transience. They have no permanent temporal form and can only be witnessed in the brief and bloody moments surrounding the punishment of an unfortunate suspected offender. After punishment is dispensed, the mob dissipates and once frenzied passions give way to the more regular cycles of life in the settlement. Defining such a nebulous entity comes with its own unique set of challenges. Rather than some static object whose visible characteristics can be quantified and recorded, a vigilante mob must be conceived of as an embodied process, one comprising the thoughts and actions of individuals bound together to affect a common purpose. However, a vigilante mob also represents more than the sum total of the emotions and attitudes of its participants, for those who form part of the mob no longer act as individuals, but rather as a collective. This means that a vigilante mob behaves in a manner that transcends the individual preferences and psychology of its constituents. Put differently, a vigilante mob is made up of people, but it does not democratically represent their individual thoughts or interests.

This perspective is supported by the great crowd theorists Gustave Le Bon (1896) and Elias Canetti (1960) who viewed individual psychology as qualitatively different from collective or crowd psychology. For Canetti (1960) the moment when a group of individuals becomes a crowd is known as the 'discharge'. This is when the social and spatial distances between participants collapse and individual identities become subsumed (Canetti 1960). Canetti's (1960) sentiments echo the earlier theorising of Le Bon (1896), who claimed that the birth of a crowd was marked not by the achievement of an arbitrary numerical quota, but rather by the emergence of a collective psychological state, characterised by "the disappearance of conscious personality and the turning of feelings and thoughts *in a definite direction*" (Le Bon 1896:2, emphasis added). The 'definite direction' alluded to by Le Bon (1896) can be given specific reference in cases involving vigilante mobs, and that is the pursuit and punishment of the criminal. It is this motivational characteristic that distinguishes between more general crowds and the specific type that is the focus of this chapter.

Contagion and Convergence

Le Bon's (1896) theorising on crowd dynamics was informed by then recent developments in the medical sciences, most notably the establishment of germ theory and the identification of infectious

routes of transmission for disease. The strange and irresistible urges spreading throughout the crowd and overcoming an individual's personality were likened by Le Bon (1896) to a biological contagion being passed from one person to the next. These behavioural peculiarities would supposedly result in the loss of individuality, and the corresponding creation of a group consciousness that makes individuals "feel, think, and act in a manner quite different from [when in]... a state of isolation" (Le Bon 1896: 6). According to contagion theory, individuals are compelled by the actions and beliefs of those around them – individuals who are also, in turn, similarly influenced by their surroundings. Sentiments, emotions and perspectives corresponding to the purpose of the mob are exchanged and encouraged. This process of suggestion and mutual reinforcement, known as *interstimulation*, then echoes and reverberates through the crowd and culminates in homogeneous behaviour. For the contagion theorist, individuals have no choice but to internalise the crowd's priorities and, in doing so, lose their capacity for individual choice and free agency.

Contagion theory was an important first step in conceptualising crowd dynamics. It explains how participants in a crowd can become 'infected' with hysterical, often destructive, behavioural characteristics that may be quite at odds with more consistently demonstrated and moderate traits witnessed under atomised conditions. Also, contagion theory highlights the central importance of anonymity and suggestibility in unleashing the dangerous potential of crowd behaviour. Despite these developments, early socio-psychologists were quick to find fault with Le Bon's landmark paradigm. A central problem identified by the critics of contagion theory concerned the issue of homogeneity. Contrary to Le Bon's (1896) assertion that the collective mind of crowds leads to homogenous behaviour, scholars such as Allport (1924) identified heterogeneity as a dominant feature of crowd behaviour. According to Allport (1924), this individual variability undermines the notion of an overwhelming and uniformly dominant mental contagion capable of subordinating one's beliefs and personality. While critiques relating to homogeneity do not necessarily invalidate the entire contagion hypothesis, they do at least indicate that contagion is not the only process that is at work in a crowd environment (Goldstein 2002; McPhail 1991).

Scholarly efforts to explain the heterogeneity of crowd behaviour in the early 20th century led to the development of convergence theory. According to convergence proto-theorist Floyd Allport (1924), the behavioural variances of crowd participants can be explained by individual differences in

emotional and behavioural predisposition. It is this term, *predisposition* that lies at the heart of convergence theory. Convergence theorists contend that individuals are drawn to crowd environments that represent an opportunity to enact psychological predispositions (Goldstein 2002; McPhail 1991). Crowds, therefore, may be understood as representing a convergence of like-minded – as opposed to single minded – individuals who are drawn together for a similar purpose. Once fully formed, the convergence of the crowd frees individuals to enact usually repressed, predisposed psychological tendencies. Unlike contagion theorists who assert that crowds dominate individuals to produce extreme and irrational behaviour, convergence theorists believe that crowds facilitate the expression of pre-existing emotions and beliefs. According to this theory, irrational or destructive crowd behaviour is not the product of a disembodied ‘crowd mind’ but rather the logical result of disinhibited individuals acting in concert.

As with the contagion model, interstimulation between individual participants plays an important role in the convergence theory crowd. Sentiments are shared and exchanged, “generating a spiralling atmosphere of emotionality” (Waddington & King 2005:491). However, in this environment individual personality is not lost or subordinated, but is instead unleashed or amplified by the complementary forces of interstimulation, suggestibility and anonymity. This combination of factors results in the unchecked expression of latent, pre-existing attitudes and predispositions. As Allport (1924:295) concisely explains: “the individual in the crowd behaves just as he would alone, only more so”. Heterogeneity is a predicted outcome of the convergent crowd, as not all individuals can reasonably be expected to share the exactly the same predispositions, but merely those that have drawn them to the crowd in the first instance. In the case of vigilante mobs, therefore, we may expect to see participants collectively committed to pursuing and punishing an offender. However, once apprehended, different levels of predisposition regarding the severity of punishment should become apparent. These variances demonstrate the spectrum of predisposed beliefs between those community members who believe that the offender should be handed over to the police or perhaps submit to a minor beating, and those motivated to more punitive extremes.

Contemporary Theories

Convergence theory makes clear the fundamental importance of individual perspectives to the activity of crowds. However, it cannot sufficiently explain why the most extreme aspects of individual behaviour come to be represented in a crowd environment. The propensity of crowds to

exhibit usually proscribed and often highly destructive behaviours is one of their most consistent and puzzling characteristics. Why should a vigilante mob, for example, not resolve to take a more moderate stance when dealing with an apprehended offender, particularly when interview data suggests that the voices calling for such an approach are in the majority? Even in dangerous environments such as Zandspruit, where levels of violent crime are high, the public killing of a person remains a serious breach of the social norms that regulate daily life and behaviour. Yet interview data and other comparable research indicate that, in South Africa at least, death is one of the most likely outcomes of vigilante intervention (Harris 2001a). Vigilante mobs, as well as other types of crowd, may therefore be seen to exhibit a consistently brazen and perplexing disregard for the everyday norms and social mores of their host societies.

Contemporary theories which address the propensity for crowds to manifest those more extreme destructive sentiments prevalent within a society have developed considerably over the past few decades. One outstanding model, dubbed by McKenzie (1982:43) as “the most convincing of the theories of crowd behaviour” is emergent-norm theory. Developed by Turner and Killian (1972), emergent-norm theory posits the crowd environment as one where usual social norms are temporarily suspended and replaced by new, emergent norms arising from the crowd. As the pool of participants is limited to those with a predisposition towards the goals of the crowd, then so too are new norms created that reflect this unique social environment. What is intolerable under normal circumstances becomes more acceptable in an environment with limited participants who are motivated by similar grievances, perspectives or attitudes. Emergent norms are likely to exert a powerful influence on collective attitudes to violence in Zandspruit. Amidst the heat and fury of a vigilante pursuit one could well imagine punitive aggression to be more concentrated and severe than would typically be encountered amongst the general population on a more sedate occasion.

According to Staub and Rosenthal (1994), collective behaviour in the emergent norm crowd becomes increasingly defined by what he terms ‘threshold acts’. These are signal behaviours that mark an increase in the intensity of violent aggression that crowd participants emulate and reproduce. Through the commission of a series of progressive threshold acts, the aggressive behaviour displayed by the collective is steadily ‘ratcheted up’. For example, verbal abuse may be followed by pushing and shoving; pushing and shoving will be replaced in favour of kicking and punching and so on. Threshold acts indicate that this is a one-way process and that crowds that have

begun to assault their victim will not revert to more benign forms of intimidation. This process inevitably locks participant behaviour into a progression of increasingly violent outcomes. Discussing football hooligans who have begun to assault a fallen victim, Staub and Rosenthal (1994) describes how, when initiated, violence of this magnitude can only be sustained or increased, and that “once a group develops such violent scripts and norms, it is extremely difficult for individuals to deviate from them” (Staub & Rosenthal 1994:300). Through emergent norm theory we can perceive how collective behaviour towards the target of the crowd is, to a large extent, predetermined as violent behaviour increases by intervals marked by the commission of threshold acts.

In a mob environment, threshold acts and emergent norms validate violence at a sequentially increasing rate. This process of continually increasing forms of violence was commonly described by interviewees discussing vigilante mob violence as ‘things getting out of hand’. However, despite seemingly haphazard lurches in violent intensity, emergent norm theory indicates that given a particular, unfortunate set of circumstances such a progression of violent intensity is inevitable. Violence committed in a mob environment may not immediately be perceived by those within the crowd as comparable to similar acts committed under usual circumstances. In Staub and Rosenthal's (1994) view, mob participants may genuinely believe in the righteousness of their perspective and come to internalise, “beliefs and ‘ideals’ that justify destructive actions as just or moral” (Staub & Rosenthal 1994:300). Through emergent norm theory we can envisage how, when a vigilante mob forms, new behavioural standards are created that permit or even encourage violence towards suspected offenders in the name of justice, law and order, or community revenge. Combined with other factors such as interstimulation, suggestibility and anonymity, emergent norm theory provides a powerful, complementary explanation of how extreme, usually proscribed behaviours manifest in a mob environment.

All of the crowd theories examined thus far have focused on the role of the individual within the crowd and their interactions with those around them. However, Goldstein (2002) also stresses the importance of socio-cultural theories of crowd behaviour that incorporate contextual or environmental factors in explaining instances of mob aggression. These factors include social and cultural background conditions (e.g. economic deprivation, overcrowding, etc.); cultural and sub-cultural characteristics (e.g. pre-existing attitudes to mob violence, racial prejudices, etc.); and non-specific instigators of mob aggression such as extreme weather (Goldstein 2002; Staub & Rosenthal

1994).⁵⁶ According to Staub and Rosenthal (1994) these contextual factors explain crowd susceptibility and openness to those previously identified processes of contagion, interstimulation and suggestibility that so often culminate in violent or destructive behaviour. In the first instance, a crowd is more likely to form in a densely populated area where people are easily drawn together in response to collective stimuli (e.g. a victim's screams for help). Once formed, a crowd may more readily turn violent if levels of police mistrust are high and residents of the area have a history of mob behaviour. Socio-cultural theories explaining the importance of these factors are a final, important addition to our conceptual arsenal, and do much to explain why vigilante mobs are more likely to form in the cramped slums of Johannesburg or Bogota than on the neatly ordered streets of Tokyo or Melbourne.

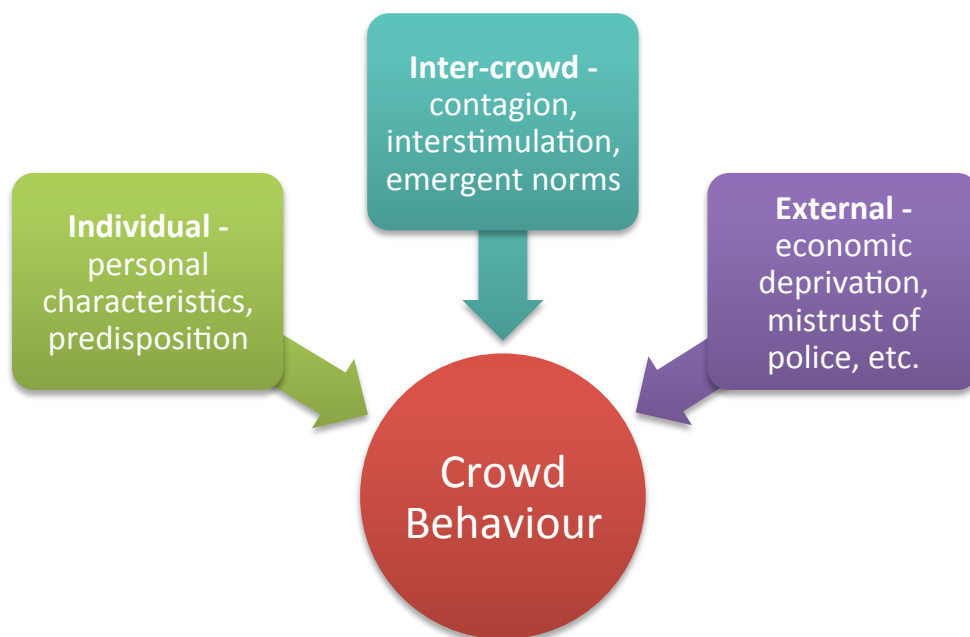
While crowd theories provide valuable contrasting explanations as to how collective behaviours manifest it is important to note the compatibility and broadly complementary nature of these various models. In Goldstein's (2002) view, each paradigm is capable of working in tandem with others and different models, "should be viewed as complementary perspectives, all of which may be operating concurrently in any mob-aggression event" (Goldstein 2002:110). A simple way of jointly conceptualising crowd theories is to divide them into individual, inter-crowd and external categories. Individual factors are those that a crowd participant brings with them to a crowd environment, such as personal characteristics and predispositions. Inter-crowd factors comprise those interpersonal dynamics that arise between individuals within the crowd, such as contagion and interstimulation. Finally, external factors include those broader contextual factors that operate and exist independent of the crowd.

Through the combined application of crowd theories we can begin to construct the vigilante mob as an entity in its own right, one that operates according to a fluctuating but consistent set of dynamic principles, comprising individual, inter-crowd and external factors. When settlement residents explain to confounded police that 'it was the community who killed him', the apparent vagueness of this statement may, in fact, be taken far more literally than one may initially suppose, as it is only

⁵⁶ Goldstein (1994:111) highlights the conclusions of the United States Riot commission when discussing the importance of extreme weather in incidents of mob aggression. Half of all riots investigated by the commission occurred when the ambient temperature was over 32°C. All of the other riots examined occurred when temperatures exceeded 26°C. The riots in London witnessed in August 2011 similarly took place during sweltering, late summer heat and only subsided once rain and cooler weather arrived in the capital (Taylor et al 2011). No research has yet been published investigating the role of climate and vigilantism in South Africa.

through exploring the mind of the crowd that the actions of individuals may be sensibly interpreted. An understanding of crowd mentality is crucial because the emotional synergy produced by the mob lends itself to extreme forms of behaviour. The dire actions undertaken by the vigilante mob are only possible through the manifestation of these unique collective, psychological circumstances and are unlikely to be reproduced under different, more atomised conditions. Crowd theories therefore provide the crucial missing link between moderately hostile, individual punitive preferences and the overwhelming and frenzied violence exhibited by residents when fused together into a vigilante mob.

Table 5. Crowd Theory Interaction



The Genesis of a Mob

Perhaps the most instinctive response for anyone confronted by an apparently dangerous offender is to simply cry out for help. In a crowded urban environment, vocal expressions of distress serve to alert others nearby as to the danger of one's predicament as well as the need for assistance. In Zandspruit a scream heard in the night is likely to be met with the forceful intervention of nearby community members. This willingness to intervene on the part of private citizens is indicative of a strongly interdependent community spirit, one that has formed to compensate for an exceptionally dangerous criminal environment and an overall lack of formal security structures. Interviewees were therefore likely to perceive an immediate community response to cries for assistance as a comforting and reassuring sign of mutual care and responsibility:

"We have people who really care about our safety. And it makes me feel safe because you feel they are closer to you. You can just scream sometime if something happens to you" (KM14).

"It's good for our community, people doing something about crime. Yeah, it makes me feel safe. And I know they are doing this from their heart because they know their and our lives are in danger" (KM14).

"If a neighbour has a problem you go out and help" (PK55).

"Here [in Zandspruit] I could walk around my cell phone until about ten, eleven at night because people know that people are looking after the community in an informal way. They are just around the corner. They are a whistle around the corner, a scream around the corner. Yeah, they [offenders] can't get away with it" (KM50).

Responses such as these reflect a reciprocal understanding amongst Zandspruit residents that they will not abandon each other to the criminal threats lurking in their midst. Belief in prompt community intervention during a violent confrontation was widely perceived by interviewees as crucial to providing at least a partial sense of security in the settlement. The likelihood and ease with which community intervention can be aroused may, therefore, be understood as playing an important symbolic as well as practical role in the daily lives and activities of Zandspruit residents. Not only can residents reasonably hope that, if detected, offenders will be interrupted in the course of their crimes, but they may also feel empowered that together with their fellow residents they are responsible for providing this safety umbrella. The dual role of community intervention, on the one hand offering direct and immediate support during a criminal incident and, on the other, providing an overall atmosphere of community interdependence and safety explains a great deal about the persistence of this practice in the Zandspruit settlement, despite its often debilitating consequences.

The expectation of reciprocal assistance expressed by many interviewees contrasts significantly with the archetypal 'disinterested bystander' often encountered in Western societies. Perhaps the most well known case of this kind is that of Kitty Genovese, the unfortunate New Yorker who was reportedly murdered in front of thirty-eight witnesses who, while accused of observing the crime made no attempt to intervene or seek help. The callous passivity allegedly displayed by these witnesses not only caused a national scandal, but also prompted significant debate within the

scholarly community regarding group behaviour and collective decision making (Manning et al 2007; Latane & Nida 1981). The important lesson that this tragic case has for this study is that close proximity to one's neighbours is no guarantee of reciprocal assistance when facing danger. What seems more likely is that a strong and pervasive belief in community, together with the associated expectation of help and mutual assistance, is necessary to prompt neighbourly intervention. Without this, people who hear cries of distress may lack the motivation necessary to risk physical harm to themselves, preferring instead to dismiss pleas for help as simply 'someone else's problem'. With the likely importance of community in mind, it is instructive to consider that one of the few interviewees who suggested that Zandspruit residents are indifferent to calls for assistance was a refugee who had recently arrived from Zimbabwe. It seems likely that this resident had encountered xenophobia at the hands of his neighbours and, as a result, did not experience the same tangible experience of community as compared to other, native South Africans interviewees:

"Even if you are killed, no one comes out to help" (M01).

In Zandspruit, the notion that distressed community members may usually be greeted with the arrival of concerned neighbours and others within earshot was perceived by most interviewees as both desirable and natural, as was the expectation that if the suspect was caught at the scene that there would be an immediate and violent communal response:

"If someone just stabs someone in front of you... you will scream for help. And the first thing that people do, you know obviously, will be attack him. They naturally are going to start beating him up" (KM50).

"If someone tries to break into my house I would just scream. You just scream and if the people catch him, that is his problem" (JMPK).

The above quotations indicate a normalised readiness on the part of 'regular' community members to employ violence in response to apparent criminality. They also suggest how simply a vigilante mob may be catalysed: a victim screams, people react, a beating commences. Quickly news of the disturbance spreads to nearby streets and other areas, and people are drawn from their homes,

keen to either observe the goings on or participate in the violence themselves. The ease with which a mob may be generated in Zandspruit corresponds with what Staub and Rosenthal (1994) describes as an 'implicit blueprint' or normative pattern regarding mob formation. According to the implicit blueprint hypothesis, social environments that regularly produce mobs do so according to culturally maintained processes that are transmitted and reproduced through various social practices. Discussing mob violence in the UK, Staub and Rosenthal (1994:284) outlines how mob participants "share an understanding, a mindset or preparedness for violence" that is learned through a process of socialisation and is inculcated over a period of time. Thus mob participants may be understood as collectively receptive to whatever combination of factors that regularly precipitate local forms of mob aggression. In this way vigilante mob formation may be perceived as a cyclically reproduced and culturally based phenomenon.

While interviewees were generally reluctant to speculate on the specific numbers that comprise a vigilante mob, one estimated that in some instances there could be as many as thousands of individual participants (field interview JMCN). Obviously, such huge numbers imply a dangerous level of volatility and potential for violence, both incidental and deliberate. Indeed, accidental damage caused by mobs to either property or people was a serious concern for a number of respondents. Interviewees related that innocent people had been seriously injured when, "people run to catch the culprit and throw dangerous things..." and that "there is also the risk of getting shot from stray bullets" (PK52), although it should be noted that the use of firearms in vigilante events was considered by respondents as relatively rare. Even more troubling were reports that settlement residents had used the general chaos and confusion caused by vigilante mobs as a cover to deliberately damage property or assault neighbours, "that they have had squabbles with" (PK63).

The suggestion that other violence may be perpetrated that is not directly linked to the suspected offender indicates that a general and pervasive state of temporary lawlessness consistent with emergent norm theory also accompanies the activities of the vigilante mob. As laws preventing the violent punishment of offenders are suspended, so too are other norms prohibiting people from harming one another or destroying their property. This propensity for violence following in the wake of a vigilante mob runs contrary to the destructive behaviour of other types of crowd as described by Canetti (1960). For Canetti (1960), the destructiveness associated with 'normal' crowds manifests only in its intent to eliminate the barriers that separate one person from another. In this way, by

shattering windows and tearing down houses, the crowd removes all boundaries which for its collective mind are anathema. The violence of the normal crowd, therefore, is motivated by survival and expansion, and is neither purposefully brutal nor malevolent. However, given that vigilante mobs are invariably committed to violent retribution, it is arguable whether or not this specific type of crowd shares a similar freedom from malicious intent. It may well be that vigilante mobs exhibit a greater capacity for incidental, violence because of their inherent urge to punish, as opposed to than other crowds with less explicitly destructive aims.

In situations where an offender is interrupted in the course of their crime, or when a mob has already formed to confront an alleged offender, there is little chance for the suspect to offer an explanation or mount a defence; vigilante mobs exhibit a troubling tendency to 'shoot first and ask questions later'. This inability of mobs to respond to pleas of innocence or clemency is predicated on a number of different factors. Firstly, there is no structure governing the behaviour of vigilante mobs. The processes of accusation, pursuit and punishment (except in those instances involving deliberate mob manipulation, as explored in *Chapter VIII - Nodal Security and the Zandspruit Patrollers*) are largely haphazard and do not follow any formalised procedure. This means that no space is created in which an apprehended suspect may recount their version of events or explain complicating or mitigating factors. The question of guilt or innocence is resolved immediately and almost inevitably in favour of the accuser. The apparent lack of structure governing mob behaviour, particularly when determining the culpability of a suspect, is one of the principal objections interviewees raised in relation to the practice of mob vigilantism:

"I don't feel safe because I know that it might happen to me at any time because there is no structure that governs the whole system" (PK53).

"Since there is no proper investigation the community end up beating the wrong person" (PK61).

"Because there is no structure [in the way] that they carry the investigation, so innocent people get hurt" (PK62).

Compounding the difficulties in explaining oneself to a mob is the likelihood that there will be no single, central leader to whom one may directly appeal. While Canetti (1960) explicitly rejects the

idea that a crowd may have a leader, at least in any authoritarian sense, Le Bon (1896) suggests a slightly different understanding. For Le Bon (1896), rather than a leader creating a mob, a mob creates leaders. These leaders are characterised, somewhat rudely, as “recruited from the ranks of those morbidly nervous, excitable, half-deranged persons who are bordering on madness” (Le Bon 1896:113). Le Bon’s (1896) leaders are themselves members of the crowd who have become so enthralled by its intent, “it has taken possession of him to such a degree that everything outside it vanishes, and that every contrary opinion appears to him an error or a superstition” (Le Bon 1896:113). Vigilante leaders may therefore be understood to be so possessed by the mob and its goal to pursue and punish, that they become blinded to any alternative outcome. In this sense, then, mob leaders *do not lead*, but rather represent an archetypal crowd mentality, one committed to the vigilante cause. The range of actions to which mob leaders may commit is therefore decidedly narrow; they may only encourage and direct the crowd in one pre-determined direction.

In effect, the limited ability of mob leaders means that there is no-one with whom a suspect can attempt to communicate who can bear any controlling influence upon the determinations of the crowd. The purpose of the mob is to pursue and to punish, not to reason or adjudicate, and it is not capable of deviating from this function. Attempts to shout down the crowd will almost inevitably prove counterproductive as the self-reinforcing and teleological dynamic ruling the mob may interpret shouting as a form of panic, and panic as a sign of guilt. In this frightening scenario the suspect would have little hope of reprieve as the mob has already determined the crimes committed, the parties responsible, and the need for bloody retribution:

“People come to you accusing you of things that they do not really know anything about. And just because they have mobilised the community behind them you find that even if you try and explain things to them they have no time to listen to you. They have already decided that this is what we are going to do and this is how we’re going to do it. So actually you’re presence there will put your life in danger, because they’ve already decided that this is what they’re going to do. You know talking to a group of people is very difficult... it’s very difficult”. (KM12)

The difficulty of explaining oneself to a vigilante mob is exacerbated by the likelihood of having to endure such a confrontation alone. In a mob environment, voices of moderation or support for the

suspect are reportedly most likely to be silenced by an overwhelmingly hostile collective atmosphere. Potential danger towards supporters of the suspect is perceived as both real and immediate. Guilt by association with the suspect or by overt displays of temperance is described by interviewees as likely to provoke further suspicion within the crowd that could lead to sudden attack. Those defending the suspect or suggesting alternatives to summary justice therefore run the grave risk of turning the attention of the crowd towards themselves and subsequently finding that they are the new, additional targets of mob violence and anger. This makes it all the more likely that the suspect will be forced to face the wrath of the mob without the help of others within the community:

"Their relatives won't come forward and say this is my son or my friend or whatever... Most of the time, the person will be lying there and nobody will come forward and say I know that guy... They think people will attack them as well" (JMKM).

"We can't say, 'leave him, we will go and report him to the police...' then the community will say, 'why do you want us to leave him? Maybe you two are into things together...' They die alone" (JMPK).

The inability of vigilante mobs to adjudicate instances of alleged criminality in a balanced and fair manner reflects an irresistible inertia governing the behaviour of the crowd. Once a critical mass of individuals has committed to the vigilante mindset and banded together to affect this purpose, then the outcome of violent retribution, often ending in death of the suspect, is all but assured. Even those crowd members who individually may doubt the guilt of the suspect, or would prefer a more temperate form of punishment, are in no way capable of acting on these beliefs. Uniformity of purpose is the only acceptable perspective within the mob and to doubt its determination is to commit dangerous heresy.

The unshakable resolve to pursue and punish offenders at all costs also reflects an emotionally charged and highly prejudicial group environment. According to a number of interviewees, mob participants are often more interested in venting their shared frustration than actually determining the guilt or innocence of the respective parties or in finding a just and equitable solution to the dispute or crime in question. Vigilante mobs may, therefore, be more accurately likened to a

medieval witch-hunt (indeed, the hunting of witches is a goal of many a contemporary vigilante mob – see Ashforth 2005) than to any act or process of restorative or even retributive justice. The crucial question of determining accountability for one's crimes is forgotten and is surpassed by the collective desire for revenge for *all* crimes committed in the settlement. Interviewees have related how the need to find and punish a scapegoat fuels the communal rage directed at those suspected offenders unfortunate enough to be apprehended by the mob:

"I've realised the community is so angry. They feel like they don't have power. They don't know where or who to talk to" (JMKM).

"Most of the time they are still angry about previous crimes that took place and take out the entire [punishment] on the culprit caught in action, and [they] also assume he is the one that committed all the crimes in the area" (PK64).

"Maybe it happens if three houses were robbed in the week. Then they caught someone at the end of the week they will just assume that this is the guy who has been doing all the robberies. That means that that guy will get beaten for all the sins of the other people" (JMPK).

These quotations suggest that the punishment of captured suspects is somewhat dissociated from the crimes they are supposed to have committed. Of more importance is that the person captured and accused by the mob has been identified as a criminal, and can therefore play the unfortunate role of representative for a hated and morally repugnant underclass. At the point of punishment the initiating cause of the mob – the desire to protect and assist a fellow community member in jeopardy – seems to be forgotten and is replaced by an offensive and destructive communal mentality. Rationality, objectivity and discretion are abandoned as voices urging moderation and restraint are drowned out and the collective psychosis of the mob is amplified. Proportionality is also lost, and the suspect becomes the victim as, regardless of the seriousness of their alleged crime, they are punished *in extremis*. In this way the actions of the mob transcend the initiating criminal incident and assume a meaning larger than any single crime or event; the body of the suspect is transformed, first as a physical, personified source of community frustration and pain, and then subsequently into a lightning rod for collective rage. The physical punishment directed at the suspect may, therefore, be understood as providing two discrete yet interlinked functions: on the one hand it serves as an ill-directed and exaggerated form of retribution for a criminal infraction; on the other

it provides an outlet for community frustration that results in a collective and all-too-fleeting moment of sanguinary catharsis.

Individual Perspectives

Despite the lack of control individuals may exert upon the mob as a whole, it is important to consider personal motivations for participation in mob violence. For offenders apparently caught red-handed, some level of corporal punishment was considered as not only inevitable but also appropriate by a majority of interviewees. Respondents who supported immediate physical punishment as an effective model of informal justice generally regarded the practice as playing an important role in deterring prospective criminals. Interviewees explained that physical punishment was more relevant and better suited to the harsh realities of settlement life than the distant and unreliable formal legal system:

"This system gives a lesson to those who ever thought about committing a crime. What is the use of reporting someone when we all know he is going to come back? I don't encourage it to happen but I think it is the only way" (PK65).

"I know informal justice can get out of hand [but] since people have taken the law into their own hands crime here has stabilised" (KM50).

"I know it is wrong to beat and kill someone but informal justice has worked very well in the community of Zandspruit. We are safe to walk the streets at night" (KM52).

"Where mob justice is practiced people sleep in peace and the dogs only bark because they are bored" (PK54).

"Informal justice is the right thing to do and again is wrong. Since the community started taking law into their own hands crime has gone down. It's not like before where we feared for our lives" (KM51).

"Sometimes I feel it is good to discipline the people because to steal, to rape is a crime. But sometimes it's not good, the way they [impose punishments]... it's not justice" (M01).

Interestingly, as demonstrated by the above quotations, endorsement of instant physical punishment was often preceded by qualifying statements such as ‘I know it’s wrong’ or ‘I don’t wish to encourage it, but...’ While these responses do indicate support for at least corporal punishment against suspected criminals, they also reveal a latent sense of discomfort with the practice on the part of interviewees. Or alternatively interviewees may have perceived that the researchers, as outside observers, were likely to be critical of vigilante violence. They may therefore have felt obliged to acknowledge or pre-empt this external condemnation in their replies. Whether these reservations were genuinely felt or simply expressed for the benefit of the interviewer is impossible to determine. However, taken at face value, it appears that corporal punishment was justified by respondents on the basis that it alone was perceived as effective in punishing and deterring offenders. This indicates that settlement residents believe that vigilante mobs only resort to physical punishment of offenders because there is no other practical alternative.

While establishing the true deterrent value of corporal punishment is beyond the scope of this study, it seems indisputable that offenders faced with the prospect of a physical beating or worse would be provided with a powerful incentive to evade capture or detection. This may at least provide a partial explanation as to the high levels of violence committed by offenders in the course of their crimes; in the context of an informal settlement, they could well reason that it is safer to use excessive force and ensure the silence of their victims than run the risk of punishment at the hands of a vigilante mob. This perspective seems all the more likely when considering the significant risk that beatings can easily escalate out of control and become fatal. If this is indeed the case it appears that vigilante mob violence may have the paradoxical effect of *increasing* rather than decreasing the physical threat to which victims of crime may be exposed. The likelihood of increased violence committed by offenders desperate to avoid capture is just one possible example of how vigilante mobs may contribute to further cyclical violence in the Zandspruit community.

The tendency for mob violence to culminate in a severe, often fatal beating was understood by interviewees as an expected, if not always intended, outcome of community intervention and mob vigilantism:

“If they catch you, you know that they’re going to beat you to a pulp and kill you and burn you right there” (JMKM).

“Committing crime is a shortcut to Heaven as the community will kill you” (PK65).

“Most people involved or victimised [by a vigilante mob] end up being crippled, some of them get killed” (PK56c).

While the notion of relatively minor or less extreme corporal punishment was widely supported by interviewees, the idea of mob-dispensed capital punishment revealed strong and emotional divisions within the Zandspruit community. The following quotations may be taken as representative of the deep reservations expressed by many respondents concerning the lethal excesses of vigilante mob violence:

“Even if they can lash a person, a few lashes probably... you know, you are making the person aware that the community won’t allow something like this to happen. Yeah, that one they should do. But beating up a person to a pulp? I don’t think so” (KM50).

“If they catch a criminal right there I don’t believe that they should burn him but I do believe that he should be punished... because he has turned into an animal in his community” (KM50).

“Me personally every time I see someone brutalised it really, really hurts me... I don’t actually believe with all this harming people and killing them. I don’t believe in that because it’s barbaric in itself” (KM50).

Interviewees were most likely to indicate the upper limit of acceptable censure to be severe corporal punishment – or, in other words, at the boundary where injuries inflicted are of such a serious nature that they may never heal. Unfortunately the practical limitations of restricting a vigilante mob to inflicting injuries only up to this point are insurmountable. Participants in the mob have no way of knowing how many kicks or stones may be thrown at an offender before they are permanently incapacitated or killed and mobs, by definition, lack the orderly structure that makes dictating precise punishments feasible. Furthermore, the smaller number of respondents who eagerly support mob-led capital punishment would most likely be represented within the mob itself, and in the heat of the moment they are unlikely to be restrained by those participants with less bloodthirsty intent.

Determining Guilt – Accusation, Exploitation and Innocence

So why did the majority of respondents draw such a clear distinction between morally acceptable, relatively minor corporal punishment and severe corporal/capital punishment? The most likely explanation is inextricably linked with the dominant reservation expressed by interviewees regarding the whole process of mob vigilantism: namely, how does the mob ensure that the person apprehended is truly guilty of the crimes of which they are accused? This is a very difficult question for settlement residents to answer with any degree of certainty. Nearly all vigilante events are premised on unsubstantiated accusations. Even in instances where a mob has formed in direct response to a victim's cries for help, those intervening would most likely have no way of knowing beyond a reasonable doubt whether a victim's cries for help were genuine or fabricated. Quickly determining if a crime has taken place and establishing the guilt or innocence of any captured suspect is, quite literally, a matter of life and death. For those settlement residents who are not confident in the capacity of the mob to accurately determine criminal culpability, it seems logical that the maximum physical punishment inflicted should not be so serious as to permanently injure or kill a suspect who may subsequently be found to be innocent.

Amongst interviewees, uncertainty regarding the guilt of the suspect was more likely to be cited as a counterargument against mob-dispensed capital punishment than issues relating to punitive proportionality or human rights (although reservations relating to both of these latter issues were raised). The perceived inevitability of innocent lives either lost or irrevocably scarred was the principal objection to the practice of mob vigilantism; nearly all interviewees expressed the belief that innocent people had been beaten or killed by vigilante mobs. This notion elicited a range of emotional interviewee responses, from discomfort and guilty resignation to indifference and grim irony:

"I feel uncomfortable when it [a vigilante punishment] happens to an innocent person... It does happen that they beat the wrong person because there is no structure [in the way] that they carry out the investigation, so innocent people get hurt" (PK62).

"It [innocents being killed] happens sometimes but as you know everything has its advantages and disadvantages" (PK57).

"Whoever we get will pay for the sins of the others... If that [innocent] person was lucky enough not to die we [the community] pay for their medical bills... which, to be honest with you, does not happen very often..." (PK69)

Innocent people killed or injured by the mob are not always targeted by accident. It was widely reported by interviewees that residents had sometimes deliberately misinformed others so as to stir up a mob against personal rivals. A number of motives were put forward as to why someone would seek to arouse a mob to punish an innocent victim. These included jealousy, animosity or unresolved personal conflict:

"Most of the times we find out that whoever's been accused, they have no facts, it's just rumours. We heard someone say this and that. They just decide to do whatever they do because of that, because they heard so but without any facts... People may be jealous and then they start whatever they want to start" (KM11).

"Most of the time the crime the people are accused of are not true. They [the accusations] are based on jealousy and hatred" (KM50).

"People tend to use these chaotic events to beat people who they have squabbles with" (PK63).

"I think one thing that should be made clear is that mob justice is not the solution to everything, that we shouldn't go around with personal vendettas. Now if I know that I don't like you, then I go a report something that didn't even happen, knowing that the community is going to get all riled up and then they're going to beat you up... I think that if a person has done a crime, that person deserves to be beaten up. That's fine. But we don't want to bring personal vendettas and use mob justice to solve our personal problems" (KM11).

On a practical level mob exploitation also serves to insulate residents from sole responsibility for any attack committed against their enemies. By manipulating the mob into doing one's 'dirty work', belligerents have effectively co-opted the mob as an accomplice. Achieving recourse, legal or otherwise, for any crime committed will be made all the more difficult for any surviving victims if the

perpetrators include numerous mob participants. Therefore, when exploited effectively, the vigilante mob can function as convenient vehicle for revenge and homicide. From the point of view of the aggressor, the mob may be just as deadly a murder weapon as a car or a kitchen knife, but with the additional benefit that mob participants are bound to share the burden of guilt.

The notion that some residents exploit mob vigilantism for their own purposes was highly troubling for interviewees and was considered to add a further dangerous dimension to an already volatile process. That some residents find it necessary to engage in mob exploitation also suggests a breakdown of community conflict resolution processes such as mediation and negotiation. While respondents generally regarded innocent deaths as a travesty of justice, many also considered them as acceptable, albeit unpleasant, collateral damage. Mob vigilantism is not perfect, they would reason, but it is better than any alternative:

"Yeah, yeah. It [the killing of innocents] happens sometimes... It's very scary because you can accuse the wrong person. But then imagine if the community were not doing anything about this [crime]. Imagine we did not have those people who are doing informal justice - what would be happening now in our community?" (KM14)

Occasional innocent deaths may be unintended and regrettable but they are also the unavoidable consequences of maintaining as fearsome a deterrent as the vigilante mob. This rationalisation – periodic violent deaths of the innocent in order to effectively combat crime – raises a number of important questions about the nature of the criminal threat in the Zandspruit settlement, as well as the impact such an extreme level of perceived imminent danger has on community relations and one's own sense of justice. For a number of respondents, accessible justice has been reduced down to a stark, utilitarian equation – is it better that three victims be murdered by offenders or that one innocent be killed by the mob, sacrificed on the altar of community safety? Despite the crudity (and numerical supposition) of this example, it demonstrates the essential reasoning undertaken by many of those settlement residents supportive of mob vigilantism. However, the Faustian dichotomy between condemning innocents and deterring offenders conceals further hidden costs to individuals and the community as a whole. These concealed burdens only become apparent after the violence of the mob has subsided and residents are forced to relive their experiences in sober reflection.

Vigilante mobs are a contentious topic of discussion in Zandspruit. Their activities elicit a range of polarised responses including fear and anger, as well as pride, satisfaction and *Schadenfreude*. Indifference regarding their causes and effects was perhaps the only sentiment not expressed throughout any of the interviews. Interviewees uncomfortable with the brutality inherent in this practice often asked me and my research assistants whether or not this project would assist them in understanding why such extreme vigilante mob violence occurs in their community. Given the disapproval of severe forms of vigilante sanction (i.e. permanently incapacitating or capital forms of punishment) that was generally expressed by interviewees, this question seems entirely reasonable. By applying various and complementary crowd theories, and by analysing the responses of the interviewees themselves, this chapter has attempted to address this question. The severity of vigilante violence can be explained by a combination of deeply ingrained socio-cultural factors, environmental and economic issues and by the complex and dynamic inner workings of the mob itself.

Chapter X - In the Aftermath

"The White minority rule is over. Why are we still such a violent society? This is a chance to be free, to enjoy our freedom... but we are still so violent." - JMPK

"As a parent you can only pray that your child doesn't get involved in any of this because when caught there will be hell to pay. There is no mercy."- KM51 replace

The effects of vigilante violence continue to resonate throughout Zandspruit long after the mob has dispersed. As the anger and frustration of the community subsides, residents return to their homes and occupations, leaving the trauma of the experience imprinted on witnesses, participants and, if fortunate enough to survive, the suspected offender. Making sense of the complex and intense emotions left in the wake of these incidents is no simple task. Surrounding vigilante violence are a range of overlapping and emotive issues relating to local conceptions of community inclusion, exclusion and morality, as well as personal and collective identity (Martin 2010; Jensen 2008; Buur 2006; Buur& Jensen 2004; Madsen 2004; Oomen 2004; 1999). Deciphering the meanings associated with specific acts of vigilante violence is also challenging; it would be a mistake to assume that the punishments inflicted by mobs were simply 'mindless' or devoid of meaning, as is sometimes characterised in the news media (Whande 2008). While arguably anti-social and demonstrably brutal, vigilante violence is also highly symbolic, with specific acts imbued with long-standing cultural and historical significance.

The way in which these messages are interpreted by the local Zandspruit population is of upmost importance, and interview data suggests that vigilante violence remains a divisive and controversial subject in the informal settlement. Not only do the perceptions of Zandspruit residents regarding the efficacy and appropriateness of mob violence vary, they also reflect an uncomfortable tension between the desire for justice and retribution against offenders and deeply felt regret, guilt, even horror, at the brutality of the community's judgement. Interviewees related experiences of distress

and confusion regarding the persistent extremes of vigilante punishments, and many felt unable to reconcile themselves to the relentless threat of violence. Perhaps most troubling is the widespread resignation regarding the normalisation of mob violence and its on-going legacy of trauma and cyclical victimisation. The purpose of this chapter is to explore the deeper emotional and symbolic issues that persist in the aftermath of vigilante mob events and to contextualise them within a broader literature relating to community, punishment, and collective violence.

‘We, the community...’ – the Community as Punisher

The peculiar energies channelled by public corporal and capital punishments are explored in depth by Michel Foucault (1975) in his landmark text *Discipline and Punish: the Birth of the Prison*. While Foucault’s analysis largely focuses on state-imposed physical punishments (specifically, those of European states from the 17th to 19th centuries), as opposed to the non-state activities of contemporary vigilante mobs, a number of important parallels between the two punitive processes can be detected. Firstly, both vigilante mobs and early-modern European states have employed the spectacle of physical punishment for symbolic as well as practical purposes. In both instances, whether on the scaffold of an Enlightenment-era sovereign or at the hands of a vigilante mob, the body of the condemned is the “major target of penal repression” and the punishments inflicted upon it, “an art of unbearable sensations” (Foucault 1975:8,10). Foucault describes how the horrors of the scaffold and pillory were intended as revenge for offences committed against the sovereign, as personified in the laws of the land. The purpose of punishment was not simply a reaction to crime but was also intended to demonstrate the power of the establishment and the futility of social and criminal dissent. Through publicly-enacted, ritualised vengeance offenders and honest citizens alike would be left in no doubt as to the terrifying power wielded by their political masters, and the dire consequences that could flow from challenging sovereign power.

Similarly, in Zandspruit, vigilante punishments can be perceived as having both instrumental and symbolic application. The notion of vengeance, this time stemming from the victimised community rather than the state, is latent within vigilante methodology; offences punished by the mob are likely to be framed not only as a violation of the rights of one individual, but also as an offence against the entire community as personified in one or a series of individuals. For this ‘double victimisation’ of both individual and community to occur, the existence of a prevailing community has to be taken for granted by a significant number of settlement residents. Strong, local belief in a ‘Zandspruit

community' is supported by both interview data as well as more general socio-historical scholarly enquiry (Buur 2006). According to Buur (2006), awakening group and collective identity amongst the Black population was pivotal in the struggle against the apartheid state. Communitarian attitudes and a desire for autonomy from the central government were central to the (successful) campaign of the ANC in order to ensure that Black communities became 'ungovernable' by the apartheid authorities. These attitudes, rejecting centralised authority and promoting local community interdependence, have continued to the present time and now contribute significantly to notions of group identity and local community in townships and other settlements across the country (Buur 2006).

In Zandspruit, notions of community were plainly evident and often proudly proclaimed throughout the interview process. Indeed, the concept of community seemed so deeply interwoven through various responses that it was sometimes difficult to distinguish whether an interviewee was referring to their own opinions or beliefs or to those of the community. Nearly all interviewees referred in some way to the community as a conscious entity, one capable of thought, feeling and making judgements. This personification was achieved either by referring to the community as a discrete third-person, as in: 'the community feels let down' or 'the community has decided to act', or even using a personal pronoun, such as: 'we, as a community are frustrated'. These semantic devices allowed interviewees to proclaim their views as either individual or collectively representative depending on their intention:

"I've realised the community is so angry. They feel like they don't have power" (JMKM).

"I don't know how many times the community is going to wake up to the screams" (KM50).

"As a community, we are doing this for our safety" (KM14).

The above quotes are broadly representative of the sample as a whole in that they demonstrate an implicit belief in and understanding of a Zandspruit community. While such statements establish that a Zandspruit community exists in the eyes of the vast majority of interviewees, tracing the dimensions of such a community is much more difficult. Notwithstanding the complexity of this issue, a number of general assumptions regarding the composition of a Zandspruit community can

be inferred from interview and other data.⁵⁷ Firstly, an overarching and defining characteristic of a Zandspruit community would almost certainly be geographic, that is, bound within the area of the City of Johannesburg Metropolitan Municipality known officially as the Zandspruit Informal Settlement. Membership of a Zandspruit community is likely to be limited to those either living in, or having strong links to this area (such as clergymen, trusted NGO workers, etc.). In addition, there would be other, more contested criteria for community membership. These additional criteria would likely include citizenship status; ethnicity; length of time in residence; and perceived abstinence from criminality and/or other practices considered deviant (such as witchcraft or homosexuality). This final criterion is particularly relevant for the purposes of this chapter as it suggests that community membership is contingent upon issues relating to personal morality, lifestyle and disavowal of criminal conduct and deviancy.

The importance of appropriate moral conduct as a precondition for community membership is supported by interviewees who expressed serious contempt for those lured by the temptations of crime:

"I feel like it [mob vigilantism] is the right thing to do since some people behave like animals with no morals" (KM52).

"We've got a lot of people who are not well off, but then they make means. It's a choice of a person... I do believe he [an offender] should be punished because he has turned into an animal in his community, the community he is supposed to be building and helping..." (KM50).

These responses reflect an uncompromising and dehumanising rejection of those whose personal conduct has devolved to the point where they may be considered 'animals'. For the above interviewees, crime is perceived as an easy option available to anyone lacking sufficient integrity and loyalty to their friends and fellow community members, all people who presumably share similarly poverty-affected lives. By preying on others, the offender has not only harmed the victim, but may also be considered to have betrayed the reciprocal ideals and moral rectitude of the local community. This notion of betrayal – that offenders, in addition to whatever their initial offence, are

⁵⁷ For a more detailed discussion of Zandspruit see *Site Selection* in *Chapter III - Methodology*.

also guilty of perfidy towards their fellow community members – helps explain the explosive hostility often catalysed by criminals operating in Zandspruit. Offenders are not simply dangerous; they may also be regarded as epitomising those qualities reviled by the community such as disloyalty, selfishness and greed. By attempting to enrich or gratify themselves at the expense of their neighbours, offenders were considered by many interviewees to have forfeited their place in the community, together with the associated privileges of support and protection. The contingency of community membership with regard to personal conduct indicates that Zandspruit is not simply a geographic or ethnic community, but also a *moral* one.

Conceptions of moral community are invaluable to understanding the processes affecting mob vigilantism in South Africa, and the importance of morality to vigilante discourse has been well established by a number of scholars investigating this subject (Martin 2010; Jensen 2008; Buur & Jensen 2004; Madsen 2004; Oomen 2004; 1999). In simple terms, within a moral community, conceptions of crime and morality provide an important distinction between normalised, accepted conduct and proscribed behaviours, the practice of which may attract heavy censure from fellow community members. To a certain extent, similar dynamics regarding reciprocal expectation and collective punishment of deviance can be observed in most societies. However, what sets moral communities apart is the degree to which adherence to community ‘values’ is considered a personal responsibility for all community members. According to the moral community hypothesis, these collectives use deviant or criminal labels not only to establish norms regarding behaviour and social reciprocity, but also to determine group membership (Buur & Jensen 2004). Jensen (2008) provides an articulate description of the dynamic symbiosis between conceptions of crime and morally constituted communities:

Crime becomes a moving signifier that potentially disallows the communal recognition of those individuals it taints. In this way, crime is the constitutive outside of the moral community. It constitutes the outer boundaries of the polity in negative terms: Crime is all the moral community is not (Jensen 2008:56).

It is important to establish that the crime to which Jensen is referring in the above excerpt is not crime in an official sense, but rather criminalised deviance as defined by the community. Formal conceptions of crime and crime-fighting often hold little relevance for people living in poor areas

inadequately serviced by the state (Steinberg 2008). A lack of clearly legislated and legitimate formal justice mechanisms poses significant problems in areas such as Zandspruit. These communities are rarely homogenous (particularly in multi-ethnic South Africa) and popularly constructed conceptions of crime and deviance often vary significantly from formal legal codes and statutes⁵⁸ (Martin 2010; Oomen 2004:162), adding a degree of uncertainty and arbitrariness to the identification of proscribed behaviours. As different groups improvise and determine their own standards for acceptable and unacceptable behaviour, contestation between different interpretations of morality is inevitable. While extreme instances of criminality (for example, the murder or rape of a child) are likely to be greeted with universal condemnation other, sometimes formally legal behaviours (such as adultery or the failure on the part of youth to 'show elders proper respect'), are more problematic and may elicit a divergent range of responses from different sections and interests within the community. In instances where community members fail to agree as to the appropriateness of communal punishments, vigilantes may step forward to presume responsibility and articulate their version of collective judgement. This process is rarely democratic and is usually skewed in favour of the most powerful elements within the community. These are usually (relatively) wealthier, older men, described by Jensen (2008) as the 'gerontocracy', who enjoy a disproportionate influence in shaping and enforcing local norms:

The 'everyday violence' committed by vigilantes provides a readily understood (if not universally welcomed) semiotic boundary between accepted behaviour practiced within neo-traditional/moral norms and conduct that is de-legitimized, immoral or even, quite literally in cases of suspected witchcraft, demonized... Rather than embodying a broad social consensus, vigilantism provides an opportunity for the most powerful and articulate within a community to project their own values at the expense of others (Martin 2010).

⁵⁸ Two notable instances of divergence between formal and informal conceptions of crime and deviance in South Africa relate to domestic violence and witchcraft (Ashforth 2005). In the case of the former, legal statutes prohibit interfamilial violence, yet serious assault, usually directed by men towards 'disrespectful' women or parents towards 'disobedient' children regularly occurs in South African communities. Such behaviour is normalised to a large extent and is unlikely to go punished by either formal or informal authorities. Conversely, formal bans regarding *accusations* of witchcraft have failed to curb the informal persecution (and often execution) of suspected witches. *The Witchcraft Suppression Act 1957*, is regarded by a large proportion of South Africans, including many police members, as insufficiently protecting people from the occult threats posed by witches and is routinely disregarded in townships and informal settlements like Zandspruit (Ashforth 2005). These two examples demonstrate some of the intractable difficulties associated with imposing a culturally and institutionally alien legal system upon a foreign population.

Discourses surrounding morality and vigilantism, therefore, present significant points of conflict between different groups within a community. Most notably, at least in the South African context, this conflict takes place between older and younger men (for greater discussion of this issue, see *Chapter V - a History of South African Vigilantism*; also Jensen 2008; Oomen 2004). One of the primary dangers associated with a collective definition of criminality and deviance in Zandspruit, as well as in other informal settlements and townships, is that the vigilante process is subsequently used to punish unpopular or threatening groups as much as to regulate undesirable behaviours.

The self-regulatory conduct prevalent within moral communities is further developed by Buur's (2008) idea of 'fluctuating personhood'. This latter concept relates to the subjectivity of local identity prevalent in indigent South African communities. While researching the activities of the *Amadlozi*, a vigilante organisation operating in the coastal city of Port Elizabeth, Buur identifies how notions of identity are premised on a "specific logic of relations" that is "constructed in contravention of the notion of rights-bearing, autonomous individuals" (Buur 2008:139). Buur (2008) argues that across much of South Africa, constitutionally endowed human rights are either unrecognised or else relegated to a position of secondary importance in favour of locally constructed notions of reciprocal identity. These informal notions of community membership or 'personhood' are dependent upon subjective, inter-communal relations as well as adherence to community values. According to this conceptualisation, personhood is not a status that is achieved at birth or through naturalisation, but rather is an on-going process that is subject to the fluctuating variances of personal conduct and interpersonal relationships.

Underpinning the logic both of both South African moral communities and fluctuating personhood is the locally revered, indigenous philosophy of *ubuntu*. *Ubuntu*, described by Luow (2002:3) as a native "African humanism", is a popular concept that determines the value of an individual through the strength of their personal relations. The benefits of such a philosophy are great: as the primary method of attaining personal status and respect, community interaction becomes an all important social pursuit. People are provided with a universally recognised and unambiguous central motivation to interact with and assist in the building of their community. *Ubuntu* may rightly be credited as helping to provide South African communities with the resilience necessary to overcome the myriad of challenges posed by centuries of colonisation. However, as we may perceive through the operation of vigilante mobs, *ubuntu* also has a less productive and anti-social dimension. For

those unwilling or unable to participate in positive communal interaction, a descent into low personal status is difficult to avoid. This stands in stark contrast to the workings of liberal-secular societies, where constitutional laws provide (in theory, at least) a minimum standard of rights that cannot be removed. This protects weak, unpopular or deviant groups from collective victimisation in a way that *ubuntu* does not. In South Africa's Black communities, deviance from accepted modes of conduct results in the sometimes permanent loss of personal status and may also be accompanied by significant, community imposed punishments.

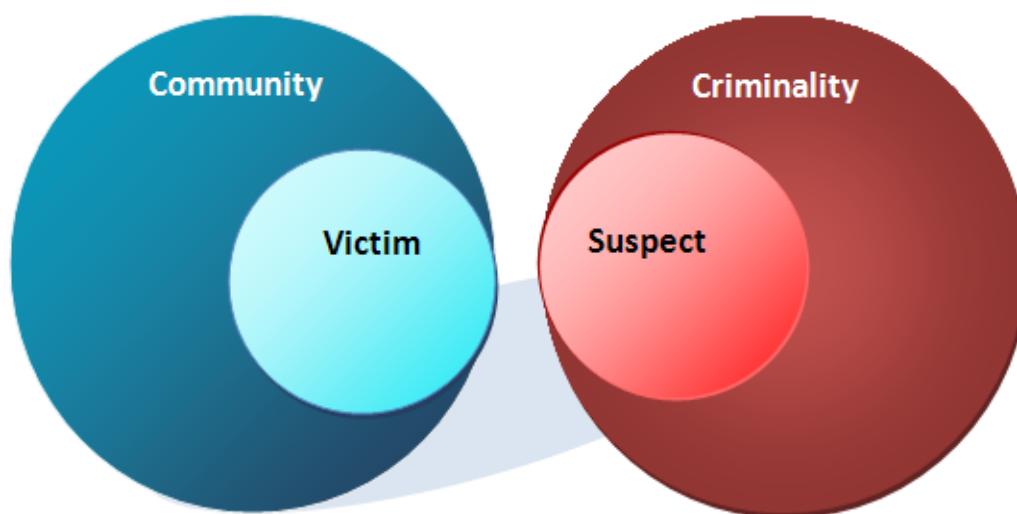
In the case of *Amadlozi*, a vigilante organisation operating in the coastal city of Port Elizabeth, the process of community punishment occurs through the ritualised enactment of quasi-formal courtroom deliberation (Buur 2008). Taking place in a high school gymnasium (an important location due to its symbolic link to the state), members of the *Amadlozi* 'preside' over a jury of some hundreds of local residents; present evidence for consideration; as well as interrogate and cross-examine witnesses, complainants and the accused. After due deliberation, punishments are dispensed. These can have serious consequences for the accused, as is testified by the apparent beating and exile of a man determined to have physically assaulted his female partner whilst in a drunken rage (Buur 2008:135-138). In this instance, the decision of the community, as articulated by the chairperson of the *Amadlozi*, was that in addition to corporal punishment, the accused be irrevocably stripped of his membership of the community and be forcibly removed from the area.

Whilst these instances of corporal punishment and community expulsion may seem harsh to an outside observer, it is important to recognise that the *Amadlozi* at least provide a three-way forum for communication between the accused, the complainant and the remainder of the community. While this process can produce significant deleterious consequences for disempowered groups, it does represent a more constructive approach to improvised community punishments and regulation than instances of mob vigilantism such as those occurring in Zandspruit. Unlike in cases of uncontrolled mob vigilantism, guilt is not immediately resolved in favour of the accuser, nor are *Amadlozi* punishments necessarily physical, with minor instances of deviance resolved through other mechanisms such as public shaming. These less punitive extremes may then be followed by symbolic acts of reconciliation after which the accused is reintegrated back into the community (Buur 2008). The institutionally improvised aspects of the *Amadlozi* 'courtroom' allow restorative functions and violent vigilantism to operate concurrently, depending upon the severity of the offences under

consideration. These relatively institutionalised vigilantes undoubtedly present a more benign and functional alternative (although still not one officially recognised by the state) to the rampaging vagaries of the Zandspruit mob.

In instances of mob vigilantism in Zandspruit, considered deliberation regarding the guilt of the accused is entirely absent, and instead a much simpler and immediate dualistic scenario is presented. On a conceptual level we can perceive two abstract forms in opposition: on the one hand is the victimised community, comprising the individual(s) affected by the crime as well as concerned or interested others (friends, neighbours, etc). On the other is the reviled offender, a walking embodiment of those qualities despised by the community, and who is considered to bear a large responsibility for the residents' collective fear and failures. One of the central functions of mob vigilantism is to sharpen and irreversibly define the differences between these two entities.

Table 6. The Dualistic Determination of the Mob



Mitigating factors or consideration of degrees of culpability do not influence the outcomes of this process, nor is there any attempt at reconciliation. On the contrary, mob vigilantism works to strengthen the contrast between the offender and the victimised community. Repeated accusations of criminality amplify the perceived guilt of the suspect and serve to undermine the validity of those crucial, precarious criteria underpinning their membership of the community. At the same time a completely different dynamic surrounds the victim as they are literally and figuratively embraced by

the community and, as the victim is absorbed into the crowd, so too is their status as victim shared throughout those surrounding witnesses and participants. This is the moment when the suspect is effectively expelled from the community; by accusing the offender and marking them as deserving of the community's vengeance, settlement residents are drawing a distinct boundary between 'us' and the 'other', between victimised community and hated, criminal deviant. Mob vigilantism may therefore be understood as both a process of *exclusion* as well as punishment.

Explaining Vigilante Violence

*We punish you immediately with a hot sjambok, throw stones at you, use petrol,
whatever may come in handy... (PK57)*

The exclusionary symbolism associated with vigilante violence becomes particularly explicit when the offender has been 'necklaced' or their body mutilated in some other way *post mortem*. Originally devised as a popular method for executing witches, necklacing was later also used as a punishment against informers for the apartheid regime.⁵⁹ According to Ball (1994), the link between these two groups is that they were both considered guilty of betrayal by committing crimes that "threaten the cohesion of the community" and that violate "social norms in a devastating way" (Ball 1994). Necklacing, therefore, was a punishment usually reserved for the most serious and dangerous traitors to the community. At the time of Ball's (1994) analysis, other types of more petty criminal, such as robbers or thieves, were not generally considered as deserving of this grisly form of punishment. However, there is good reason to suppose that this attitude has changed over the past seventeen years. Since the apparent proliferation in post-apartheid criminality, the perceived threat posed by offenders has grown exponentially. Seen by many South Africans as a powerful, impudent and deviant underclass, offenders may now be considered to have taken on the status and role of South Africa's newest 'folk devils' (Cohen 1972).

⁵⁹ In 1986, the then wife of anti-apartheid icon Nelson Mandela, Winnie Mandela, famously courted controversy by publicly endorsing necklacing as a tool of political liberation. During an ANC-sponsored rally, she declared: "We have no guns – we have only stones, boxes of matches, and petrol. Together, hand in hand, with our boxes of matches and our necklaces we shall liberate this country" (Morris & Linnegar 2004:7). No doubt this message was intended for a domestic audience and did not sit well with human-rights focused anti-apartheid agenda that the ANC was advocating abroad.

The identification of offenders as folk devils is consistent with the general state of moral panic concerning criminality which is now evident in post-apartheid South Africa. According to Cohen (1972), for a state of moral panic to engulf a society five distinct elements must be present. These include: *concern* over the threat posed by the behaviour of a particular group; increased *hostility* towards members of that group; *consensus* amongst significant sections of the community that “something must be done”; *disproportion* regarding the community response when compared to the threat posed; and finally, *volatility* in the timing and consistency of response (Cohen 1972). All of these criteria are fulfilled in relation to the treatment of suspected offenders in contemporary South Africa. Anxiety regarding crime and hostility towards offenders are both undoubtedly common emotions elicited by appalling rates of endemic criminal victimisation. However, legitimate fears engendered by high levels of crime can manifest in unhelpful and even counterproductive overreactions on the part of community members, including mob vigilantism or the ostracism of unpopular groups. According to Lemanski (2004), these types of fear-based overreactions are rooted in a deeply held sense of powerlessness, “due to a loss of control over territory and urban order” (Lemanski 2004:109).

One of the major factors supporting the folk devil hypothesis is the conflicting data regarding the actual – as opposed to perceived – threat posed by offenders in contemporary South Africa. There is no doubt, as anyone who lives there or has visited can personally testify, that South Africa in the early 21st century is a relatively dangerous place, and that much of the physical threat one experiences may be put down to fears of criminal violence. However, claims that this threat has grown significantly since the end of apartheid should not be accepted without scrutiny. Shaw (2002a:1) suggests that the supposed post-apartheid ‘explosion’ in crime was, in fact, more of an equitable redistribution; as segregation was dismantled, formerly well-protected White enclaves quickly succumbed to criminal threats that had previously been confined to Black townships.⁶⁰ This redistribution of victimisation created the impression (amongst Whites, at least – long the most vocal South African minority) that overall crime rates had dramatically increased. This is by no means certain, with some more reliable indicators of crime, such as national homicide rates, even

⁶⁰ The geographical shift in post-apartheid criminal trends is perhaps most visible with regard to the Johannesburg Central Business District (CBD) and neighbouring Hillbrow, a formerly wealthy and bohemian inner urban residential area. By the mid-1990’s, both sites were largely abandoned by their former corporate and residential occupants to predatory criminal gangs. Much CBD commerce was simply relocated to the more defensible area of Sandton, some 5kms away. The residential high-rises of Hillbrow now represent some of the most dangerous slums in the country. These gaunt towers, many cut off from utilities and lacking in basic sanitation, are still occupied by gang members and undocumented migrants, and are now major urban repositories for disease as well as crime (Williams 2007:13-15; Few et al 2004).

suggesting a marked *decrease* since democratic transition (Shaw 2002a). Regardless of whether overall national crime rates have risen or not, the point here is to establish that in poor Black areas, like those which are the focus of this study, crime has probably not increased dramatically since 1994. Having been shamelessly neglected by the apartheid authorities, criminal violence in non-White areas has long been at unacceptably high levels, most likely from as far back as the 1940's and 50's (Glaser 2005:119-120; Kynoch 2003:301-302)

So, if crime has not significantly increased in those areas under consideration, why are informal criminal sanctions now so drastically punitive? Despite the term 'criminal' encapsulating a wide variety of individual attitudes and behaviours, ranging from relatively benign petty theft to violent extremes including homicide and aggravated rape, contemporary community responses to offending are often zealously disproportionate and incognisant of these variances. Interview data suggests that to simply be labelled a criminal or *tsotsi* is a potentially fatal development, one that can result in expulsion from the community or in sudden attack. This represents a significant divergence from previous community attitudes towards offending. As discussed in *Chapter IV – Politics and Policing Under Apartheid*, even violent, apartheid-era offenders enjoyed a certain cachet amongst certain sections of the Black populace as anti-establishment renegades. Certainly, if apprehended, apartheid-era offenders could expect a beating at the hands of their elders. However, reports of necklacing and other extreme forms of torture and execution appear infrequently, at least with regard to non-political offenders.

Perhaps what has changed since 1994 is that criminals have replaced apartheid forces as the greatest threats to community integrity. Offenders such as witches and apartheid-era informers represent an enemy within, and as such are even more dangerous to Black communities than their former apartheid foes. They can appear anywhere, at any time, and only strict, universal adherence to collective morality can seemingly prevent community members from succumbing one-by-one to the temptations of crime. Crime, in other words, may pose a significant hazard to an individual victim, but a community member *turning to crime* constitutes a threat to the entire community; if everyone exhibited the same selfishness and immorality as offenders, then there would be no community left to protect. Mob vigilantism may, therefore, be interpreted not only as punishment directed towards particular offenders, but also as a stark warning to others contemplating offending of the dangers associated with breaching moral conformity. Understood in this light, mob vigilantism

can be perceived as a defensive collective response intended to preserve the integrity of the community.

Collectively violent reactions to perceived criminality or deviance are likely to be amplified in intensity when there is convergence with unpopular or feared traits. The importance of convergence is perhaps most notable with regard to national origin. Nationalist xenophobia is a significant problem affecting post-apartheid South Africa and has been cited as a major cause of vigilante violence in settlements and townships across the country, including in Zandspruit (Neocosmos 2008; Harris 2003; Bruce 2002:35; Harris 2001b):

Usually lacking official documentation and unfamiliar with the dangers of their new environment, they [foreigners] make convenient and easy scapegoats for crime and other community problems. While abuse toward foreigners is usually a consistent but small-scale phenomenon, occasional outbreaks of mass violence do occur. The most recent such event was in May 2008, when scores of refugees (many fleeing cholera and Robert Mugabe's despotic regime in neighbouring Zimbabwe), were murdered by rampaging vigilante gangs (Martin 2010).⁶¹

The xenophobia at the heart of this victimisation is linked to notions of South African exceptionalism, which is described by Neocosmos (2008:590) as the perception that South Africa “is not really in Africa” due to its relatively high levels of industrialisation, social liberalism and political development. Black and White South Africans widely believe that their “intellectual and cultural frame of reference is in the USA and Europe” (Neocosmos 2008:590), and therefore display a dominant (although not universal) tendency to view other Africans with condescension and prejudicial disdain. It is indeed one of the grim ironies of post-apartheid South Africa that a nation that suffered for so long at the hands of an intolerably racist regime, and that also produced beloved anti-discrimination heroes like Nelson Mandela and Archbishop Desmond Tutu, should now bear witness to widespread xenophobic prejudice, often resulting in the victimisation of vulnerable refugees fleeing from neighbouring African countries.

⁶¹The specific events mentioned above regarding a widespread outbreak of xenophobia in 2008 have been touch upon in *Chapter VII*, when discussing interviewee allegations that Zimbabweans had infiltrated the Zandspruit CPF in order to exact revenge for past instances of xenophobic repression.

Other traits such as gender and age may also contribute to the vulnerability of particular groups to vigilante assault. Young men are overwhelmingly the most likely targets of vigilante mobs (see *Chapter IX* for greater discussion of this topic; also Jensen 2008), and women, children and older males are generally less vulnerable than young men to accusations of criminality.⁶² This seems to indicate that masculinity - particularly non-conformist, aggressive or protest masculinities - and youth are therefore traits targeted by vigilantes. However, because this particular demographic is also the one most likely to commit and subsequently be accused of crime⁶³, establishing a causal link between mob vigilantism and masculinity and youth based purely on rates of victimisation is difficult. It does seem probable, however, that accusations of criminality levelled at young men are more likely to be believed by community members due to the strong association that this particular group has with violent offending.

Feared, hated and blamed for many of the problems plaguing the country, criminals now attract the kind of collective, vitriolic anger and punishment that was once reserved for the most extreme threats to South African society. That minor offenders are now executed by necklacing and fatal mob beatings indicates their descent into society's lowest and most contemptuous regard, and the burning of deviant offenders conveys this message unequivocally. As Foucault (1975:34) explains, post-execution violence can only serve a symbolic purpose, as the body of the condemned is no longer linked to a mind that is conscious of suffering. By burning an offender's remains, the crime and criminal are physically and figuratively reduced to ash and removed from the community in an act of ultimate finality. Such an absolute punishment is reminiscent of those imposed in former times upon traitors against European sovereigns, who were drawn and quartered and whose bodies were burnt or sent to the far corners of the kingdom. These bloody rituals, as with contemporary necklacing, served not only to punish and warn others contemplating similar crimes, but also removed and cauterised the source of deviant, criminal disturbance. Crucially, in both instances, the notion of betrayal - either to one's sovereign or to one's community - arouses the deepest hostility and contempt, and its removal is only achievable by recourse to the destructive and cleansing effects of flame (Ball 1994).

⁶² Again, witchcraft provides a notable exception to this generality. Allegations of witchcraft are almost exclusively levelled towards older, often wealthier people, who may be accused of using occult powers to augment their financial success. Ashforth (2005) hypothesises that witchcraft serves as a necessary mechanism to enhance the power of otherwise underprivileged groups. Allegations of witchcraft allow the young and the poor a unique opportunity to subvert the usual socio-cultural hierarchy and pass judgement on their elders.

⁶³ As well as offending more than the older population, South African youth are disproportionately the victims of crime, in particular violent crime. Pelser (2008:2) indicates that young people are more than eight times more likely to be the victims of assault than their adult counterparts.

The Aftermath

A further important parallel between the state-imposed punishments explored by Foucault (1975) and the mob vigilantism evident in Zandspruit is what occurs in the aftermath of an execution. In both instances of state-imposed capital punishment and fatal mob vigilantism, after punishment has been dispensed, the thrill of power and vengeance gives way to feelings of guilt and shame. Foucault (1975:9) describes this emotional progression as so profound that sometimes an exchange of moral superiority could be experienced; heinous criminals would, in the eyes of the crowd, be redeemed as the state, over-reaching and merciless in its power, became reviled:

"It was as if the punishment was thought to equal, if not exceed, in the savagery the crime itself... to make the executioner resemble a criminal, judges murderers, to reverse roles at the last moment, to make the tortured criminal an object of pity or admiration".
(Foucault 1975:9)

For Foucault (1975), this phenomenon of state and criminal exchanging roles was so dangerous as to precipitate the dismantling of publicly-enacted, penal violence and, eventually, the widespread decline of corporal and capital punishments throughout much of the West. Foucault (1975) considered that the overt, ritualised representations of vengeance were simply far too crude a tool to function effectively in an increasingly enlightened world and were, therefore, replaced by more subtle forms of penal oppression.

Naturally, in Zandspruit, the state cannot be held immediately responsible for acts of mob vigilantism, although indirect responsibility through neglect or indifference may certainly be inferred. Rather, in the absence of a punishing state, individual community members are liable to internalise feelings of guilt or remorse resulting from a brutal mob attack. In instances where a suspect died at the hands of a vigilante mob, punitive-minded interviewees were likely to report that things had gone 'too far', while other interviewees who generally oppose mob vigilantism, but do not speak out for fear of being affiliated with the suspected offenders, expressed feelings of powerlessness or complicity. These conflicting emotions demonstrate the discomfort many Zandspruit residents feel regarding the perceived excesses of mob vigilantism, as well as the lack of control any one individual has in limiting the deadly potential of the collective. Conflict between

parties regarding the efficacy and appropriateness of mob vigilantism also places a significant strain on social relations. Interviewees related how a breakdown in community trust and relationships can result from witnesses who disapprove of their neighbours or acquaintances participating in mob violence. Intercommunal enmity is particularly strong in cases when someone is found to have deliberately misinformed a mob so as to attack a personal rival. In such instances, the fragile social fabric of the community may be seriously damaged:

“There are people who love violence more than civilised ways of solving a problem. They resort to informal justice” (KM54)

“There are people who we know who participate in these barbaric actions and we hate them because of informal justice” (PK56c)

These responses suggest that mob vigilantism can deepen divisions between community members who have conflicting views regarding how crime and deviance should be policed. Considering these perspectives, we may perceive how, instead of preserving community integrity, mob vigilantism can in fact produce the opposite effect – by imposing harsh, often fatal, physical punishments without the support of the entire community, vigilante mobs expose and exacerbate the conflicts between supporters of immediate and violent punitive responses and those in favour of more moderate forms of regulation.

Given the precarious nature of personal safety in Zandspruit, it seems prudent to avoid judging too quickly those who choose to support violent vigilante responses to perceived offending. The thrill of power over life and death and the power to finally come together and *do something*, must be particularly intoxicating for those who live under constant fear of crime, and who cannot exert an acceptable degree of control of their own security. Cruelly, this experience of power is short-lived. The invincibility of the crowd eventually gives way to isolation, and the burden of guilt for its harsh judgements is ultimately borne by individuals, regardless of whether or not they supported them:

“It’s scary to think of that guy dying there. In his final moments he wasn’t even screaming, he was just lying there numb or something and they were beating him with

[a] sjambok. And it was like fire was coming from his body. I don't know what was happening. It was like when they were beating him fire would spark... Every time I walk by these days I walk from the other end [of the street] because I'm afraid of ghosts. I think they will haunt me... [but] I was at the back – there wasn't anything that I could do" (JMPK).

The above passage hints at the internal distress faced by those who witness acts of mob vigilantism. In this instance, the interviewee did not know the man who was killed at the end of her street, but despite this lack of familiarity, she was clearly significantly affected by the traumatic events she had witnessed. For those residents who are more closely involved with the activities of the mob – be they participants, instigators or the offender's friends or family – the psychological impact of such a violent episode is likely to be even more far-reaching and long lasting. The supposed deterrent effect of mob vigilantism is inextricably associated with the high levels of violence directed against suspected offenders. Vigilante logic dictates that offenders, having either heard about or directly witnessed a vigilante event, would be disinclined to run the risk of incurring such a harsh penalty. The severity of physical punishment is, therefore, critical to the success of the whole vigilante enterprise. Witnessing a vigilante event is *intended* to be traumatic, indeed for it to dissuade a hardened offender it must be a truly fearsome and horrifying spectacle. One of the major problems with the vigilante process is that the trauma of witnessing such an event cannot be strictly limited to those with deviant or criminal proclivities. Others who are not involved with crime also endure the act of witnessing, and there is no way to insulate them from the damaging psychological effects of such an event.

Severe emotional disturbances such as heightened anxiety and fear were reportedly experienced by Zandspruit residents as a result of the perceived extremes and arbitrariness associated with vigilante mob violence. Respondents related instances where offenders were apparently punished to excess for the crimes they were alleged to have committed or, even worse, they were later found to be innocent victims of mob exploitation and personal vendetta. In the aftermath of these harrowing experiences, settlement residents are reminded of the haphazard nature of mob vigilantism and many reason that they or their relatives or friends may at any time become the targets of mob violence, despite being innocent of any crime:

"I don't feel safe because I know that it might happen to me any time because there is no structure that governs the whole system" (PK53).

"I fear because I'm not really sure if the caught person has done what he's accused of" (PK58).

"I'm very angry. I don't feel very safe because people are able to start things that are not there" (KM12).

The primary emotions expressed by the above interviewees – insecurity, fear and anger – confirm that mob vigilantism is far from enjoying any universal endorsement in the Zandspruit settlement. However, regardless of whether or not interviewees supported mob vigilantism, nearly all agreed that acts of violent communal retribution had become the normal way of dealing with crime in the settlement:

"Informal justice is a normal way to deal with crime in our community because we have lost faith in formal justice" (PK59).

"It is a normal and regular way [of dealing with crime] but I as an individual disagree..." (PK61)

"It has become a norm in our community but it shouldn't be the way we solve problems... I believe reasonable people should sit and talk to solve the problems they are facing" (KM54).

As the quotations above indicate, many interviewees accepted the normalisation of mob violence only begrudgingly. This reticence is understandable, and Zandspruit residents have good reason to be concerned about the apparent ubiquity if not broad cultural acceptance of violence, whether instigated by mobs or otherwise. The normalisation of vigilante violence is particularly problematic because it adds to the perceived legitimacy of violence as a general tool of social integration. As abolitionists have argued (largely successfully) across much of the West, there is compelling evidence to suggest that the use of inhumane punishments such as the death penalty does little to deter violent crime and may, in fact, cause more harm by brutalising society (Shepherd 2004:38; Bowers & Pierce 1980). These arguments are likely to carry additional weight when communities

themselves carry out the executions, rather than 'outsourcing' them out-of-sight to state employed executioners.

For many respondents the vigilante mob is yet another hazard to contend with, an unfortunate and occasionally terrifying aspect of settlement life that represents yet another pathway to a violent end. Living under the constant and prolonged threat of imminent violence, not only from offenders but also vigilantes, carries serious negative psychological consequences for Zandspruit residents, particularly children. These effects include depression, post-traumatic stress disorder and dissociation, as well as increased susceptibility to aggression and substance abuse (Buka et al 2001:302-304). Buka et al (2001) note the comprehensively deleterious consequences associated with long-term exposure to high levels of community violence:

High levels of witnessing violence place youth at risk for psychological, social, academic, and physical difficulties, as well as for engaging in violent acts themselves (Buka et al 2001:302).

From all of the negative consequences listed above, it is the last, an increased risk 'for engaging in violent acts themselves', that is the most troubling. This is because of the suggested likelihood that witnesses to vigilantism risk entering a cyclical and self-perpetuating spiral of violence and victimisation. Interview data also suggests that experiences of criminal victimisation may lead to increased support for mob vigilantism:

"To be honest, I don't feel bad [about mob vigilantism]. Before when this was happening, before I was a victim, I thought, how could they do this to a person? But since this thing happened to me, honestly I didn't care. I just wanted to see the same person suffer the same thing I did. Even though they suffered differently... he was beaten, she was beaten. But honestly, I was like, they deserve it. Sorry to say that but yeah" (KM14).

Responses such as the one above demonstrate an association between psychological research linking the witnessing and personal experience of serious physical abuse with a greater subsequent acceptance of violence (Buka et al 2001). This represents the most damning indictment of the practice of mob vigilantism: that by pursuing a violent solution to offending, vigilantes legitimise violence as a tool of social interaction and, in doing so, increase its overall prevalence in the community. Instead of shielding people from violent victimisation, vigilantism may ensure that community members are, in fact, more exposed and vulnerable than ever.

Conclusion

"I feel in my heart that it is time that it [vigilantism] gets eradicated because our youngsters and our children... they are growing up in this violent nation... when they are grown-ups what happened in their lives will take a toll" (PK56c).

"Most of the people who commit crime are young people... if they die young what is the future of this community?" (KM51)

Mob vigilantism is, undoubtedly, a highly destructive and unwieldy force, one that regularly punishes both innocent people and offenders alike, and results in significant human rights abuses. However, as interview data reflects, even its most vocal supporters in Zandspruit usually accept these facts, often with only minor reservations.⁶⁴ For criticism of this pernicious and pervasive practice to resonate where it matters the most – amongst the townships and informal settlements where it is a regular occurrence – then greater efforts must be made to tap into arguments and emotions that resonate more strongly with the residents of these areas. Unfortunately, simply pointing to the direct violence perpetrated against offenders is unlikely to achieve this goal. In the poorest corners of South Africa extreme violence is a daily reality, and offenders who are captured and punished by a vigilante mob are unlikely to garner significant levels of sympathy amongst those whom they murder, rape and steal from. Nor do appeals to 'Western-style' human rights seem to penetrate the mindset of community hostility directed towards offenders. As discussed in *Chapter VI - The SAPS*, human rights discourse is not held in high regard in places such as Zandspruit, where few have ever meaningfully experienced any of the political or social benefits that are now enshrined in the

⁶⁴ For more detailed discussion regarding the relatively few enthusiastic supporters of mob vigilantism, see the previous chapter – *The Vigilante Mob*.

national constitution, and that were fought for so passionately during the approximate half-century of apartheid rule.

This research has sought to identify what it is about mob vigilantism that most concerns those who live with a direct experience of it. It is an attempt to examine vigilante activity on its own terms, through the perspectives of witnesses, victims and participants. By doing so, we can confidently establish that mob vigilantism fails many of the standards that it sets for itself: mob vigilantism may be seen to increase rather than decrease general exposure and vulnerability to settlement violence; rather than uniting the community in solidarity against hated deviants, it often aggravates divisions and alienates those who seek more peaceful means of community regulation; mob vigilantism does not make settlement residents feel more positive about the problems in their community; on the contrary, it leaves many with serious, long-lasting and sometimes criminogenic emotional trauma. On this basis, through listening to and analysis of the experiences of residents themselves, we can conclude that mob vigilantism exerts many damaging influences on the Zandspruit settlement – for offenders and innocents alike.

Chapter XI - Conclusion

This research has sought to determine first-hand perspectives of vigilantism from those who live and work in an area in which it plays a dominant role in community regulation. Specific aspects of these local attitudes have been explored in-depth, including questions as to why many Zandspruit residents support vigilantism over engagement with the SAP, and whether or not they regard vigilantism as a normal way of dealing with crime. This research has also been intended to provide a forum in which people living in Zandspruit could express in their own words, how they feel about the vigilantism that occurs around them. By seeking out and analysing these first-hand perspectives, this research has sought to amplify the voices of those affected by vigilantism and create new knowledge about local attitudes towards this violent form of community regulation. Hopefully, in doing so, this thesis may contribute to a more sophisticated and nuanced understanding of both formal and informal responses to crime within South Africa's poorer communities.

Drawing on a range of existing scholarship, including historical (Gordon 2006; Kynoch 2008; Shaw 2002; Dubow 1992) and contemporary criminological analysis (Buur 2010; 2008; 2006; Jensen 2008; van der Spuy 2006; 2003; Harris 2001a), as well as cross-disciplinary scholarly texts from politics (Hoad et al 2005; Sen 2004; Ellis 1994) sociology (Quenza 2009; Herbert 2006; Brint 2001; Cohen 1985; Suttles 1972) and psychology (Buka et al 2001; Wiesenfeld 1998) (references here are limited to a representative sample - see bibliography for an exhaustive list), this research places local understandings of vigilantism within a context of extreme poverty. The relative scarcity of resources in Zandspruit no doubt has a hugely significant impact on local crime and offending, with many long-term unemployed residents unable to achieve a subsistence level income except through committing acquisitive crimes such as robbery and theft. It seems likely that reactions to acquisitive crime are more severe given the poverty endemic in the settlement. Material possessions are likely to be valued even more due to their relative scarcity and a lack of insurance makes them more difficult to replace if stolen.

Understandings of Vigilantism have also been explored through other environmental factors such as a lack of social and policing infrastructure. As discussed in *Chapter VI - the SAPS*, state police do not have a functional presence within Zandspruit. This puts the residents of Zandspruit in the awkward

position whereby they feel that they must act outside of the law in order to enforce local norms and achieve an acceptable measure of justice. Familiarity with these particular context and historical circumstances is vital, as it is only through an awareness of this background and the long periods of self-reliance, hostility and autonomy from the South African state, that we may understand many of the factors affecting contemporary attitudes towards formal policing and vigilantism. This final chapter will draw together the most relevant and significant themes explored throughout this PhD thesis, as well as discuss the primary findings resulting from the synthesis of existing scholarly research with fieldwork data collected in Zandspruit.

Formal vs. Informal Policing - a Lack of Effective Choice

The experiences of interviewees presented as part of this research indicate a comprehensively negative perception of police performance and accessibility within the Zandspruit Informal Settlement. Not only were police commonly perceived as either disinterested or non-responsive to the needs and concerns of Zandspruit residents, but they were also usually regarded as incompetent and particularly susceptible to corruption. As a result of these highly critical perceptions, appeals for police assistance were commonly judged by interviewees to be ineffective at best; at worst, police intervention was perceived as potentially increasing the risk of criminal victimisation as accused offenders bribed their way out of custody and sought revenge against those who had reported them to government authorities. Interviewees also expressed widespread suspicion regarding the role of courts and their capacity to prosecute offenders, as well as a pervasive hostility towards human rights discourse, which many perceived as unduly protecting the rights of 'criminals' over those of innocent victims. Local criticism of state law enforcement may, therefore, be seen to extend well beyond the activities of police to incorporate the entire formal criminal justice system.

Due to the serious reservations expressed by the vast majority of interviewees regarding the competence and commitment of the local SAP, as well as other affiliated justice agencies, it is safe to conclude that state law enforcement is not presently regarded by the people of Zandspruit as providing a credible regulatory or security presence in the settlement. This finding corresponds closely to the substantial body of scholarly literature that examines the parlous state of relations between post-apartheid law enforcement authorities and the South African public, especially those living in slum-like conditions (Steinberg 2008; Gordon 2006; Altbeker 2005; Marks 2005; Shaw 2002). Contemporary criticisms expressed by interviewees should be considered within this broader

context of long-standing public hostility towards state law enforcement, as embodied in the SAP, and the wider criminal justice system. Interestingly, however, the nature of contemporary concerns regarding formal law enforcement (e.g. incompetence, corruption, excessive leniency) differs significantly from criticisms commonly expressed during the apartheid regime (such as institutionalised racism, brutality, unlawful killings and torture) (Gordon 2006; Kynoch 2008; Glaser 2005). This suggests that many South Africans believe that the state is not capable of adopting an appropriately balanced approach towards policing its population, vacillating between either brutal, homicidal repression or ineffective, human-rights induced haplessness.

In light of the negative perspectives articulated by interviewees, the initial research question '*why do people choose vigilantism over the SAP?*' appears somewhat naive. Interviewees clearly felt that there was no real choice, or rather that the only choice available to them was either vigilantism or an appeal to ineffective police intervention that could also place them in danger of repeat victimisation. Considering the inadequate policing services provided by the state, vigilantism appeared the only logical approach to achieve some measure of law and order for interviewees living in a highly dangerous and insecure environment. Both the negative appraisals of police performance and the direct causal stimulus it reportedly provides to vigilante activity in Zandspruit constitute significant research findings. Widespread hostility towards police also highlights the ongoing struggle on the part of government and law enforcement authorities to win the hearts and minds of the South African public. Interviewees persistently expressed a lack of faith in the capacity of either the police, or the state more broadly, to ensure community safety, and there was no indication that this situation was likely to improve any time in the near future. If we interpret these views as broadly representative, then there is clearly much work to be done before the job of building an effective relationship between police and the South African public may be considered complete.

One complementary research finding should, however, provide some encouragement for those advocating for better relations between the police and people living in townships and informal settlements such as Zandspruit. Despite widespread negative perceptions of police performance, most interviewees also strongly supported an increased role for the SAP in their community. This yearning for greater involvement with the SAP indicates that despite reservations about current police performance and engagement, interviewees generally also hoped for a better relationship in

the years to come. Capitalising on this lonely glimmer of positive sentiment will not be easy for police and government authorities. Even if the SAP could adequately resolve issues relating to competence and corruption, they would still remain the agents of a Western model of justice that is generally neither properly understood nor trusted by poorer South Africans (Steinberg 2008; Harris 2001a). As a result of the widespread lack of identification with the formal criminal justice system, many respondents expressed a preference for 'meaningful' and 'direct' forms of punitive action against suspected offenders, particularly in the form of low-level corporal punishment. This option is not (legally) available to police, indicating a significant and seemingly insurmountable disjuncture between the role envisaged for the SAP by the government and legal authorities and the considerably more disciplinarian expectations of elements of the general public.

The fact that the SAP, under the current system at least, are not able to engage as forcefully with offenders as many interviewees would like may continue to be problematic for the relationship between law enforcement authorities and the people whom they are mandated to police. However, the depth of public attachment to vigilantism is difficult to gauge, casting doubt over any long-term predictions about this fraught aspect of police-public relations. It seems equally plausible that the urge to employ vigilante punishments may dissipate considerably if poverty can be reduced and crime stabilised at an acceptable level. For the people of Zandspruit, there may be no consistent ideological attachment to vigilantism that would inhibit embracing more formal, state responses to crime, merely a desire for a practical approach that effectively safeguards them and their communities. More research is needed before these questions about the long-term compatibility of the South African criminal justice system and the expectations of the public can be adequately addressed. For the moment, however, we may conclude that the residents of Zandspruit do not presently have useful or substantive engagement with the SAP, but neither have they given up on the hope of a neutral, engaged state police force that may someday provide a credible alternative to vigilantism.

The Dilemma of Action

Hopes amongst interviewees that the SAP may eventually rise to the challenge of policing their communities should not be interpreted as any sort of endorsement of current police performance. Rather, the most significant factor underpinning a desire for increased police intervention is likely to be widespread concern regarding aspects of current vigilante practice.

Despite the ubiquity and frequency of vigilante violence, whether at the hands of semi-structured groups such as the Zandspruit Patrollers or through the intervention of a punitive mob, most interviewees expressed at least some level of dissatisfaction with the current informal approach, with many openly advocating for a different, less overtly damaging response. This preference was expressed most strongly with regard to relatively minor forms of offending which, in the midst of the chaos and drama of a vigilante pursuit, were considered by interviewees to be punished to disproportionate, sometimes fatal, excess. Another closely related concern, and the single most significant issue compromising local support for vigilantism, was the belief that innocent people regularly became the targets of vigilante attack, either by accident or through malicious deception. This issue significantly undermined support for vigilantism and contributed to an atmosphere of violence, insecurity and fear within the settlement.

A range of other, more subtle harms associated with vigilantism were also acknowledged by interviewees, including pervasive psychological and emotional trauma. While suspected offenders may constitute the primary targets of vigilante sanction, it appears that they are not the only parties likely to be affected in a lasting manner by publicly enacted corporal and capital punishments. In the wake of these incidents of extreme violence, interviewees reported feeling a range of emotions, including anxiety, fear and anger (and also, in a minority of cases, satisfaction). Some respondents also expressed alarm regarding what they believed to be the cumulative, long-term effects that the witnessing of such traumatic events had upon young people. The belief amongst these interviewees that the youth of Zandspruit were being brutalised and slowly inured to excessive violence is especially concerning given the potential for long-term psychological harm. According to Buka et al (2001) and Margolin and Gordis (2000), residents have good reason to be concerned about the lasting effects of violence on the mental health of their children, with studies indicating that regular exposure to high levels of violence can result in a range of mental health problems, including post-traumatic stress disorder, anxiety issues and, most troublingly, an increased propensity for engagement in violent acts (Buka et al 2001; Margolin & Gordis 2000).

Increased risk of mental health problems amongst the general population, and especially the young, are of particular concern as they indicate that a cycle of violence and counter-violence may have already emerged in Zandspruit and other vigilante-prone areas. The mechanism of such a cycle is relatively simple. Just as victims of sexual abuse are at increased risk of becoming sexual abusers

themselves (Glasser et al 2001), then so too may the violence witnessed on the streets of Zandspruit have the unintended effect of increasing instances of violent victimisation. As vigilantes dispense extreme punishments, traumatised youthful observers may come to exhibit higher levels of violent offending, as well as an increased propensity to participate in punitive vigilante action. This vigilante counter-violence, intended ostensibly to safeguard the community and punish the wicked, inadvertently traumatises the next generation who then exhibit an even greater propensity for participation in violent acts - and so the cycles continues. Identification of how vigilantism may contribute to this cycle of violent offending and vigilante counter-violence represents a significant research finding, one that demonstrates the value of cross-disciplinary (criminological and psychological) synthesis.

Despite the high degree of awareness on the part of interviewees regarding the myriad harms resulting from vigilantism, and the clear preference amongst many for an alternative or at least more moderated response, most respondents still perceived its necessity as a regulatory tool within the settlement. Identification of this reluctant support for vigilantism is particularly important as it highlights the dilemma that residents believe that they are facing in this and other like settlements across the country: either embrace a collective response to criminality that brutalises the community and contributes to a cycle of violence and victimisation, or do nothing and surrender to the forces of disorder and anarchy. This latter alternative presents, perhaps, the most frightening scenario of all-a society in which no one is held accountable for their actions, and innocent people are left to fend for themselves. Interviewees did not appear to seriously consider such a consequence. The strong belief in the concept of community, and the high moral value placed on reciprocity and assisting fellow residents in distress indicates that, despite the sometimes terrible consequences, vigilantism is often well intentioned, and is considered by many Zandspruit residents as necessary to compensate for the dangers of living in so insecure an environment.

It seems possible that the stark choice identified by interviewees between either vigilante extremism and state-dependent vacillation is, perhaps, overly simplistic, and does not adequately take into account other policing/regulatory alternatives that may be available. These could include, for example, more disciplined, better trained and institutionalised volunteer crime-fighters, building upon existing institutions such as the CPF and Zandspruit Patrollers, or an enhanced, formally mandated dispute resolution role for the elder 'community committee'. Either of these initiatives

could potentially offer a valuable alternative to regulating crime and community conflict within Zandspruit. Unfortunately, however, while there almost certainly exists a level of grassroots support for these and other creative alternatives, gaining sufficient consensus amongst the residents of Zandspruit to confer authority onto new institutions would likely be problematic. Despite aspirations to community, the people of Zandspruit remain deeply divided along a number of different lines, including age, sex, ethnicity, and preference regarding punitive harshness. Without sufficient leadership from the state - an unlikely prospect given the challenge to authority represented in non-state anti-crime initiatives - these divisions may prove too great to overcome.

In responding to the research question, *'how do people feel about vigilantism?'*, it appears that current perceptions amongst the sample research population are complex and sometimes contradictory. The promise of vigilante intervention does, at least, seem to provide some reassurance that if and when confronted with a violent offender, residents need not face this peril alone. However, interviewees also acknowledged that such protection comes at an extraordinarily high price. The reluctant acceptance of punitive violence and the grim acknowledgment of the many harms it produces suggests an implicit belief amongst the residents of Zandspruit that vigilantism is dangerous and to be feared, but perhaps the only thing worse than engaging in vigilantism is to do nothing at all.

An Ordinary Response to an Extraordinary Threat

This research presents a direct and unambiguous statement regarding the normalisation of vigilantism within a typical South African informal settlement. Resident interviewees clearly and universally interpreted vigilantism to be *the* normal response in dealing with criminal issues when compared to other alternatives such as engagement with the SAP. The unequivocal nature of interviewee statements regarding the normalisation of vigilantism stands in stark contrast to the more qualified tone of discussion surrounding other topics related to this research. For example, interviewee attitudes towards corporal and capital punishments, whilst tending to be favourable, were also complex, with support often conditional upon a whole range of preconditions and hypothetical variables. This more mediated response is what one would expect when discussing issues around which some level of collective disagreement exists. The fact that interviewees, regardless of whether they supported vigilantism or not, still considered it a normal activity highlights the lack of contention surrounding this issue amongst the research participants. As a

result, we may interpret the field data and subsequent analysis relating to this aspect of the research with an especially high degree of confidence. Demonstrating the normalisation of vigilantism within Zandspruit represents a major research finding as well as a significant contribution to the wider scholarly debate surrounding this issue.

Women's perspectives towards vigilantism were not comprehensively addressed as part of this study. However, the brief analysis of the intersection between gender and age and support for vigilantism (see *Chapter IX - the Vigilante Mob*, pp. 164-166) suggests that is an intriguing and worthy topic for future research.

Ordering the Confusion

One of the less anticipated vigilante structures whose role slowly became apparent during fieldwork was that of the Zandspruit Patrollers. In contrast to spontaneously forming vigilante mobs, the Zandspruit Patrollers represent a more durable and organised response to high levels of crime and collective disorder. Learning about the activities of this loosely affiliated band of vigilante crime fighters prompted a theoretical examination of the underlying dynamics at work in Zandspruit, as well as similarly unregulated spaces suffering from what Shearing and Wood (2003) would describe as a 'governance deficit'. Forming in response to this lack of regulation, the Zandspruit Patrollers and other ISNs may be seen as constituting a nascent form of political association that seeks to fill the void in government left by underdeveloped state institutions.

On a more abstract level, the formation of ISNs may be interpreted as a manifestation of the common human desire to confront shared problems in a collective fashion. They represent a logical consequence of the social nature of human life and embody our shared compulsion to organise, to innovate, and to harness the power of individuals into a collective entity. However, as may be inferred from conflict between the Zandspruit Patrollers and other informal governing structures operating in the settlement, ISNs also exhibit aggressive and competitive aspects of human behaviour and a pervasive desire to concentrate political power and eliminate perceived threats. The behaviour of ISNs has profound theoretical implications for the study of governance and security. Building upon Shearing and Wood's model of nodal governance (2003), this research has sought to demonstrate the utility of extending nodal conceptions of security into the informal and

unregulated spaces left absent by state and corporate security actors. The further development of nodal governance theory represents a particularly exciting and promising avenue for future research.

Concluding Remarks

That vigilantism is considered by the research participants as a normal response to high levels of crime when other alternatives are inadequate presents a number of challenges. For the South African state, a new approach to tackling law and order in settlements such as Zandspruit must be determined - simply condemning vigilantes as criminals is ineffective and risks further undermining already damaged state credibility. For the rest of us, the challenge is to open up a constructive space for other perspectives, where positive community engagement, reflected in the desire to protect and support neighbours, is not translated into something harmful to the community as a whole. While some vigilante supporters did express a rather chilling urge for retribution against criminal 'animals', most other respondents perceived vigilantism to be a vital, reciprocal tool in ensuring personal safety, and a well-intentioned expression of community solidarity. Interviewees acknowledged that vigilantism did often 'get out of hand', particularly when driven by a mob, as opposed to more structured vigilante organisations such as the Zandspruit Patrollers. The result of this could be the death of a suspected offender, or worse, someone else who had been erroneously identified as such. However, despite this potentially fatal outcome, the desire to kill was usually absent amongst interviewees, the majority of whom clearly, in most cases, expressed a preference for less damaging forms of corporal punishment, rather than permanently incapacitating or lethal responses.

Acknowledging the complex and sometimes contradictory motivations for participating in vigilantism is important, as these more humane and conflicted perspectives are easily obscured by the horrible carnage of a vigilante killing. The mutilated bodies left in the wake of these events provide ample material for sensational commentary, and belie a sense of calculated and collective ruthlessness that is simply not evident; not, at least, amongst the majority of the research population associated with this study. There are many reasons, however, why the stigmatisation of vigilantes as savage, deviant or pathologically addicted to violence is likely to continue. For the South African state, acknowledging vigilantism as a normal behaviour would constitute a recognition of the colossal and ongoing failure to ensure adequate protection for its citizens, as well as to provide equitable

economic opportunity in Africa's wealthiest nation. For the government and its representatives, it appears far easier to condemn and blame vigilantes for their own misconduct than to admit responsibility for a system in which living conditions are so dire that normal people are prepared to violently turn on one another in the name of justice.

The reluctance of other elements of society, including the media, to recognise the normalisation of vigilantism is less easy to explain. However, it seems conceivable that there exists a pervasive 'othering' of the residents of Zandspruit and similar township folk who, because of their ethnicity, employment status, class or education, are all too quickly judged to be deviant or criminal. Or, alternatively, the answer may be less dramatic. Critical members of the general public may wrongly assume that by accepting vigilantism as normal in certain extraordinary circumstances, they are somehow endorsing it as a desirable response. If so, then this is a fundamental misapprehension that confuses the state of 'what is' with 'what should be'. Whatever the reason, reticence on the part of the general public to recognise the normalisation of vigilante violence perpetuates a situation wherein vigilante-affected communities are forced to face public censure in addition to suffering the many harms associated with life in poverty. This research advocates that we should refrain from moral condemnation and acknowledge the stark reality and limited choices available to the residents of Zandspruit and other poor communities. Those living in these dangerous and largely forgotten places should be afforded, if not our help, then at least our empathy and understanding.

References

- Abrahams, N., Jewkes, R., Laubscher, R., Hoffman, M. (2006) 'Intimate partner violence: prevalence and risk factors for men in Cape Town, South Africa', *Violence and Victims*, vol. 21, no. 2, pp. 247-264
- Abrahams, R. (2008) 'Some thoughts on the comparative study of vigilantism', *Global Vigilantes*, in Pratten, S. and Artyee, S. (eds.), *Global Vigilantes*, Columbia University Press, New York, pp. 419-442
- Abrahams, R. (2002) 'What's in a name? some thoughts on the vocabulary of vigilantism and related forms of 'informal criminal justice'', in Feenan, D. (ed.) *Informal Criminal Justice*, Ashgate Dartmouth, pp. 25-40
- Abrahams, R. (1998) *Vigilant citizens: vigilantism and the state*, Polity Press, Cambridge, UK
- Abrahams, R. (1996) 'Vigilantism: order and disorder on the frontiers of the state', in Harris, O. (ed.) *Inside and Outside the Law: Anthropological Studies of Authority and Ambiguity*, Routledge, London, pp. 33-44
- Abrahamsen, R. and Williams, M. (2007a) 'Securing the city: private security companies and non-state authority in global governance', *International Relations*, vol. 21, pp. 237-253.
- Abrahamsen, R. and Williams, M. (2007b) 'The Privatisation and Globalisation of Security in Africa' *International Relations*, vol. 21, pp. 131-141.
- Abrahamsen, R. and Williams, M. (2010) *Security beyond the state: private security in international politics*, Cambridge University Press, Cambridge
- Abrams, E. (2011) 'Should the US cut off aid to the Egyptian military?', *the Atlantic Website*, <<http://www.theatlantic.com/international/archive/2011/12/should-the-us-cut-off-aid-to-the-egyptian-military/250726/>> [accessed 31/12/2011]
- Agnew, R. (1992) 'Foundation for a general strain theory of crime and delinquency', *Criminology*, vol. 30, no. 1, pp. 47-88
- Agozino, B. (2004) 'Imperialism, crime and criminology: towards the decolonisation of criminology', *Crime, Law and Social Change*, vol 41, pp. 343-358

- Aitkenhead (2000) 'Rough justice', *the Guardian website*,
<<http://www.guardian.co.uk/theobserver/2000/may/28/features.magazine37>>
[accessed 24/08/2011]
- Alexander, N. (2002) *An ordinary country: issues in the transition from apartheid to democracy in South Africa*, University of Natal Press, South Africa
- Allport, F. (1924) 'Response to social stimulation in the crowd', in *Social Psychology*, Houghton Mifflin Company, Boston, USA, pp. 292-319
- Altbeker, A. (2009) 'The building of the new South African Police Service: the dynamics of police reform in a changing (and violent) country', in Hinton, M. And Newburn, T. (eds.) *Policing Developing Democracies*, Routledge, Abingdon
- Altbeker, A. (2007) *A country at war with itself: South Africa's crisis of crime*, Jonathan Ball Publishers, Johannesburg
- Altbeker, A. (2005) *The dirty work of democracy: a year on the streets with the SAPS*, Jonathan Ball Publishing, Cape Town, South Africa
- Anderson, E. (1999) *Code of the street: decency, violence, and the moral life of the inner city*. W.W. Norton, New York
- Ansell, G (2005) *Soweto Blues: Jazz, Popular Music, and Politics in South Africa*, Continuum Books, New York, USA
- Antonopolous, G. (2003) 'Ethnic and racial minorities and the police: a review of the literature', *Police Journal*, vol. 76, no. 3, pp. 222-246
- Arsenault, C. (2011) 'Dying to cover the war' *Al-jazeera website*. Available from: <http://english.aljazeera.net/indepth/features/2011/06/201161185239686319.html>
[accessed 8/6/2011].
- Ashforth, A. (2005) *Witchcraft, violence, and democracy in South Africa*, University of Chicago Press, Chicago, USA
- Baker, B. (2010) 'Linking state and non-state security and justice' *Development Policy Review*, vol. 28, no. 5, pp. 597-616.
- Baker, B (2002) 'Living with non-state policing in South Africa: the issues and dilemmas', *Journal of Modern African Studies*, vol. 40, no.1, pp. 29-53

- Balia, D. (1989) *Christian resistance to apartheid: ecumenism in South Africa 1960-1987*, Skotaville Publishers, Johannesburg, South Africa
- Ball, J. (1994) 'The ritual of the necklace', Occasional paper, Centre for the Study of Violence and Reconciliation, Johannesburg
- Bailey, C. and Prince, N. (2007) 'Vigilante mayhem', *Africa News Service, Highbeam Business website*. Available from: <http://business.highbeam.com/3548/article-1G1-165344100/vigilante-mayhem> [accessed 28/11/11]
- Bailey, K. (2007) *Methods of social research*, Free Press, New York
- Baumer, E. (2002), 'Neighbourhood disadvantage and police notification by victims of violence', *Criminology*, no. 40, pp. 579–617
- Bayley, D. (2005) 'Police reform as foreign policy', *Australian & New Zealand Journal of Criminology*, vol. 38, no. 2, pp.206-215
- Bayley, D. (1988) 'Community policing: a report from the devil's advocate', in Green, J. and Mastrofski, S. (eds.) *Community policing: rhetoric or reality*, Praeger, New York, USA
- Bearpark, A. and Schulz, S. (2007) 'The private security challenge in Africa: problems and options for regulation' in S. Gumede (ed.) *Private security in Africa: manifestations, challenges and regulation*, Institute for Security Studies, Pretoria
- Bearak, B. (2009) 'Constant fear and mob rule in South African slum', *New York Times*, New York
- Bennis, P. (2011) 'Tunisia's spark and Egypt's flame: the Middle East is rising', *Foreign Policy in Focus website*,
<http://www.fpif.org/articles/tunisias_spark_egypts_flame_the_middle_east_is_rising> [accessed 20/11/2011]
- Bertram, E., Blachman, M., Sharpe, K., Andreas, P. (1996) *Drug war politics: the price of denial*, University of California Press, Los Angeles
- Beyaraza, E. (2004) *The African concept of time*, Makerere University Printery, Kampala, Uganda
- Bobb, M. (2003) 'New approaches to ensuring the legitimacy of police conduct: civilian oversight of the police in the United States', *Saint Louis University Public Law Review*, vol. 22, pp. 151-166.

- Bond, P. (2007) 'Townships' in Darity, W. (ed) *the International Encyclopaedia of the Social Sciences*, 2nd edition, Macmillan Reference USA, pp. 405-407
- Bourdieu, P. (1989) Social space and symbolic power. *Sociological Theory*, vol. 7, no. 1, pp. 14-25.
- Bourgeois. P. (1996) *In search of respect: selling crack in El Barrio*, Cambridge University Press, New York
- Bowers, W. and Pierce, G. (1980) 'Deterrence or brutalisation: what is the effect of executions?', *Crime & Delinquency*, vol. 26, no. 4, pp. 453-484
- Bozzoli, B. (2004) *Theatres of struggle and the end of apartheid*, Edinburgh University Press, Edinburgh, UK
- Braithwaite, J., Braithwaite, V., Cookson, M. and Dunn, L. (2010) *Anomie and violence*, ANU Press, Canberra, Australia
- Braithwaite, J. (2000) 'The new regulatory state and the transformation of criminology' *British Journal of Criminology*, vol. 40, pp. 222-238.
- Braithwaite, J. (2003) What's wrong with the sociology of punishment? *Theoretical Criminology*, vol. 7, no. 1, pp. 5-28.
- Breckenridge, L. (2005) 'Verwoerd's bureau of total proof: total information in the making of apartheid', *History Workshop Journal*, no. 59, pp. 83-108
- Brewer, J. (1994) *Black and blue: policing in South Africa*, Clarendon Press, Oxford
- Bridgland, F. (2009) 'Leader tipped to be president promotes vigilante mob rule', the Scotsman Website <<http://thescotsman.scotsman.com/topstories/Leader-tipped-to-be-president.5086689.jp>> [accessed 09/11/2009]
- Brint, S. (2001) 'Gemeinschaft revisited: a critique and reconstruction of the community concept', *Sociological Theory*, vol. 19, no. 1, pp. 1-23
- Brodeur, J. (2010) *The policing web*, Oxford University Press, Oxford, UK
- Brodeur, J. and Shearing, C. (2005) 'Configuring security and justice', *European Journal of Criminology*, Vol. 2, No. 4, pp. 379-406
- Brogden, M. and Shearing, C. (1993) *Policing for a new South Africa*, Routledge, London, UK

- Brogden, M. (2005) "'Horses for courses" and "thin blue lines": community policing in transitional society', *Policing Quarterly*, vol. 8, no. 1, pp. 64-98
- Brogden, M. (2004) 'Community policing: a panacea from the West', *African Affairs*, vol. 103, no. 413, pp. 635-649
- Brogden, M. (1999) 'Community policing as cherry pie' in R. Mawby (ed.) *Policing across the world: issues for the twenty-first century*, Routledge, Oxon, UK
- Brogden, M. (1987) 'The emergence of the police: the colonial dimension', *British Journal of Criminology*, vol. 27, no. 1, pp. 4-14
- Brown, M. (1988) *Working the street: police discretion and the dilemmas of reform*, Russell Sage Foundation, New York.
- Brown, M. (1976) 'The history of vigilantism in America', *Vigilante Politics*, University of Pennsylvania Press
- Bruce, D. (2002) 'Police brutality in South Africa', in Mwanajiti, N., Mhlanga, P., Sifuniso, M. Nachali-Kambikambi, Y., Muuba, M and Mwananyanda, M (eds.), *Police Brutality in Southern Africa – A Human Rights Perspective*, Inter-African Network for Human Rights and Development
- Bruce, D. and Komane, J. (1999) 'Taxis, cops and vigilantes: police attitudes towards street justice', *Crime and Conflict*, no. 17, pp. 39-44
- Brzoska, M. (2003) Development donors and the concept of security sector reform, Geneva Centre for the Democratic Control of Armed Forces, Occasional paper, no. 4, Geneva
- Buckley, J. and Holmes, R. (2001) 'Imperial policing' in Holmes, R. (ed.) *Oxford Companion to Military History*, Oxford University Press, Oxford, UK
- Buka, S., Stichick, T., Birdthistle, I. and Earls, F. (2001) 'Youth exposure to violence: prevalence, risks, and consequences', *American Journal of Orthopsychiatry*, vol. 71, no. 3, pp. 298-310
- Bunting, B (1964) *The rise of the South African Reich*. Penguin Books, Harmondsworth, Middlesex, UK

- Burman, S. and Schärf, W. (1990) 'Creating people's justice: street committees and people's courts in a South African city'. *Law & Society Review*, vol. 24, no. 3, pp. 693-744
- Burris, S., Drahos, P. and Shearing, C. (2005) 'Nodal governance', *Australian Journal of Legal Philosophy*, vol. 30, pp. 30-58.
- Burrows, W. (1976) *Vigilante*, Harcourt Brace Jovanovich, New York
- Button, M. (2007) 'Assessing the Regulation of Private Security across Europe', *European Journal of Criminology*, vol. 4, no. 1, pp. 109-128
- Buur, L. (2010) 'Domesticating sovereigns: the changing nature of vigilante groups in South Africa', in Kirsch T. and Gratz, T. (eds.) *Domesticating vigilantism in Africa*, James Currey, Suffolk, UK
- Buur, L. (2008a) 'Fluctuating personhood: vigilantism and citizenship in Port Elizabeth's townships', in Pratten, S. and Artyee, S. (eds.), *Global vigilantes*, Columbia University Press, New York, pp. 127-150
- Buur, L. (2008b) 'Democracy and its discontents: vigilantism, sovereignty & human rights in South Africa', *African Review of Political Economy*, vol. 35, no. 118, pp. 571-584
- Buur, L. (2006) 'Reordering society: vigilantism and expressions of sovereignty in Port Elizabeth's townships', *Development & Change*, vol. 37, no. 4, pp. 735-757
- Buur, L. (2005) 'The sovereign outsourced: local justice and violence in Port Elizabeth', in Hansen, T. and Stepputat, F. (eds.) *Sovereign bodies: citizens, migrants, and states in the postcolonial world*, Princeton University Press, New Jersey
- Buur, L. and Jensen, S. (2004a) 'Introduction: vigilantism and the policing of everyday life', *South Africa Journal of African Studies*, vol. 63, no. 2, pp. 139-52
- Buur, L. and Jensen, S. (2004b) 'Everyday policing and the occult: notions of witchcraft, crime and "the people"', *South Africa Journal of African Studies*, vol. 63, no. 2, pp. 153-71
- Campbell, B. (2003) *The SA generals and the rise of Nazism*, University Press of Kentucky, Lexington
- Canetti, E. (1960) *Crowds and power*, Continuum, New York, USA

- Carey, R. (2001) *The new intifada: resisting Israel's apartheid*. Verso Publishers. London, UK
- Casey, C. (2008) 'Policing' through violence: fear, vigilantism, and the politics of Islam in northern Nigeria', in Pratten, S. and Artyee, S. (eds.), *Global Vigilantes*, Columbia University Press, New York, pp. 93-126
- Castells, M. (1998) *The information age: economy, society and culture, vol. III: end of millennium*, Basil Blackwell, Oxford, UK
- Castells, M. (1996) *The information age: economy, society and culture, vol. I: the rise of the network society*, Basil Blackwell, Oxford, UK
- Cavender, G. and Deutsch, S. (2007) 'CSI and moral authority: the police and science', *Crime, Media, Culture*, vol. 3, no. 1, pp. 67-81
- Charney, C. (1991) 'Vigilantism, clientelism and the South African state', *Transformation*, vol. 16, pp. 1-28
- Chavez, L. (2008) 'Spectacle in the desert: The minuteman project on the US-Mexico border', in Pratten, S. and Artyee, S. (eds.), *Global Vigilantes*, Columbia University Press, New York, pp. 25-46
- Chimere-Dan, O. (1993) 'Racial patterns of fertility decline in South Africa', *International Population Conference 1993, Montreal*, International Union for the Scientific Study of Population, vol. 1, pp. 43-51
- Christie, N (1977) 'Conflict as Property', *British Journal of Criminology*, vol. 17, no. 1, pp. 1-15
- Christman, J (2002) *Social and Political Philosophy*, Routledge, London, UK
- Christopher, A. (1994) *The atlas of apartheid*, Routledge, London, UK
- Christopher, A. (1984) *Colonial Africa*, Barnes & Noble Books, New Jersey, USA
- Cock, J. (1989) 'The role of violence in state security strategies 1984 – 88', Occasional paper, Centre for the Study of Violence and Reconciliation, Johannesburg
- Cohen, A. (1985) *Symbolic construction of community (key ideas)*, Routledge, Manchester, UK

- Cohen, S. (1972) *Folk devils and moral panics: the creation of the Mods and Rockers*, MacGibbon and Kee Ltd., UK
- Comaroff, J. and Comaroff, J. (2007) 'Popular justice in the new South Africa: policing the boundaries of freedom' in (ed.) Tom Tyler, *Legitimacy and criminal justice: international perspectives*, Russel Sage Foundation, New York, USA, pp. 215- 238
- Crawford, A. (2006) 'Policing and security as 'club goods: the new enclosures?' in J. Wood and B. Dupont (eds.) *Democracy, society and the governance of security*, Cambridge University Press, Cambridge, pp. 111-138
- Credit Suisse/First Boston (2001), *Review of the South African private security industry*, Credit Suisse First Boston Ltd., Europe
- Crush, J. (2002) 'The global raiders: nationalism, globalisation and the South African brain drain', *Journal of International Affairs*, vol. 56, pp. 73-98
- Cunneen, C. (2001) Assessing the outcomes of the Royal Commission into Aboriginal Deaths in Custody, *Health Sociology Review*, vol. 10, no. 2, pp. 33-53
- Daily News (2008) 'Cops Try to Control Xenophobic Mayhem', Daily News Website <<http://www.dailynews.co.za/index.php?fSectionId=500&fArticleId=vn20080519054446281C325213>> [accessed 23/09/2009]
- Davies, P., Francies, P. and Jupp, V. (2011) *Doing criminological research*, 2nd edition, Sage Publications Ltd., London
- Davies, N. (1997) *Europe: a history*, Pimlico, London
- Davis, U. (2003) *Apartheid Israel: possibilities for the struggle within*. Zed Books Ltd., London, UK
- De Nevers, R. (2010) The effectiveness of self-regulation by the private military and security industry, *Journal of Public Policy*, vol. 30, no. 2, pp. 219-240
- De Tocqueville, A. (1835) *Democracy in America*, (trans.) Reeve, H., Saunders & Otley, London, UK
- De Witt Dippenaar, M. (1988) *The history of the South African police*, Promedia, Pretoria
- Dickie, J. (2004) *Cosa Nostra: a history of the Sicilian mafia*, Palgrave Macmillan, New York

- Dixon, B. (2004) 'In search of interactive globalisation: critical criminology in South Africa's transition', *Crime, Law and Social Change*, vol. 41, no. 4, pp. 359-384
- Dixon, B. and Johns, L. (2001) 'Gangs, PAGAD and the state: vigilantism and revenge violence in the Western Cape', *Violence and Transition Series*, vol. 2, Centre for the Study of Violence and Reconciliation, Johannesburg
- Dowler, K. (2003) 'Media consumption and public attitudes toward crime and justice', *Journal of Criminal Justice and Popular Culture*, vol. 10, no. 2, pp. 109-126
- Drezner, D. (2001) 'Globalisation and policy convergence', *International Studies Review*, vol. 3, no. 1, pp. 53-78
- Du Bois, W. and Berg, B. (2002) 'Crime in society: sociological understandings and societal implications' in R. Straus (ed.) *Using sociology*, Rowman & Littlefield Publishers, Lanham
- Dubow, S. (1992) 'Afrikaner nationalism, apartheid and the conceptualisation of 'race'', *Journal of African History*, vol. 33, no. 2, pp. 209-237
- Duggard, J. (2001) 'From low intensity war to mafia war: taxi violence in South Africa (1987-2000)', *Violence and Transition Series*, vol. 4, Centre for the Study of Violence and Reconciliation, Johannesburg
- Dupont, B. (2006) 'Power struggles in the field of security: implications for democratic transformation' in J. Wood and B. Dupont (eds.) *Democracy, society and the governance of security*, Cambridge University Press, Cambridge, pp. 86-110
- Durkheim, E. (1997) *The division of labour in society*, Free Press, California, USA
- Easterly, W. (2003) 'Can foreign aid buy growth?', *Journal of Economic Perspectives*, vol. 17, no. 3, pp. 23-48
- Ehrlich, I. (1975) 'The deterrent effect of capital punishment: a question of life and death', *American Economic Review*, American Economic Association, vol. 65, no. 3, pp. 397-417
- Ellis, S (1994) 'Of elephants and men: politics and nature conservation in South Africa', *Journal of Southern African Studies*, vol. 20, no. 1, pp. 53-69

- Ellison, G. and O'Reilly, C. (2008) 'From empire to Iraq and the "war on terror": the transplantation and commodification of the (Northern) Irish policing experience', *Police Quarterly*, vol. 11, no. 4, pp 395-426
- Ero, C. (2000) 'Vigilantes, civil defence forces and militia groups', *Conflict Trends*, June 2000, pp. 25-29
- Faull, A. (2007) 'Corruption and the South African Police Service: A review and its implications' *ISS Paper*, No. 150, Pretoria, Institute for Security Studies
- Few, R., Gouveia, N., Mathee, A., Harpham, T., Cohn, A., Swart, A., Coulson, N. (2004) 'Informal sub-division of residential and commercial buildings in Sao Paulo and Johannesburg: living conditions and policy implications', *Habitat International*, vol. 28 pp. 427-442
- Finnane, M. (1994) *Police and government: histories of policing in Australia*. Oxford University Press, Melbourne
- Flick, U. (2009) *An introduction to qualitative research*, 4th edition, SAGE publications, London, UK
- Foster, J. (2002) 'The rediscovery of imperialism', *Monthly Review*, vol. 54, no. 6, pp. 1- 10
- Foucault, M (1979) *Discipline and punish: the birth of the prison*, (trans.) Sheridan, A., Vintage, New York
- Friedman, S. (1998) 'The policy environment', unpublished paper submitted to the Ministerial Committee of Inquiry into the Safety and Security Environment in South Africa, p. 8
- Froestad, J. and Shearing, C. (2005) Practicing justice - the Zwelethemba model of conflict resolution' in Slakmond (ed.) *Justicia Restaurativa: Ministerio da Justica do Brasil*, Brazil
- Galeotti, M. (2008) 'Private security and public insecurity: outsourced vigilantism in modern Russia', in Pratten, S. and Artyee, S. (eds.), *Global Vigilantes*, Columbia University Press, New York, pp. 267-290
- Garside, R.(2006) *Making sense of criminal justice failure*, Centre for Crime and Justice Studies website <<http://www.crimeandjustice.org.uk/opus316.html>> [accessed 9/1/2011]

- Genov, N. (1998) 'Transformation and anomie: problems of quality of life in Bulgaria', *Social Indicators Research*, vol. 43, no. 1/2, pp. 197-209
- Glaser, C. (2005) 'Whistles and sjamboks: crime and policing in Soweto, 1960-1976', *South African Historical Journal*, vol. 52, no. 1, pp. 119-139
- Glasser, M., Campbell, D., Glasser, A., Leitch, I. and Farrelly, S. (2001) 'Cycle of child sexual abuse: links between being a victim and becoming a perpetrator', *British Journal of Psychiatry*, vol. 179, pp. 482-494
- Godoy, A. (2006) *Popular injustice: violence, community and law in Latin America*, Stanford University Press, California, USA
- Goldsmith, A and Dinnen, S. (2007) 'Transnational police building: critical lessons from Timor-Leste and Solomon Islands', *Third World Quarterly*, vol. 28, no. 6, pp. 1091-1109
- Goldsmith, A. and Lewis, C. (2000) 'Introduction' in A. Goldsmith and C. Lewis (eds.) *Civilian oversight of policing: governance, democracy and human rights*, Hart Publishing, Oxford, pp. 1-18
- Goldstein, A. (2002) *The psychology of group aggression*, Wiley, New Jersey, USA
- Goldstein, A. (1994) *The ecology of aggression*, Plenum Press, New York, USA
- Goodhew, D. (1993) 'The people's police force: communal policing initiatives in the western areas of Johannesburg, circa 1930-62', *Journal of African Studies*, vol. 19, no.3, pp. 447-470
- Gordon, D. (2006) *Transformation & trouble crime, justice, and participation in democratic South Africa*, University of Michigan Press, Michigan
- Greene, J. (2000) 'Community policing in America: changing the nature, structure, and function of the police', *Criminal Justice 2000: Policies, Processes, and Decisions of the Criminal Justice System*, Vol. 3, pp. 299-370, Washington DC
- Gwynn, C. (1934) *Imperial policing*, Macmillan, London, UK
- Harris, B. (2004) Arranging prejudice: exploring hate crime in post-apartheid South Africa, *Centre for the Study of Violence and Reconciliation*, Johannesburg
- Harris, B. (2003) 'Spaces of violence, places of fear: urban conflict in post-apartheid South Africa, *Centre for the Study of Violence and Reconciliation*, Johannesburg

- Harris, B. (2001a) "As for violent crime that's our daily bread": vigilante violence in South Africa's period of transition', *Violence and Transition Series*, vol. 1, Centre for the Study of Violence and Reconciliation, Johannesburg
- Harris, B. (2001b) 'A foreign experience: violence, crime and xenophobia during South Africa's transition', *Violence and Transition Series*, vol. 5, Centre for the Study of Violence and Reconciliation, Johannesburg
- Harris, V. (2000) 'They should have destroyed more': The destruction of public records by the South African state in the final years of apartheid, 1990-94', *Transformation*, Vol. 42, pp. 29-56
- Hancock, L. (2000) 'Going around the houses: researching in high crime communities', in King, R. and Wincup E. (eds.), *Doing research on crime and justice*, Oxford University Press, New York, pp. 135-381
- Hansson, E. and Fine, D. (1990) 'Community responses to police abuses of power: coping with the kitskonstables', in Hansson, D. and van Zyl Smit, D. (eds.) *Towards Justice? Crime and State Control in South Africa*, Oxford University Press, United Kingdom
- Haysom, N. (1990) 'Vigilantism and the policing of African townships: manufacturing violent stability', *Towards justice? crime and state control in South Africa*, Oxford University Press, Cape Town
- Haysom, N. (1989) 'Vigilantism: a contemporary form of repression', *Centre for the Study of Violence and Reconciliation*, Johannesburg
- Haysom, N. (1986) 'Mabangalala: the rise of right-wing vigilantes in South Africa', *Centre for Applied Legal Studies*, University of Witwatersrand, Johannesburg
- Hearn, J. (2000) 'Aiding democracy? Donors and civil society in South Africa', *Third World Quarterly*, vol. 21, no. 5, pp. 815-83
- Herbert, S. (2006) *Citizens, cops, and power: recognising the limits of community*, University of Chicago Press, Chicago, USA
- Henderson, M. (2009) 'Psychological distance and group judgements: the effect of physical distance on beliefs about common goals', *Personality and Social Psychology Bulletin*, vol. 35, no. 10, pp. 1330-1341

- Hills, A. (2009) 'Paramilitary policing' in *the Sage dictionary of policing*, (eds.) Alison Wakefield and Jenny Fleming, Sage Publications, London.
- Hirt, N. (2010) *'Dreams don't come true in Eritrea': anomie and family disintegration due to the structural militarisation of society*, German Overseas Institute - German Institute of Global and Area Studies, Hamburg, Germany
- Hoad, N., Martin, K., Reid, G. (2005) *Sex and politics in South Africa*, Double Storey Books, Cape Town, South Africa
- Holzinger, K. and Knill, C. (2005) 'Causes and conditions of cross-national policy convergence', *Journal of European Public Policy*, vol. 12, no. 5, pp. 775-796
- Howe, H. (1994) 'The South African Defence Force and political reform', *Journal of Modern African Studies*, vol. 32, no. 1, pp. 29-51
- Huey, L. (2008) "When it comes to violence in my place, I am the police!" Exploring the policing functions of service providers in Edinburgh's Cowgate and Grassmarket', *Policing and Society*, vol. 18, no. 3, pp. 207-222
- Huggins, M (1991) *Vigilantism and the state in modern Latin America*, Greenwood Publishing Group, New York
- Huschka, D. and Mau, S. (2005) 'Social anomie and racial segregation in South Africa', *Social Indicators Research*, vol. 76, pp. 467-498
- Ignatieff, M. (2001) 'The attacks on human rights', *Foreign Affairs* vol. 80, no.6, pp.102- 116
- Jacobson, C., Amoateng, A., and Heaton, T. (2004) 'Inter-racial marriages in South Africa', *Journal of Comparative Family Studies*, vol. 35, pp. 443-458
- Jarman, N. (2008) 'Vigilantism, transition and legitimacy: informal policing in Northern Ireland', in Pratten, S. and Artyee, S. (eds.), *Global vigilantes*, Columbia University Press, New York, pp. 319-348
- Jensen, S. (2008) 'Policing Nkomazi: crime, masculinity and generational conflicts', in Pratten, S. and Artyee, S. (eds.), *Global vigilantes*, Columbia University Press, New York, pp. 44-65
- Jewkes, R., Levin, J., Penn-Kekana, L. (2002) 'Risk factors for domestic violence: findings from a South African cross-sectional study', *Social Science & Medicine*, Vol. 55 pp. 1603-1617

- Johannesburg Church of Christ (2009) Johannesburg Church of Christ Community Outreach Projects Website <<http://www.nwregion.co.za/?q=node/12>> [accessed 26/09/2009]
- Johnson, S. (2007) Fleeing from South Africa, *Newsweek*, <<http://www.newsweek.com/id/184783>> [accessed 21/2/2011]
- Johnston, L. and Shearing, C. (2003) *Governing security: explorations in policing and justice*, Routledge, London
- Johnston, L. (1996) 'What is vigilantism?', *British Journal of Criminology*, vol. 36 no. 2, pp. 220-36
- Jones, T. and Newburn, T. (2002) 'Policy convergence and crime control in the USA and the UK: streams of influence and levels of impact', *Criminology and Criminal Justice*, vol. 2, no. 2, pp. 173-203
- Jupp, V., Davies, P. and Francis, P. (2011) *Doing criminological research*, Sage Publications, London
- Kaplan, D. and Dubro, A. (2004) *Yakuza: Japan's criminal underworld*, University of California Press, Los Angeles,
- Kapp, C. (2008) 'South Africa failing people displaced by xenophobia riots', *Lancet*, vol. 371, no. 9629, pp. 1986-1987
- Kelly, T. (2008) 'Law and disorder in the Palestinian West Bank: the execution of suspected collaborators under Israeli occupation', in Pratten, S. and Artyee, S. (eds.), *Global Vigilantes*, Columbia University Press, New York
- Kempa, M., Stenning, P. and Wood, J. (2004) 'Policing communal spaces: a reconfiguration of the 'mass private property' hypothesis', *British Journal of Criminology*, vol. 44, no. 4, pp. 562-581
- Killingray, D. (1999) *Guardians of empire*, Manchester University Press, Manchester, UK
- Kim, S. and Pridemore, W. (2005) 'Social change, institutional anomie and serious property crime in transitional Russia' *British Journal of Criminology*, vol. 48, no. 1, pp. 81-79
- King, D. and Wincup, E. (2000) *Doing research on crime and justice*, Oxford University Press, Oxford

- Kirsch, T. (2010) 'Community policing, vigilante action & nation building in South Africa' in *Domesticating Vigilantism in Africa* (eds. Tilo Gratz and Thomas Kirsch), Boydell & Brewer, Suffolk, UK
- Klein, N. (2007) *The shock doctrine: the rise of disaster capitalism*, Metropolitan Books, New York
- Knox, C. and Monaghan, R. (2002) *Informal justice in divided societies: Northern Ireland and South Africa*, Palgrave Macmillan, Basingstoke
- Koenig-Archibugi, M. (2003) 'The challenge to governance' in *Taming globalisation: frontiers of governance*, (eds. Koenig-Archibugi & Held), Polity Press, UK
- Krahmann, E. (2010) *States, citizens and the privatization of security*, Cambridge University Press, Cambridge
- Kraska, P. and Neuman, W. (2008) *Criminal justice and criminology research methods*, Pearson Education Inc., USA
- Kuper, L. (1950) 'Some demographic aspects of white supremacy in South Africa', *British Journal of Sociology*, vol. 1, no. 2, pp. 144-153
- Kynoch, G. (2008) 'Urban violence in colonial Africa: a case for South African exceptionalism', *Journal of Southern African Studies*, vol. 34, no. 3, pp 629-645
- Kynoch, G. (2003) 'Friend or foe? A world view of community-police relations in Gauteng townships, 1947-77', *Canadian Journal of African Studies*, vol. 37, no. 2/3, pp. 298-327
- Last, D. (2006) 'Walking the line: peacekeeping and imperial policing', seminar paper prepared for *What is a peace operation?*, hosted by Réseau francophone de recherche sur les opérations de paix and the Pearson Peacekeeping Centre, UNESCO, Montreal, Canada
- Last, D. (2003) 'From peacekeeping to peacebuilding', *The Online Journal of Peace and Conflict Resolution*, vol. 5, no. 1, pp.1-8
- Latane, B., Liu, J., Nowak, A., Bonevento, M. and Zheng, L. (1995) 'Distance matters: physical space and social impact', *Personality and Social Psychology Bulletin*, vol. 21, no. 8, pp. 795-805

- Latane, B. and Nida, S. (1981) 'Ten years of research on group size and helping', *Psychological Bulletin*, no.89, pp. 308-324
- Lapping, B. (1987) *Apartheid: a history*, Paladin, London
- Le Bon (1896) *The crowd: a study of the popular mind*, the Macmillan Company, New York, USA
- Le May, G. (1995) *The Afrikaners: an historical interpretation*, Blackwell Publishers Ltd., Oxford
- Lee, R. and Seekings, J. (2002) 'Vigilantism and popular justice after apartheid', in Feenan, D. (ed.) *Informal criminal justice*, Ashgate Dartmouth, pp. 99-116
- Lemanski, C. (2004) 'A new apartheid? The spatial implications of fear of crime in Cape Town, South Africa', *Environment and Urbanisation*, no, 16, pp. 101-111
- Lewis, P. (2007) 'Police practices in immigrant-destination cities: political control or bureaucratic professionalism', *Urban Affairs Review*, Vol. 42, No. 6, pp. 874-900
- Lentz, S. and Chaires, R. (2007) 'The invention of Peel's principles: a study of policing 'textbook' history', *Journal of Criminal Justice*, no. 35, pp. 69-79
- Loader, I. and Walker, N. (2006) 'Necessary virtues: the legitimate place of the state in the production of security', in J. Wood and B. Dupont (eds.) *Democracy, society and the governance of security*, Cambridge University Press, Cambridge, pp. 165-195
- Loader, I. and Walker, N. (2004) 'State of Denial?: Rethinking the governance of security', *Punishment & Society*, vol. 6, pp. 221-228
- Lord, D. (2008) *From fledgling to eagle: the South African air force during the Border War*. 30° South Publishers, Johannesburg, South Africa
- Luow, D. (2002) *Ubuntu and the challenges of multiculturalism in post-apartheid South Africa*, University of the North, Sovenga, South Africa
- Luow, R. (1994) 'Conscription', *South African Human Rights Yearbook*, no. 33, Centre for Socio-legal Studies, South Africa
- MacGregor, K. (2001) 'Guilt and innocent alike fall victim to 'necklace' justice by South African mobs', *the Independent*, Durban
- Magubane, P and Smith, C. (2001) *Soweto*, Random House Struik, Johannesburg

- Maguire, M. (2000) 'Researching "street" criminals' in King, R. and Wincup, E. (eds.) *Doing research on crime and justice*, Oxford University Press, Oxford
- Mandy, N. (1984) *A city divided: Johannesburg and Soweto*, Macmillan, South Africa
- Manning, R., Levine, M. and Collins, A. (2007) 'The Kitty Genovese murder and the social psychology of helping', *American Psychologist*, vol. 62, pp. 555-562
- Manwaring, M. and Corr, E. (2008) *Insurgency, terrorism and crime: shadows from the past and portents for the future*, University of Oklahoma Press, Norman, USA
- Mapogo-a-Mathamaga website, <<http://www.mapogo.co.za/>> [accessed 02/06/2009]
- Marenin, O. (1998) 'The goal of democracy in international police assistance programs', *Policing*, vol. 21, no. 1, pp. 159-177
- Margolin, G. and Gordis, E. (2000) 'The effects of family and community violence on children', *Annual Review of Psychology*, vol. 51, pp. 445-479
- Marks, M. and Bonin, D. (2010) 'Generating safety from below: community safety groups and the policing nexus in Durban', *South African Review of Sociology*, vol. 41, no. 1, pp. 56-77
- Marks, M. and Goldsmith, A. (2006) 'The state, the people and democratic policing: the case of South Africa', in J. Wood and B. Dupont (eds.) *Democracy, society and the governance of security*, Cambridge University Press, Cambridge, pp. 139-164
- Marks, M. and Wood, J. (2010) 'South African policing at a crossroads: the case for a 'minimal' and 'minimalist' public police', *Theoretical Criminology*, vol. 14, no. 3, pp. 311-329
- Marks, M. (1992) "Youth and political violence: the problem of anomie and the role of youth organisations", seminar no. 5, Centre for the Study of Violence and Reconciliation, Johannesburg
- Martin, J. (2010) 'Vigilantism and informal social control in South Africa' *Acta Criminologica: Southern African Journal of Criminology*, vol. 23, no. 3, pp. 53-70
- Martin, J. (2009) 'Vigilantes unmasked: an exploration of informal criminal justice in contemporary South Africa', in Segrave, M. (ed.) *Australia and New Zealand Critical Criminology Conference 2009: Conference Proceedings*, Monash University, Australia, pp. 142-150

- Masina, N. (2000) 'Xhosa practices of ubuntu for South Africa', in *Traditional cures for modern conflicts: African conflict "medicine"* (ed Zartman, I.) pp.169-181
- Maxfield, M and Babbie, E. (2009) *Basics of research methods for criminal justice and criminology*, 2nd edition, Wadsworth Cengage Learning, Belmont, USA
- McEvoy, K. and Mika, H. (2002) 'Republican hegemony or community ownership? community restorative justice in Northern Ireland', in Feenan, D. (ed.) *Informal Criminal Justice*, Ashgate Dartmouth, pp. 61-78
- McKenzie, I. (1982) 'Unlawful assembly: riot, rout: the mechanics of the mob', *Police Studies: International Review of police Development*, pp. 40-46
- McPhail, C. (1991) *The myth of the madding crowd*, Walter de Gruyter, New York, USA
- Meo, N. (2011) 'African mercenaries in Libya nervously await their fate', *Daily Telegraph Website*. Available from:
<http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8349414/African-mercenaries-in-Libya-nervously-await-their-fate.html> [accessed 1/5/2011]
- Merriam, S., Johnson-Bailey, J., Lee, M., Kee, Y., Ntseane, G., Muhamad, M. (2001) 'Power and positionality: negotiating insider/outsider status within and across cultures', *International Journal of Lifelong Education*, vol. 20, no. 5, pp. 405-416
- Merton, R. (1968) *Social theory and social structure*, University of California Press, California, USA
- Merton, R. (1938) 'Social structure and anomie', *American Sociological Review*, vol. 3, no. 5, pp. 672-682
- Minnaar, A. and Mistry, D. (2004) 'Outsourcing and the South African Police Service', in: M. Schönteich, A. Minnaar, D. Mistry and K.C. Goyer, *Private muscle: Outsourcing the provision of Criminal Justice Services*, ISS Monograph Series No. 93, Brooklyn
- Minaar, A (2003) 'Vigilante killings are symptoms of breakdown' *Sunday Times*, Johannesburg
- Minaar, A. (2002) 'The 'new' vigilantism in post-April 1994 South Africa: searching for explanations', in Feenan, D. (ed.) *Informal Criminal Justice*, Ashgate Dartmouth, pp. 117-134

- Minaar, A. (2001) 'The 'new' vigilantism in post-April 1994 South Africa: searching for explanations', crime prevention or an expression of lawlessness?' *Institute for Human Rights & Criminal Justice Studies*, South Africa
- Monaghan, R. (2008) 'Community-based justice in Northern Ireland and South Africa', *International Criminal Review*, Vol. 18, No. 1, pp. 83-105
- Moran, G. (1996) 'Human rights and the structure of internal security forces: South Africa', *Third World Legal Studies 1996-1997*, pp. 149-174
- Morrell, R. (2006) 'Fathers, fatherhood and masculinity in South Africa' in Morrell, R. and Richter, L. (eds.) *Baba: men and fatherhood in South Africa*, HSRC Press, Cape Town, South Africa, pp. 13-25
- Morrison M. and Linnegar, J. (2004) *Every step of the way: the journey to freedom in South Africa*, Human Sciences Research Council, South African Ministry of Education
- Morrison, K. (2006) *Marx, Durkheim, Weber: formations of social thought*, Sage Publishing, London
- Murray, J. (2005) 'Policing terrorism: a threat to community policing or just a shift in priorities?', *Police Practice and Research*, vol. 6, no. 4, pp. 347-361
- Mustafa, A. (2011) 'Revolutionary hope and change across the Arab world', *New Socialist website*,
http://www.newsocialist.org/index.php?option=com_content&view=article&id=392:revolutionary-hope-and-change-across-the-arab-world-10-questions-with-gilbert-achcar&catid=51:analysis&Itemid=98 [accessed 23/04/2011]
- Mzimela, S. (1980) *Nazism and apartheid: the role of the Christian churches in Nazi Germany and apartheid South Africa*, New York University, School of Education, Health, Nursing and Arts Professions, New York
- Mzimela, S. (1983), *Apartheid: South African Nazism*, Vantage Press, New York
- Neocosmos, M. (2010) *From 'foreign natives' to 'native foreigners': explaining xenophobia in post-apartheid South Africa*, Council for the Development of Social Science Research in Africa, Senegal

- Neocosmos, M. (2008) 'The politics of fear and the fear of politics: reflections on xenophobic violence in South Africa', *Journal of Asian and African Studies*, Vol. 43, No. 6, pp. 586-594
- Nevin, T. (2007) 'Vigilante groups out of control', *African Business website*. Available from: http://findarticles.com/p/articles/mi_qa5327/is_328/ai_n29326573/pg_3/?tag=content;col1 [accessed 28/11/11]
- Newham, G. and Gomomo, L. (2003) 'Bad cops get a break: the closure of the SAPS anti-corruption unit', *South Africa Crime Quarterly*, no. 4, pp. 5-9
- Newham, G. (2002) *Tackling police corruption in South Africa*, Centre for the Study of Violence and Reconciliation, Johannesburg, South Africa
- Nightingale, C. (1995) *One the edge: a history of poor black children and their American dreams*, Basic Books, New York, USA
- Northpoint City Church (2009) <http://www.npcc.org.za/newface/index.php?option=com_content&view=article&id=64&Itemid=69> Northpoint City Church – Impophomo Intro Website [accessed 28/09/2009]
- O'Brien, J. (1978) 'Public attitudes towards police', *Journal of Police Science and Administration*, Vol. 6, No. 3, pp. 303-310
- Oomen, B. (2004) 'Vigilantism or alternative citizenship? The rise of Mapogo-a-Mathamaga', *Journal of African Studies*, vol. 63, no. 2, pp.153-72
- Oomen, B. (1999) 'Vigilante justice in perspective: the case of Mapogo-a-Mathamaga', *Acta Criminologica*, vol. 12, no. 3, pp. 45-53
- O'Rawe, M. and Moore, L. (2000) 'Accountability and police complaints in Northern Ireland: leaving the past behind?' in A. Goldsmith and C. Lewis (eds.) *Civilian oversight of policing: governance, democracy and human rights*, Hart Publishing, Oxford, pp. 259-294
- Osada, M. (2002) *Sanctions and honorary whites: diplomatic policies and economic realities in relations between Japan and South Africa*. Greenwood Press, Westport, USA.
- Pelser, E. (2008) 'Learning to be lost: youth crime in South Africa', discussion paper for the HSRC youth policy initiative, Centre for Justice and Crime Prevention, Cape Town

- Pelser, E. (2000) 'An overview of community policing in South Africa', in *Policy Guidance on Support to Policing in Developing Countries*, (eds. Clegg, I., Hunt, R. and Whetton J.) University of Wales, Swansea, UK
- Pelser, E. (1999) 'The challenges of community policing in South Africa', occasional paper no. 42, Institute for Security Studies, South Africa
- Petre-Grenouilleau, E. (2004) *From slave trade to empire: Europe and the colonisation of Black Africa 1780s-1880s*, Routledge, Abingdon, UK
- Pigou, P. (2001) 'The apartheid state and violence: what has the Truth and Reconciliation Commission found?' *Politikon* vol. 28, no. 2, pp. 207-233
- Posel, D. (2001) 'Race as common sense: racial classification in twentieth-century South Africa', *African Studies Review*, vol. 44, no. 2, pp. 87-113
- Poynting, S., Noble, G., Tabar, P. (2001) 'Middle Eastern appearances: "ethnic gangs", moral panic and media framing' *Australian & New Zealand Journal of Criminology*, vol. 34, no. 1, pp. 67-90
- Pratten, D. and Sen, A. (2008) *Global vigilantes*, Columbia University Press, New York
- Pratten, D. (2008) 'Singing thieves: history and practice in Nigerian popular justice', in Pratten, S. and Artyee, S. (eds.), *Global vigilantes*, Columbia University Press, New York, pp. 175-206
- Prenzler, T., Sarre, R. and Earle, K. (2007) 'Developments in the Australian private security industry', *Flinders Journal of Law Reform*, vol. 10, pp. 403-417
- Punch, K. (2005) *Introduction to social research – quantitative & qualitative approaches*, Sage Publishing, London
- Putnam, R. (2001) *Bowling alone: the collapse and revival of American community*, Simon & Schuster, New York, USA
- Putnam, R., Leonardi, R. and Nanetti, R. (1994) *Making democracy work: civic traditions in modern Italy*, Princeton University Press, Princeton, USA
- Quenza, C. (2009) 'National identity, anomie and mental health in Latin America', *Current Sociology*, vol.57, no.6, pp. 851-870

- Ramphele, M. and Richter, L. (2006) 'Migrancy, family dissolution and fatherhood' in Morrel, R. and Richter, L. (eds.) *Baba: men and fatherhood in South Africa*, HSRC Press, Cape Town, South Africa, pp. 73-81
- Rauch, J. (2000) 'Police reform and South Africa's transition', in *Crime and Policing in Transitional Societies*, University of the Witwatersrand, Johannesburg
- Rhodes, T., Platt, L., Sarang, A., Vlasov, A., Mikhailova, L. and Monaghan, G. (2006) 'Street policing, injecting drug use and harm reduction in a Russian city: a qualitative study of police perspectives', *Journal of Urban Health*, vol. 83, no. 5, pp. 911-925
- Robertson, G. (2006) *Crimes against humanity*, Penguin Books, London, UK
- Robinson, R., Wilson, I. and Meliala, A. (2008) 'Governing the ungovernable': dealing with the rise of informal security in Indonesia', *Policy Brief*, Asia Research Centre, Murdoch University, no. 1
- Roche, D. (2002) 'Restorative justice and the regulatory state in South African townships', *British Journal of Criminology*, vol. 42, no. 3, pp. 514-33
- Rodgers, D. (2008) 'When vigilantes turn bad: gangs, violence, and social change in Nicaragua', in Pratten, S. and Artyee, S. (eds.), *Global Vigilantes*, Columbia University Press, New York, pp. 349-370
- Rosenbaum, D. and Lorigio, A. (1994) 'An inside look at community policing reform: definitions, organisational changes, and evaluation findings', *Crime & Delinquency*, vol. 40, no. 3, pp. 299-314
- Sakinofsky, P. (2009) 'Shaping the Jewish South African story: imprints of memories, shadows, silences', *Transnational Literature*, vol. 2, no. 1, pp 1-12
- Samara, T. (2009) 'Order and security in the city: producing race and policing neoliberal spaces in South Africa', *Ethnic and Racial Studies*, vol. 33, no. 4, pp. 637-655
- SAPS (2010), *Profile of the SAPS as of 31 March 2010*, SAPS website, <http://www.saps.gov.za/saps_profile/strategic_framework/annual_report/2009_2010/2_profile_structure_rollofhonour.pdf>, [accessed 29/1/2011]
- SAPS (2009), *South African Police Service Annual Report 2008-2009*, SAPS website, <http://www.saps.gov.za/saps_profile/strategic_framework/annual_report/2008_2009/2_crime_situation_sa.pdf> [accessed 17/06/2009]

- Sarre, R. (2002) *Private police: the future of policing and the broader regulatory framework*. Paper presented at the Current Issues in Regulation: Enforcement and Compliance Conference, Australian Institute of Criminology, Melbourne
- Scahill, J (2007) *Blackwater: the rise of the world's most powerful mercenary army*, Nation Books, London
- Schönteich, M. and Louw, A. (2001) 'Crime in South Africa: a country and cities profile', *Occasional Paper*, No. 49, Institute for Security Studies, Pretoria
- Scott, C. (2005) *Nelson Mandela: a force for freedom*, Carlton Books, London
- Seedat, M., Van Nieker, A., Jewkes, R., Suffla, S., Ratele, K. (2009) 'Violence and injuries in South Africa: prioritising an agenda for prevention', *The Lancet*, Vol. 374, Issue 9694, pp. 1011-1022
- Sen, A. (2004) 'Elements of a theory of human rights', *Philosophy & Public Affairs*, vol. 32, no.4, pp. 315-356
- Schärf, W. (2001) 'Community justice and community policing in post-apartheid South Africa', *Institute of Development Studies Issue IDS Bulletin*, vol. 32, no. 1, pp. 74- 82
- Shanafelt, R. (2006) 'Crime, power, and policing in South Africa: beyond protected privilege and privileged protection', in Pino, N., Marcos, S. and Wiatrowski, W. (eds.) *Democratic policing in transitional and developing countries*, Ashgate, pp. 149-164
- Shaw, M. (2002a) *Crime and policing in post-apartheid South Africa: transforming under fire*, Indiana University Press, Indiana
- Shaw, M. (2002b) 'Crime, police and public in transitional societies', *Transformation*, vol. 49, pp. 1-24
- Shearing, C. (2001) 'Transforming security: a South African experiment', in *Restorative justice and civil society* (eds.) Heather Strang and John Braithwaite, Cambridge University Press, Cambridge, UK
- Shearing, C. and Wood, J. (2003) 'Nodal governance, democracy, and the new 'denizens'', *Journal of Law and Society*, vol. 30, no. 3, pp. 400-419
- Shearing, C. and Stenning, P. (1983) *Private security and private justice*, Institute for Research on Public Policy, Montreal

- Shepherd, J. (2004) Deterrence versus brutalisation: capital punishment's differing impacts among states', *Emory Legal Scholarship Working Paper Series*, Paper 1
Emory School of Law, Atlanta, USA
- Simson, H. (1980) *The social origins of Afrikaner facism and its apartheid policy*, Uppsala University, Sweden
- Singer, P. (2003) *Corporate warriors: the rise of the privatized military industry*, Cornell University Press, Ithaca
- Singh, A. (2008) *Policing and crime control in post-apartheid South Africa*, Ashgate, Hampshire, England
- Skolnick, J. and Fyfe, J. (1993) *Above the law: police and the excessive use of force*, Free Press, New York
- Slatterly, M. (2003) *Key ideas in sociology*, Nelson Thorns Ltd. Cheltenham, UK
- Sloth-Nielsen, J. (1990) 'Corporal punishment: acceptable state violence?', in Hannson, D. and Van Zyl Smit, D. (eds.) *Towards justice? crime and state control in South Africa*, Oxford University Press, Cape Town
- Smead, H (1986) *Blood justice: the lynching of Mack Charles Parker*, Oxford University Press, New York
- Smet, A. (2006) 'What's in a language? Employee participation in the South African Police Service' in *Culture, organization, and management in South Africa* (eds.) Marja Spierenburg and Harry Wels, Nova Science Publishers, New York
- Simson, H. (1974) *The social origins of Afrikaner fascism and its apartheid policy*, Uppsala University, Sweden
- Singer, P. (2003) *Corporate warriors: the rise of the privatised military industry*, Cornell University Press, New York
- Solomon, H. (1996) 'Strategic perspectives on illegal immigration into South Africa', *African Security Review*, vol. 5, no. 4, p.11
- South African Truth and Reconciliation Commission (2003) 'The former South African government and its security forces', vol. 6, section 3, no. 1
- Spoor, I. (2007) 'South Africa: bought by blood' in *Perspectives in history vol. XXII, 2006-2007*. (ed.) Timothy Trenkamp, pp.75-84, Northern Kentucky University

- Stanley, E. (2007) 'Transnational crime and state-building: the case of Timor-Leste', *Social Justice*, vol. 34, no. 2, pp. 124-138
- Statistics South Africa (2009) *Mid-year population estimates 2009*, Statistics South Africa, Pretoria
- Staub, E. and Rosenthal, L. (1994) 'Mob violence: cultural-societal sources, instigators, group processes, and participants', in Eron, L. and Gentry, J. (eds.) *Reason to hope: a psychosocial perspective on violence and youth*, American Psychological Association, Washington D.C., USA
- Steinberg, J. (2008) *Thin blue: the unwritten rules of policing South Africa*, Jonathan Ball with the Open Society Foundation for South Africa, South Africa
- Steyler, N. (1990) 'Policing political opponents: death squads and cop culture', in Hansson, D. and van Zyl Smit, D. (eds.) *Towards justice? Crime and state control in South Africa*, Oxford University Press, United Kingdom
- Stockholm International Peace Research Institute (2011) Press Release: *World military spending reached \$1.6 trillion in 2010, biggest increase in South America, fall in Europe according to new SIPRI data* <http://www.sipri.org/media/pressreleases/milex> [accessed 1/5/2011]
- Stultz, N. (1974) *Afrikaner politics in South Africa: 1934-1948*, University of California Press, Berkeley
- Sunstein, C. (2001) *Designing democracy: what constitutions do*, Oxford University Press, USA
- Suttles, G. (1972) *The social construction of communities*, University of Chicago Press, Chicago
- Swanepoel, L. and Duvenhage, A. (2007) 'Vigilantism as a feature of political decay in the post-1994 South African dispensation', *Acta Academica*, vol. 39, no. 1, pp.123-45
- Tankebe, J. (2009) 'Self-help, policing and procedural justice: Ghanaian vigilantism and the rule of law', *Law & Society Review*, vol. 43, no. 2, pp 245-270
- Taylor, M., Lewis, P. and Clifton, H. (2011) 'Why the riots stopped: fear, rain and a moving call for peace', *The Guardian website*, <<http://www.guardian.co.uk/uk/2011/dec/09/end-of-riots-reasons-rioters>>, [accessed 10/12/2011]

- Terrill, W. (2005) 'Police use of force: a transactional approach', *Justice Quarterly*, vol. 22, no. 1, pp.107-138
- Tibbetts, S. and Hemmens, C. (2010) *Criminological Theory*, Sage Publications, California
- Tierney, J. (2009) *Key perspectives in criminology*, Open University Press, Durham, UK
- Theroux, L. (2008) *Law and disorder in Johannesburg*, [documentary series] BBC Two, London
- Thornton, C. (2011) 'South Africa: Urban Areas', *City Population Website* <<http://www.citypopulation.de/SouthAfrica-UA.html>> [accessed 2/12/2011]
- Tromp, B., Gifford, G., Ndaba, B., Eliseev, A., Smilie, S. and Molosankwe, B. (2008) 'Cops try to control xenophobic mayhem', *the Star website* <<http://www.iol.co.za/news/south-africa/cops-try-control-xenophobic-mayhem-1.400927>> [accessed 17/04/2010]
- Tshela, B. (2003) *The peninsula anti-crime agency*, Institute for Security Studies, Pretoria
- Turner, R. and Killian, L. (1972) *Collective behaviour*, Prentice-Hall, New Jersey, USA
- Tyler, T. (2004) 'Enhancing police legitimacy', *The Annals of the American Academy of Political and Social Science*, vol. 593, no. 1, pp. 84-99
- Tyler, T. and Sunshine, J. (2003) 'The role of procedural justice and legitimacy in shaping public support for policing', *Law & Society Review*, vol. 37, no. 3, pp. 513-548
- United Nations (2004) *South Africa's progress report – Human settlements*, Commission for Sustainable Development Twelfth Session, Government of South Africa Website, <<http://www.info.gov.za/view/DownloadFileAction?id=70150>> [accessed 01/09/2009]
- Urban dynamics (2008) *Zandspruit urban development framework 2020*, Urban dynamics website
<http://www.joburgarchive.co.za/2008/sdf/zandspruit/zandspruit_devconcept.pdf> [accessed 23/09/10]
- Van den Berghe, P. (1965) *South Africa, a study in conflict*, University of California Press, Berkeley
- Van der Spuy, E. (2006) 'Reading South African police reform through the lens of policy convergence', paper delivered at regional workshop: South African cities for

- Research Programme: Governing cities in Africa: law, local institutions and urban identifies since 1945, pp. 16-17
- Van der Spuy, E. (2000) 'Foreign donor assistance and policing reform in South Africa', *Policing and Society*, vol. 10, no. 4, pp. 343-366
- Van der Spuy, E. (1990) 'Political discourse and the history of the South African Police', in Hansson, D. and van Zyl Smit, D. (eds.) *Towards justice? Crime and state control in South Africa*, Oxford University Press, United Kingdom
- Van Rooyen (2011) 'Horror vigilante necklace murders', *The Herald Online website* <<http://www.peherald.com/news/article/1766>> [accessed 28/11/11]
- Van Vuuren, H. (2006) *Apartheid grand corruption: assessing the scale of crimes of profit from 1976 to 1994*, Institute for Security Studies, Cape Town
- Volkov, V. (2002) *Violent entrepreneurs: the use of force in the making of Russian capitalism*, Cornell University Press, Ithaca
- Volkov, V. (2000) 'Between economy and the state: private security and rule enforcement in Russia', *Politics & Society*, vol. 28, no. 4, pp. 483-501
- Von Schnitzler, A., Dithlage, G., Kgalema, L., Maepa, T., Mofokeng, T. and Pigou, P. (2001) 'Guardian or gangster? Mapogo-a-Mathamaga: a case study', *Violence and Transition Series*, vol. 3, Centre for the Study of Violence and Reconciliation
- Waddington, D. and King, M. (2005) 'The disorderly crowd: from classical psychological reductionism to socio-contextual theory - the impact on public order policing strategies', *the Howard Journal*, vol. 44, no. 5, pp. 490-503
- Wakefield, A. (2003) *Selling security: the private policing of public space*, Willan Publishing, Cullompton
- Waldrep, C. (2002) *The many faces of Judge Lynch: extralegal violence and punishment in America*, Palgrave Macmillan, New York
- Walklate, S. (2002) 'Perspectives in criminological theory' in (eds.) Yvonne Jewkes and Gayle Letherby *Criminology: a reader*, Sage Publications, London
- Walsh, T. and Taylor, M. (2007) 'You're not welcome here': police move-on powers and discrimination law', *University of New South Wales Law Journal*, vol. 30, pp. 151- 173

- Warner, T. (2002) *Global noise: rap and hip-hop outside the USA*, Wesleyan University Press, Connecticut, USA
- Weber, M (1994) *Political Writings*, Cambridge University Press, Cambridge, UK
- Western, J., Grasnow, B., and Atteslander, P. (1999) *Comparative anomie research: hidden barriers, hidden potential for social development*, Ashgate Publishers, University of Michigan, USA
- Whande, T. (2008) 'Can Mbeki recognise a crisis?', *Mmegi Online website*, <<http://www.mmegi.bw/index.php?sid=1&aid=43&dir=2008/May/Friday23>>, [accessed 3/03/2010]
- White, A. and Rastogi, S. (2009) 'Justice by any means necessary: vigilantism among Indian women', *Feminism & Psychology*, vol. 19, no. 3, pp. 313-327
- Wiesenfeld, E. (1998) The concept of "we": a community social psychology myth?', *Journal of Community Psychology*, vol. 24, no. 4, pp. 337-346
- Williams, L. (2007) *Johannesburg*, Brandt Travel Guides Ltd., England
- Wilson, F. (2006) 'On being a father in South Africa today' in Morrel, R. and Richter, L. (eds.) *Baba: men and fatherhood in South Africa*, HSRC Press, Cape Town, South Africa, pp. 26-37
- Wisler, D. and Onwudiwe, I. (2008) 'Community policing in comparison', *Police Quarterly*, vol. 11, no. 4, pp. 427-446
- Wood, J. (2006) 'Research and innovation in the field of security' in J. Wood and B. Dupont (eds.) *Democracy, society and the governance of security*, Cambridge University Press, Cambridge, pp. 217-240
- Woodman Valley Chapel (2009)
<<http://www.woodmenvalley.org/index.cfm/PageID/592>> Woodman Valley Chapel Website [accessed 28/09/2009]
- Wren, C. (1990) 'Gun sales and vigilantism rise in the new South Africa', *New York Times website*, <<http://www.nytimes.com/1990/04/29/world/gun-sales-and-vigilantism-rise-in-the-new-south-africa.html?pagewanted=all&src=pm>> [accessed 03/06/2011]

Zandspruit Urban Development Framework (2010) downloaded from the Urban Dynamics Website, <<http://www.urbandynamics.co.za/index.php/projects/strategic-planning/zandspruit-urban-development-framework-.html>> [accessed 23/03/2011]

Zanotti, J. (2010) *Israel and the Palestinians: prospects for a two-state solution*, Congressional Research Service, Washington, USA

Zedner, L. (2009) *Security*, Taylor & Francis, Oxford, UK

Zhao, L. (2008) 'Anomie theory and crime in transitional China', *International Criminal Justice Review*, vol. 18, no. 2, pp. 137-157

Appendix A - Explanatory Statement

MONASH University

School of Political & Social Inquiry
Criminology Department
Mr. James Martin



04/08/2009

Explanatory Statement

Do-it-Yourself Justice:

Perspectives of Vigilantism and Informal Policing in Zandspruit

This information sheet is for you to keep.

My name is James Martin and I am conducting a research project with Jude McCulloch, a professor in the Department of Criminology towards a PhD at Monash University. This means that I will be writing a thesis which is the equivalent of a 200 page book.

I want to talk to people in your community about how crime and other social problems are dealt with by people other than the police. If you would like to share your opinions on what you think of informal justice in your community then I would like to speak to you.

What is this research for?

The aim of this study is to learn more about how crime and other social problems are handled by informal courts and non-official groups. Of particular interest is what you and other members of your community think about how informal policing operates, and whether or not you believe it is a helpful way of dealing with community problems.

This research will contribute to the limited amount of knowledge regarding informal policing in South African townships, and hopefully inform the wider community about the realities of unofficial crime control.

What does the research involve?

The study involves audio taping semi-structured interviews with volunteers. Interviews should take approximately 30 minutes and steps will be taken to ensure the confidentiality of all participants. This means that no identifying information (specific names, dates, times, etc.) will be published, and that interview data will be stored in a secure Monash University facility which may only be accessed by your researcher. After a period of 5 years, this data will be destroyed in a secure manner.

Inconvenience/discomfort

Discussing informal policing may be distressing for some participants. If you believe that being interviewed may place you under too much stress, please do not respond to this invitation. If a volunteer experiences undue stress, the interview will be terminated immediately and the interviewee can be referred to a counselling service.

Can I withdraw from the research?

Being in this study is voluntary and you are under no obligation to participate. However, if you do volunteer you may stop the interview at any time and withdraw any information that you have provided. If you complete the interview, a written transcript will be provided to you for approval prior to results being published. Approval of the interview transcript is the last stage at which you may withdraw from the research. If you approve the interview transcript you will be unable to withdraw information provided for the project.

Results

If you would like to be informed of the aggregate research findings, please contact James Martin at [REDACTED] The findings will be accessible from January 2012.

If you would like to contact the researchers about any aspect of this study, please contact the Chief Investigator:	If you have a complaint concerning the manner in which this research <insert your project number here, i.e. 2006/011> is being conducted, please contact:
Prof. Jude McCulloch Ph: [REDACTED] Fax: [REDACTED] Email: [REDACTED]	Dr. Robert Peacock Ph: [REDACTED] Email: [REDACTED]

Thank you.

James Martin

Appendix B - Consent Forms

Consent Form – Interview Group 1 – Zandspruit Residents

Title: Do-It-Yourself Justice: Perspectives of Vigilantism and Informal Policing in Zandspruit

NOTE: This consent form will remain with the Monash University researcher for their records

I agree to take part in the Monash University research project specified above. I have had the project explained to me, and I have read the Explanatory Statement, which I keep for my records. I understand that agreeing to take part means that:

- | | | |
|---|------------------------------|--------------------------|
| 1. I agree to be interviewed by the researcher | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| No | | |
| 2. I agree to allow the interview to be audio-taped | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| No | | |
| 3. I agree to make myself available for a further interview if required | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| No | | |

I understand that I will be given a transcript of data concerning me for my approval before it is included in the write up of the research.

I understand that my participation is voluntary, that I can choose not to participate in part or all of the project, and that I can withdraw at any stage of the project without being penalised or disadvantaged in any way.

I understand that any data that the researcher extracts from the interview for use in reports or published findings will not, under any circumstances, contain names or identifying characteristics.

Participant's name:

Signature:

Date:

**Consent Form – Interview
Group 2 – Local Authorities**

Title: Do-It-Yourself Justice: Perspectives of Vigilantism and Informal Policing in Zandspruit

NOTE: This consent form will remain with the Monash University researcher for their records

I agree to take part in the Monash University research project specified above. I have had the project explained to me, and I have read the Explanatory Statement, which I keep for my records. I understand that agreeing to take part means that:

- | | | |
|---|------------------------------|--------------------------|
| 1. I agree to be interviewed by the researcher | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| No | | |
| 2. I agree to allow the interview to be audio-taped | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| No | | |
| 3. I agree to make myself available for a further interview if required | <input type="checkbox"/> Yes | <input type="checkbox"/> |
| No | | |

I understand that I will be given a transcript of data concerning me for my approval before it is included in the write up of the research.

I understand that my participation is voluntary, that I can choose not to participate in part or all of the project, and that I can withdraw at any stage of the project without being penalised or disadvantaged in any way.

I understand that any data that the researcher extracts from the interview for use in reports or published findings will not, under any circumstances, contain names or identifying characteristics.

Participant's name:

Signature:

Date: