

**CRIME IN SOUTH AFRICA: A CHALLENGE TO
INTERNAL SECURITY**

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MASTER OF PHILOSOPHY

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DECLARATION


I declare that the dissertation entitled "*Crime in South Africa: A Challenge to Internal Security*" submitted by me for the award of the degree of **Master of Philosophy** of Jawaharlal Nehru University is my work. The dissertation has not been submitted for any other degree of this university or any other university.


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CERTIFICATE

We recommended that this dissertation be placed before the examiners for evaluation.


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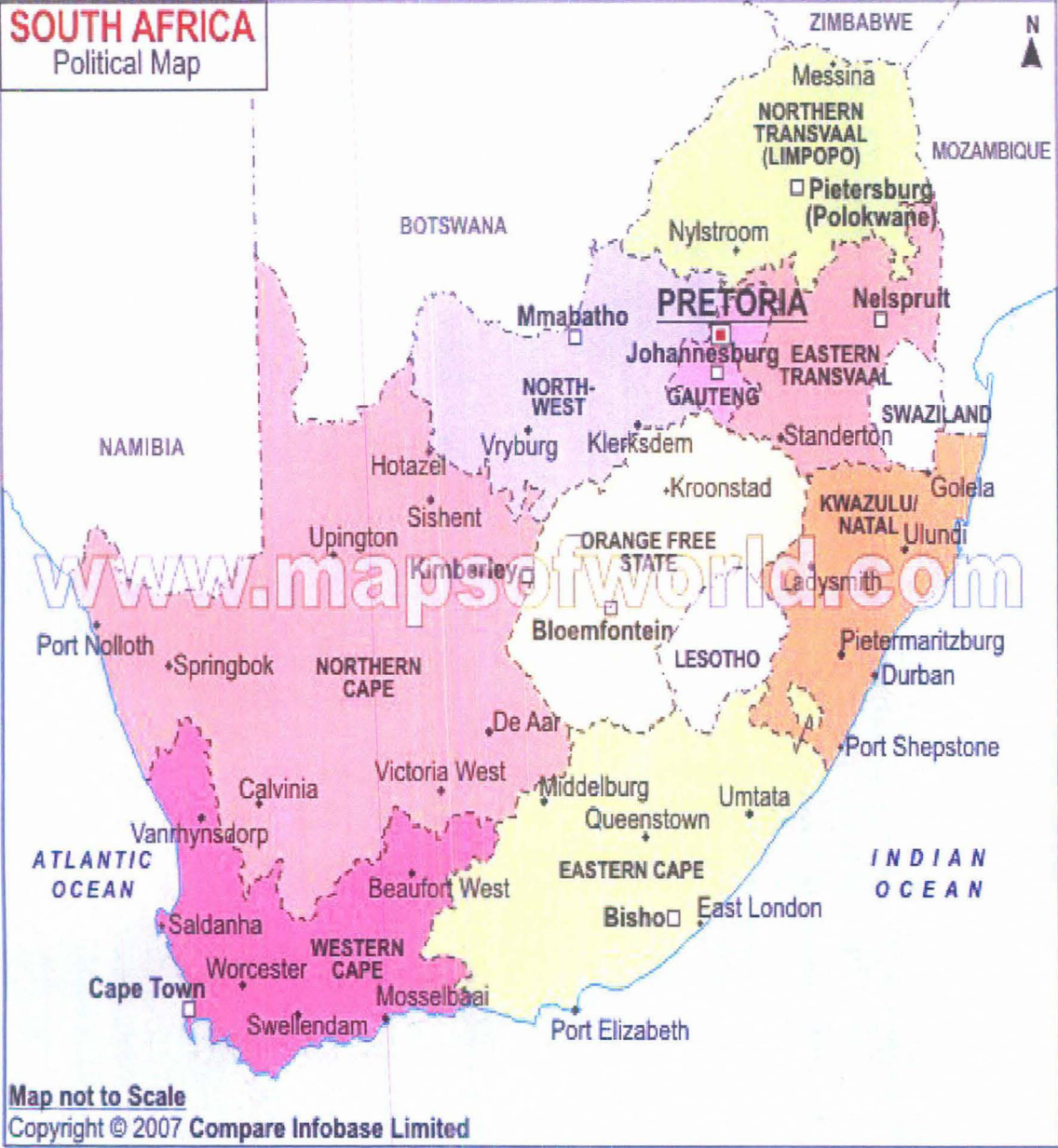

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Dedicated to Mom & Dad

SOUTH AFRICA
Political Map



CONTENTS

Acknowledgement	i-ii
Preface	iii-v
List of Abbreviation	vi-vii
CHAPTER – 1	
INTRODUCTION	1-21
1.1. Concept of Security:	1-3
1.1.a. Security in Third World	
1.2. Emergence of Concept of Internal Security:	3-10
1.2.a. Traditional View	
1.2.b. Contemporary View	
1.2. b.i. National Vs Internal Security	
1.2. b.ii. Security in Weak State	
1.3. Components of Internal Security:	10-11
1.4. Problem of Internal Security in South Africa:	11-17
1.4.a. Historical prospective (Apartheid and Transitional Era)	
1.4.a.i. Arrival of Blacks in South Africa	
1.4.a.ii. Arrival of Whites and Establishment of Apartheid Regime	
1.4.a.iii. Mass Protest and State Response	
1.4.b. Contemporary prospective (Post-Apartheid Era)	
1.4.b.i. Social Structure and Crime	
1.4.b.ii. Crime Victimization	
1.4.b.iii. Reliance on Private Security Services	
1.5. Factors responsible for increase in Crime in South Africa:	17-20
1.6. Scope and Necessity of Research:	21

CHAPTER – 2

VARIOUS DIMENSIONS OF VIOLENT CRIME AND ITS IMPACTS

ON INTERNAL SECURITY	22-49
2.1. Dimensions of Violent Crime:	25-34
2.1.a. Contact Crime	
2.1.a.i. Inter-personal Crime	
2.1.a.ii. Violent Property Crime	
2.1.b. General Trend	
2.2. Comparative Analysis of SAPS and Other Organizational Statistic:	34-36
2.2.a. SAPS Crime Report and Problem	
2.2.b. Medical Research Council Report	
2.2.c. Interpol Report	
2.2.d. World Economic Forum Report	
2.3. Major Factor influencing Violent Crime and its impact:	36-47
2.3.a. Small Arms Proliferation	
2.3.a.i. Murder involving firearms	
2.3.a.ii. Emergence of Fear Psychosis	
2.3.b. In-flux of Immigrants from Other African Countries	
2.3.b.i. Violent Crime involving illegal immigrants	
2.3.b.ii. Threat Perception	
2.3.c. Racial Divide/Discrimination	
2.3.c.i. Racial Composition	
2.3.c.ii. Violent Crime and Racial divide	
2.3.d. Economic Inequality and Unemployment	
2.3.d.i. Race and Class Coincide in South Africa	
2.3.d.ii. Link between Violent Crime and Poverty	
2.4. Safety and Public Perception:	48
2.5. Psychological Impact of Violent Crime:	48-49

CHAPTER-3

CRIME AND STATE LINKS IN SOUTH AFRICA	50-67
3.1. Political Violence and State links in South Africa:	50-56
3.1.a. History of Political Violence	
3.1.a.i. State of Emergency under Apartheid regime	
3.1.a.ii. Period after Emergency	
3.1.b. State of Violence: Legacy of Past	
3.1.b.i. Youth and Experience of Violence	
3.1.b.ii. Weak Security Institution	
3.1.b.iii. Security and Role of Military	
3.2. Changing Pattern of Violence:	56-61
3.2.a. Political Violence in Post-Apartheid Period	
3.2.a.i. Violence in Kwazulu/Natal	
3.2.a.ii. Violence in other part of South Africa	
3.2.b. Criminal Violence in Post-Apartheid Period	
3.2.b.i. Weak Social and Political Authority	
3.2.b.ii. Presence of Firearms under Civil Control	
3.3. Crime and Corruption: State still in Transition:	61-64
3.3.a. Criminal Elites and official links	
3.3.b. Criminals and Professionals links	
3.4. Public Perception:	64-67

CHAPTER – 4

ASSESSMENT OF GOVERNMENT POLICIES AND INITIATIVES FOR CRIME CONTROL	68-88
4.1. Government Policies and Initiatives for Crime Control:	70-84
4.1.a. During Nelson Mandela's Period: 1994-1999	
4.1.a.i. National Peace Accord	
4.1.a.ii. National Crime Prevention Strategy (1996)	
4.1.a.iii. Management of Security Institution	
4.1.a.iv. New Labour Relation Act.	

4.1.b. During Mbekie's Period: 1999-2008	
4.1.b.i. Operation Monozite (1999)	
4.1.b.ii. National Crime Combating Strategy (2000)	
4.1.b.iii. Operation Crackdown	
4.1.b.iv. SAPS Strategic Plan-2005-10	
4.1.b.v. Staff Management Strategy	
4.2. Public Response against Violent Crime and Government Policies:	84-87
4.2.a. Emergence of Non-government Anti-crime Groups	
4.2.b. Divergent of Public view on Crime	
4.3. Need for Collective Effort:	87-88
CONCLUSION	89-97
BIBLIOGRAPHY	98-106

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Vimal Nayan Pandey

Preface

After more than one and half decade of rule by democratic government in South Africa, the situation of domestic security issues still remains. The internal security situation in South Africa is relatively poor and there are no indications that this will change in the short to medium term. South Africa is, in fact, a very unequal society. Decades of legal discrimination have led to a situation where racial and class differences generally coincide.

The problem and challenges facing those making South African security policy today have their origins in the apartheid era, especially the militarization which took place in the total strategy period. It was then the present character and operational modalities of the armed forces were largely determined: many of the organizational characteristics and approaches to security developed in the period persist. South Africa has been sharing many of the security challenges and dilemmas facing other developing countries. In post-conflict era the primary security concerns are not usually military threats from other states as during cold war period--- their economic, political and social weaknesses make them vulnerable to other threats, particularly internal ones, which manifest themselves on non-military levels.

Among all, the most important and biggest challenge to internal security as seemed by most South African, is crime and socio-economic causes of crime especially the violent nature of crime which weaken the very fabric of South African society. This has been acknowledged by the government itself in many White Papers since 1994, an acknowledgment that implicitly recognizes that the 'war' on crime , because of variety of its dimensions, will require a range of long and short-term 'battles'. This is contrary to the belief that this is a 'war' to be won or lost in the security (criminal justice) dimension alone. The identified threat in all its complexity is uncertain and depends on a number of variables such as short-term actions by the police (and the rest of the criminal justice system) and longer-term actions by the rest of the state machinery and civil society.

In the *White paper on defense*, threats such as poverty are viewed as threats to the South African people, while national security objectives include a reduction of crime and violence. In the *National Crime Prevention Strategy (1996)*

reference is also made to state security and to national security, which again stops short of labeling crime as a national security issues although it probably is the most serious one currently facing the country.

However, politicized hostilities and the continuing deterioration of law and order structures in the final years of apartheid gave birth to various groups that engaged in criminal violence and provided favorable conditions for established criminal networks. Situating transition-era violence within its historic context and broadening the narrow conception of political conflict enable to better understand both this fractious period and the violence that continues to afflict South Africa. Crime, corruption, socio-economic inequality, threat of international terrorism, political intolerance, concerns about safety in rural and urban areas, high unemployment, inadequate health care, service delivery and HIV/AIDS remain important domestic security issues in South Africa.

For the past ten years, South Africa has averaged more than 20,000 murders and 50,000 reported rapes and attempted rapes annually. The repercussions of this violent crime epidemic are potentially catastrophic, yet little progress has been made in understanding why violence has persisted and even escalated since the end of apartheid in 1994. Popular explanation typically concentrate on the immediate environment, including poverty and joblessness, a corrupt and ineffective national police force and the post-apartheid influx of African migrants. South Africa is, in fact, a very unequal society. Decades of legal discrimination have led to a situation where racial and class differences generally coincide.

Criminal violence associated with the proliferation of small arms, racial discrimination, ethnic inequality and huge influx of illegal migrants threatens the very fabric of the South African society, affecting daily lives of the people. As a result of which a culture of violence is emerging in the region, threatening democracy and development.

My dissertation defines the internal security as to provide safety and security to the state and its population from the threat emerges within the country in the form of any internal disturbance, instability, crises and from fear of violence. It is unique in that, according to this definition, it discusses not only safety and security, but also governance issues related to the police, intelligence services, paramilitary forces, related ministries and departments and governmental oversight organisations, as well as non-state security bodies and civil society. It stresses the importance of

civil oversight, transparency and accountability, and recognises that in good security sector governance all the actors must cooperate in a spirit of mutual trust and understanding as well as acceptance of their responsibilities. The decision to deviate from standard practice should be subject to parliamentary approval.

The dissertation starts with (“Introduction” as first chapter) definition and meaning of internal security with respect to increasing in crime in South Africa. Here attempt would also take to highlight the root cause, responsible for emergence of culture of crime.

Second chapter “Various Diemention of Violent Crime and its Impact on Internal Security” emphasis on the different forms of violent crime and how it is emerged as a threat against internal security for South African society. At the same time, attempt would also to examine the intensity and various dimension of violent.

Third chapter “Crime and state Links in South Africa” deals to underline major crime and their link with political leaders and government officials which leads to corruption and other violent and non-violent crime.

Fourth chapter “Assessment of Government Policies and Initiatives on Crime Control” is attempt to through light on different initiatives and policies adopted by South African government to counter these challenges and to find out how far these initiatives are effective to give satisfactory result.

As a conclusion, on one hand, the attempt is to highlight weaknesses and loopholes of different policies initiated by South African government. On the other hand, this part also tries to find out rational solution for the ongoing crime race, based on the works and researches conducted by earlier scholar and academician.

List of Abbreviations

ANC	-	African National Congress
APLA	-	African People's Liberation Army
BAC	-	Business Against Crime
CFR	-	Central Firearms Register
Codesa	-	Convention for a Democratic South Africa
Cosatu	-	Congress for South African Trade Union
CTA	-	Crime Threat Analysis
IFP	-	Inkatha Freedom Party
INTERPOL	-	International Police
ISDSC	-	Inter-state Defence and Security Committee
ISSUP	-	Institute for Strategic Studies, University of Pretoria
ISU	-	Internal Stability Unit
JCPS	-	Justice, Crime Prevention and Security Cluster
KZN	-	Kwazulu/Natal
KZP	-	Kwazulu Police
MK	-	Umkhonto we Sizwe
MRC	-	Medical Research Council
NCCS	-	National Crime Combating Strategy
NCM	-	National Co-ordination Mechanism
NCPS	-	National Crime Prevention Strategy
NGO	-	Non-Governmental Organization
NGDS	-	National Growth and Development Strategy
NIM	-	Network of Independent Monitors

NIS	-	National Intelligence Services
OCTA	-	Organized Crime Threat Analysis
PAC	-	Pan African Congress
PMG	-	Parliamentary Monitoring Group
Popcru	-	Police and Prisons Civil Rights Union
RDP	-	Reconstruction and Development Programme
SACP	-	South African Communist Party
SADF	-	South African Defence Force
SANDF	-	South African National Defence Force
SAP	-	South African Police
SAPS	-	South African Police Service
SDU	-	Self-Defence Unit
SPU	-	Self-Protection Unit
UDF	-	United Democratic Front
UDM	-	United Democratic Movement

CHAPTER-1

INTRODUCTION

Human being has always concerned about security- whether it is the security of the individual, family, clan, region or the globe. People felt insecure whether it was in the state of nature as depicted by Hobbes¹ in his Leviathan or in the civil society as portrayed by Locke² in his Treaties on civil society or in the regime of general will as depicted by Rousseau³ in his Social Contract.

The issue of security is as old as civilization. As civilizations evolved, human beings had to build collective security structures to protect themselves from other human beings and beasts. Over the ages, these security issues evolved and expanded their roles in the overall governance of the state. Unfortunately, owing to the power vested in them – the monopoly of force and violence – these security institutions often became powers into themselves and threats to the state and the people. Coups d'état and military regimes were prevalent in much of Africa, Latin America and the Far East in the 20th century. There were also instances of governments misusing their security forces to protect the security of the regime rather than that of the people.

1.1. Concept of Security:

However, the study of security as a separate academic discipline started much later, in the period following the World War-II. The process of decolonization in Asia and Africa which started in post-second world war period brought to the limelight the security concerns of the new nations. In the United States itself, the US Congress passed the National Security Act in 1947.

1 Thomas Hobbes (1588-1674), one of the greatest social thinker, his famous work includes 'Leviathan' and 'The Elements of Laws'.

2 John Locke (1632-1704), despite as father of negative liberty, was a great political thinker, his important work is 'Treaties on Civil Government'.

3 J.J. Rousseau (1712-78), a political thinker, his famous work is 'Social Contract'.

Recently security has come under closer scrutiny and its study has started to develop quite significantly. A decade ago, Buzan said “in its prevailing usage the concept is so weakly developed as to be inadequate”.⁴ Within modern international relations, security was initially looked at from a Western historical perspective that is the security of the state mainly from the external military threat, and not the security of the people or the threats of a non-military charter. Between the First and Second World Wars, both sides of the “realist-idealist” debate were preoccupied with security defined as relationship between military powers.⁵

Because of the Second World War, Idealism came to be discredited and Realism came to dominate the study of international relations. This dominance of the Realist school was reflected in a continued bias in security definitions towards great powers and absolute security.⁶ Security came to focus on wars, the ability to fight wars and external threats to the state which might lead to wars. Security depended on the ability of a nation to deter an attack or to defeat any that might come.

1.1.a. Security in Third World

The work on security which took account of the Third World exhibited the tendency simply to adapt the concept applied to the developed states. Walter Lippman said that “a nation is secure to the extent to which it is not in danger of having to sacrifice core values and if it wishes to avoid war and is able, if challenged, to maintain them by victory in such war”.⁷ To make this notion of core values applicable to the Third World, it is necessary to reduce it to the minimum core values

4 Berry Buzan (1987), *People, States and Fear: The National Security Problem in International Relations*, New Delhi: Transasia Publishcation, p.1-2

5 Lloyd Pettiford (1996), “Changing Conception of Security in the Third World”, *Third World Quarterly*, 17 (2): 292-293

6 Berry Buzan (1987), *People, States and Fear: The National Security Problem in International Relations*, New Delhi: Transasia Publishcation, p.4

7 Walter Lippman (1943), *US Foreign Policy: Shield of the Republic*, Boston: Little Brown and Co., p.5

of any nation. These are: 'political independence and territorial integrity'. However, maintenance of these values may have contributed to security at the level of inter-state relationship but it has no meaning for those living in insecurity within a state.⁸

With the end of the Cold War, a whole range of security issues that until recently seemed absolutely critical, has turned out to be of purely historical interest. Consequently, several works on security have become out of date very quickly. Works done by Ayooob, George and Latebar examines Third World insecurity in the context of relations the USA and USSR, a relationship which no longer exists.⁹

In the post-Cold War era, security implies not only the preservation of the prevailing political and economic system and the maintenance of positions of dominance and superiority that a nation or a group of them has come to occupy among the community of nations, but also the advancement of their cherished values and traditions.

1.2. Emergence of Concept of Internal Security:

The concept of internal security has not evolved in a day, but it is the result of the changing national and international political scenario and priorities. Simply we can distinct the security issues in two broad view i.e. Traditional view, which was dominated by the external security issues because of the military threat from other countries mainly during first and second world war, inter-war and cold war period and second one is Contemporary view, the modified form of traditional view, dominated by the internal security issues raising threat to the state from within.

Here, it is to be noted that the current work mainly deals with the internal security, so there is no need to go in deep with external security (traditional

8 T. Maniruzzaman (1982), *The security of Small States in the Third World*, Canberra: Australian National University, pp.34-35

9 Saurabh (2009), *Human Security and Development*, New Delhi: Academic Excellence, p.3

view of security). But at the same time, it is to indicate here that the national security consists of external and internal security, it may differ in nature of domination of either external threat (e.g. during cold war period) or internal threat (e.g. during post-cold war period).

1.2.a. Traditional Views:

Till the end of cold war, the concept of security was dominated by external security i.e. security issues that mainly dealt with the threat which comes from the out side of the state boundary whether it was from neighbour or from other country. The definition of security tended to emphasize external and more specifically military threats. It has been defined as “the ability to preserve the nation’s physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to protect its nature, institutions and governance from disruptions from outside; and to control its borders”¹⁰; as “the condition of freedom from external physical threat which a nation-state enjoys. Although moral and ideological threats should be included, it is really physical violence which is generally perceived to be the ultimate leverage against a state and therefore as the real tangible danger to its survival”¹¹; as a feeling of confidence that the disasters of war and the vagaries of international political life can be avoided or absorbed, either by ultimate victory or good management, so that the state, its institutions and its way of life can continue to exist in a fundamentally unimpaired fashion”¹², and also as “ the preservation of the reigning political structure against any change, save change through channels which that structure has previously defined as legitimate”¹³.

10 H. Brown (1983), *Thinking about National Security*, Colorado: West View Press, p. 4

11 M.H.H. Louw (1978), *National Security: A Modern Approach*, Pretoria: Institute for Strategic Studies, pp.10-11

12 J. Garnett (1972), *Theories of Peace and Security: A Reader in Contemporary Strategic Thought*, London: Macmillan Press Ltd, p.248

13 R. Smoke (1975), “National Security Affair”, in F.I. Greenstein and N.W. Polsby (eds.) *Handbook of Political Science*, Massachusetts: Addison-Wesley Publishing Co., p.248

However, any threat to the national security of the state (state in its broad definition), whether external or internal, is also a threat to its internal security. It is therefore necessary to discuss briefly the development of 'national security' from the traditional to more modern-day meaning and within the South African context. The concept of 'national security' developed from an earlier and purely military application. In this regard, Hough provides two examples of more traditional definitions:

- The ability to preserve the nation's physical integrity and territory; to maintain its economic relations with the rest of the world on reasonable terms; to protect its nature, institutions and governance from disruptions from outside; and to control its borders.
- The condition of freedom from external physical threat which a nation state enjoys.¹⁴

It has been stated that security is an abstraction, an idea, a symbol or feeling until such time as a direct military attack is launched against the state's territorial integrity. National security policy, as an instrument to achieve national security, has been described as "that part of government policy that has the objective of creating national and international political conditions that are favorable to the protection or extension of vital national values, against existing or potential adversaries"¹⁵. The definition already represents a move away from the traditional emphasis on military security.

1.2.b. Contemporary Views:

The emphasis on security against military attack had already been questioned during the cold war period; the demise of Soviet threat facilitated a re-

14 Michael Hough (2002), "Private and public security in the RSA: Competition or co-operation", *Strategic Review for Southern Africa*, 24 (2): 81-82

15 W.E. Barber (1978), "National Security Policy", in M.H.H. Louw (eds.) *National Security: A Modern Approach*, Pretoria: Institute for Strategic Studies, , p.35

thinking of the concept of security.¹⁶ Two aspects in particular were increasingly debated. Firstly, the sources of threats to security, which were seen as not only military, but also political, social, economic and environmental. Secondly, the referent object of security moved from the state to the individual in many interpretations. The end of Cold War and disintegration of Soviet bloc had led to condition where the main threat to the state comes not from the external environment but from the internal setting of the state within. That has led the state to put more and more emphasis on the internal security.

In the post-Cold War era, with a new focus on human security and democracy, there is an evolving understanding of the linkages between security and development in the under-developed world. Nobody disputes that security is a requisite for development, just as nobody can ignore the essentiality of development for ensuring sustainable human security. The human security paradigm makes development and security two sides of the same coin. Within this paradigm, how should the security sector be governed to ensure appropriate, adequate, accountable and affordable security services that will contribute to human security and development? This question is of particular importance in Africa, where the need for human security and sustainable development is paramount.

Buzan challenges the traditional understanding of security and argues that the security of human collectivities is affected by four major factors, in addition to the military factor, namely political, economic, societal and environmental. In other words, external military threat is seen as just one of five forms of threat a state could face. Buzan also challenges the traditional notion of state as the only 'referent object' of security, even when the security of 'people' is included.¹⁷

Snyder argues in favour of 'people' as the referent object of security and calls on the support of Booth, to whom 'emancipation' is the freeing of people,

16 Michael Hough (1999), "*National Security and Threat Perception: When is an Issue a National Security Threat*", Pretoria: Institute of Strategic Studies, p.2

17 B. Buzan (1999), "Security in Post-Cold War Period", in Craig A. Snyder (ed.), *Contemporary Security and Strategy*, London: Macmillan Press Ltd., p-79

both as individuals or groups, from physical human constraints, such as poverty, poor education, political oppression and war. After discussing societies and the environment as possible referent objects of security, Snyder concludes with the following statement:

The state derives tremendous power from its claim to be the guardian of national security ... Challenging the traditional understanding of security as state security ... is therefore to pose a political challenge to the power of the state.¹⁸

1.2. b.i. National Vs Internal Security

On the question of whether national security should include internal security, Hough points out that some analysts are concerned that such a broadening of the term may legitimize domestic violence and lead to a confusion between regime security and state security. Accordingly, recent studies on Third World security have started to emphasize the importance of the internal dimension of security. A Nigerian intellectual, Thomas Imobighe, wrote that the most serious security challenges faced by sub-Saharan African countries are those related to the undermining of national cohesion, as well as internal socio-economic and political stability and progress.¹⁹

In South Africa's White Paper on Intelligence, support is expressed for the broader view of national security. For example, according to the White Paper on Intelligence (1995), in recent years the focus in terms of security has moved from a narrow and exclusively military strategic approach to a much broader application, in terms of which the main threat to South Africa's security can be described as follows:

The main threats to the well-being of individuals and the interests of nations across the world do not primarily come from a

18 C.A. Snyder (1999), "Regional Security Structure" in C.A. Snyder (ed.), *Contemporary Security and Strategy*, London: Macmillan Press Ltd., p-105

19 M. Hough (2002), "Private and public security in the RSA: Competition or co-operation", *Strategic Review for Southern Africa*, 24 (2): p.1

neighbouring army, but from other internal and external challenges such as economic collapse, overpopulation, mass-migration, ethnic rivalry, political oppression, terrorism, crime and disease ...²⁰

A year later, in the White Paper on National Defence (1996), the South African government reiterates its view that national security is no longer regarded as a predominantly military and police problem. The concept has clearly been broadened to incorporate political, economic, social and environmental issues. Subsequently, the White Paper on National Defence makes it clear that it perceives the greatest threat to the South African people as:

.....socio-economic problems like poverty, unemployment, poor education, the lack of housing and the absence of adequate social services, as well as the high level of crime and violence.²¹

The broadening of the concept of national security to include the political, economic, social, cultural and personal dimensions, in addition to the military dimension, was again confirmed by the White Paper on South African Participation in International Peace Missions, which was tabled in the South African Parliament in February 1999.

Against this background it is evident that the concept of national security can no longer be limited only to external threats such as military threats. Therefore, national security can be defined as a condition of freedom from either or both external and internal threats, which may manifest in any of the following ways:

- Threats against the state (or the people) or the individual.

20 Republic of South Africa (1995), *White Paper on Intelligence*, Ministry of Safety and Security, Pretoria, p.7

21 Republic of South Africa (1996), *White Paper on National Defence*, Ministry of Defence, Pretoria, p.3

- Risk factors, in addition to military threats, such as political, economic, societal and environmental threats (including problems such as poverty, unemployment, poor education and training, a lack of housing and inadequate social services).
- Crime and violence and the threat of anarchy.

1.2.b.ii. Security in Weak State

Buzan, in particular, refers to the concept of strong and weak states, the latter having weak institutions and a lack of political coherence, hence being more susceptible to internal rather than external threats.²² He argued “the concept of security can be mapped in a general sense, but it can only be given specific substance in relation to concrete cases”. In the case of strong states, national security can be viewed primarily in terms of external threats. In weak states, only the physical base of the state may at times “be sufficiently well defined to identify national security”. In some interpretation security is viewed in the widest possible sense as meaning the absence of threats and not only war, but poverty, lack of education, and oppression, are for instance viewed as threats or constraints. True security is therefore provided by emancipation.²³

In a further extension of the broadened concept of security, environment security is included as one of the main components, as environmental change could lead to acute conflict and violence.

Mathur identifies certain factors that determine national security in any given country, namely geography and geo-strategic condition; human and material resources; the level of industrial and economic development; political conditions; socio-cultural conditions; military power; and the types of external and internal

22 B. Buzan (1991), *People, States and Fear*, Hertfordshire: Harvester Wheat sheaf, pp.112-116.

23 *Ibid*, pp.97-98

threats. However, his very broad view of national security reflects some of the problems of over-extending the concept to include virtually all societal ills.²⁴

The distinction between the different manifestation of national security in 'strong' states and 'weak' states made by Buzan, laid the foundation for the concept of Third World security. The security dilemma for the weak state such as South Africa, revolves around internal threats rather than external threats, and could even include citizens seeking protection from their own state institutions. Static colonial borders have, inter alia, also given rise to interstate conflict in Third World countries.²⁵

Another academician Ayoob concurs with Job that "the low level of social cohesion and state and regime legitimacy is the root cause of internal insecurity in Third World states."²⁶

1.3. Components of Internal Security:

The management of internal security is extremely complex as the internal security scenario is influenced by many factors including its historical legacy, geography, population size, quality of governance, sense of national unity and pride, economic development, poverty, socio-economic disparities and socio-cultural as well as ethno-religious traditions. Regional and global developments also affect our security interest.

There are so many components, proposed by different scholars and academician to extend the scope of internal security understanding, and to make link with other developmental issues. The emphasis on security against military attack had

24 K.M. Mathur (1996), *Crime, Human Rights and National Security*, New Delhi: Gyan Publishing House, p. 307.

25 B.L. Job (1992), *The Insecurity Dilemma*, London: Lynne Rienner, p.12.

26 M. Ayoob (1995), "*The Third World Security Predicament: State making, Regional Conflict and the International System*", London: Lynne Rienner, p.8.

already been questioned during Cold War period. Two aspects were increasingly debated during that period:

Threats to security which were seen as political, social, economic and environmental.

The referent object of security moved from the state to the individual in many interpretations.

Buzan and T. Imobighe argued to include political, economic, social and environmental issues, which affects the security of human collectivities. Later in post-cold war period, the main emphasis of the scholars to link the security with developmental issues. The human security paradigm has made development and security inter-related. Hough sought that the main component of internal security is human being itself and he tries to extend its meaning to include beside state; individual, human, communal and regime security.²⁷

Another attempt was made by Snyder to extend the definition of internal security. He claimed that emancipation of the people from all human constraint such as poverty, poor education, political oppression and civil war, are give the feeling of freedom and security. Mathur identifies factors like human and material resources; the level of industrial and economic development; political conditions and socio-economic conditions as important constituent of security. Academician like Ayoob, believed that the lack of social cohesion, national integration and state legitimacy is the root cause of internal insecurity, especially in Third World countries.

1.4. Problem of Internal Security in South Africa:

The problem and challenges facing those making South African security policy today have their origins in the apartheid era, especially the

27 M. Hough (1999), *National Security and Threat Perception: When is an Issue a National Security Threat*, Pretoria: Institute of Strategic Studies, p.2-3

militarization which took place in the total strategy period. It was then the present character and operational modalities of the armed forces were largely determined: many of the organizational characteristics and approaches to security developed in the period persist.²⁸ South Africa has been sharing many of the security challenges and dilemmas facing other developing countries. In post-conflict era the primary security concerns are not usually military threats from other states as during cold war period---their economic, political and social weaknesses make them vulnerable to other threats, particularly internal ones, which manifest themselves on non-military levels.

In fact, regarding internal threats to security it is also Important to note that huge diversity and disparity among the peoples, ethnic rights and concerns, the tension in relation to the stability of borders and the management of resources therein—mostly related to land, water and energy, and the growing tension in the disparity between the rural and urban environments of development agendas in a global context.

Among all, the most important and biggest challenge as seemed by most South African's, is crime and socio-economic causes of crime especially the violent nature of crime which weaken the very fabric of South African society. This has been acknowledged by the government itself in many White Papers since 1994, an acknowledgement that implicitly recognizes that the 'war' on crime , because of variety of its dimensions, will require a range of long and short-term 'battles'. This is contrary to the belief that this is a 'war' to be won or lost in the security dimension alone. The identified threat in all its complexity is uncertain and depends on a number of variables such as short-term actions by the police (and the rest of the criminal justice system) and longer-term actions by the rest of the state machinery and civil society.

However, this part deals with the internal security threats during and from apartheid to transition and then in post-apartheid period. For better understanding, it is divided in to two sub-parts---security threat during 'apartheid and

28 A. Maree and J. Prinsloo (2002), "Causes of Crime: Evidence from South Africa", *Strategic Review for South Africa*, 24(2): 96-97

transition period' i.e. as Historical background and during 'post-apartheid period' i.e. as Contemporary period.

1.4.a. Historical Perspective (Apartheid and Transitional era):

1.4.a.i. Arrival of Blacks in South Africa

About hundreds of the year ago, descendants of hunter-gatherer San (Bushman) people and later Bantu speaking farmers arrived in north of the South Africa. Growing their own crops, they rapidly increased in number and began to develop small kingdom. Over time these farmers spread southwards in to what is now the Transkei and the Free State. In the early 19th century a process of political centralization led to the emergence, in what is today KwaZulu/Natal, of the relatively large Zulu state. The Zulu and other black African people fought to resist white encroachment in the 19th century.

1.4.a.ii. Arrival of Whites and Establishment of Apartheid Regime

The Dutch East India Company established a settlement at Cape in 1652. About 150 years later the British took over a sizable white-ruled colony from the Dutch. After the Anglo-Boer war of 1899-1902, entire Boer republic and British colonies came under the control of British crown. In the 1948, after won general election National Party's Malan formed the government and began putting apartheid into practice.²⁹ The period 1948-59 saw the introduction of a series of interrelated laws and measures aimed at restructuring South African society to conform to apartheid doctrine. In 1961, following a referendum among white voters, South Africa became a republic, and left the commonwealth.³⁰

29 Shillington, Kevin (2005), *History of Africa*, London: Palgrave Macmillan, p.404

30 M. Hutcheson (2005), "South Africa: Physical and Social Geography", in *South of the Sub-Saharan Africa Year book-2005*, New York: Tylor and Francis, p.1044

However, National Party (NP) government took several attempts to suppress the country wide protest against the racist regime's repressive policies became more and more violent during 1960s and 1970s. The 1980s was a decade of mass protest. Slogans such as "Revolution now, education later" led many young South Africa blacks to boycott school and sacrifice their job prospects (and in thousands of cases their lives) in order to rid society of oppression. The authorities responded to mass protest with violence; violence begets violence. Between September 1984 and May 1987 there were some 37,000 outbreaks of unrest, in which 2,000 people were killed, 7,000 injured and 16,000 buildings either damaged or destroyed. The courts were faced with a succession of trials for the murders of black officials which had occurred in crowd situations and in which the evidence for the complicity of the accused was frequently ambiguous, to put it generously. Although many of these cases might have been more appropriately dealt with under the rubric of South Africa's public order offences, such as the common law crime of public violence and the extensive provisions of the Internal Security Act, murder trials proliferated. Perhaps the most notorious of these was the case of the Sharpeville Six, in which six black South Africans were sentenced to death for their alleged role in a crowd murder.³¹

1.4.a.iii. Mass Protest and State Response

The period of late 1980s and early 1990s was dominated by the ethno-nationalism, racial conflicts and more profoundly political and criminal violence. In addition, politicized hostilities and the continuing deterioration of law and order structures in the final years of apartheid gave birth to various groups that engaged in criminal violence and provided favorable conditions for established criminal networks. Situating transition-era violence within its historic context and broadening the narrow conception of political conflict enable to better understand both this fractious period and the violence that continues to afflict South Africa.

31 P. Parker (1996), "South Africa and the Common Purpose Rule in Crowd Murders", *Journal of African Law*, 40 (1): 78-79

Finally, frequent violent protest from ANC, PAC etc and international pressure forced NP government to take the step to normalize the condition in the country, which led to all party came on negotiating table to discuss the opening of new chapter in South Africa's history. This was resulted in to first non-racial and democratic election took place in 1994, which viewed as the beginning of new South Africa and the end of the era of racial exploitation, discrimination and white domination. There was also the constituent assembly constituted to decide and adopt a new constitution. It was finally adopted in 1996 and came in to force in 1997.

1.4.b. Contemporary Perspective (Post-apartheid period):

After more than one and half decade of rule by democratic government in South Africa, the problem of domestic security issues still remains. The internal security situation in South Africa is relatively poor and there are no indications that this will change in the short to medium term. South Africa is, in fact, a very unequal society. Decades of legal discrimination have led to a situation where racial and class differences generally coincide. This is most starkly represented in the life expectancy of whites, who score 75 years compared to blacks' 50 years.

1.4.b.i. Social Structure and Crime

Internal threats to security in South Africa are fundamentally non-military in nature, although their manifestation is so broad that can easily turn into military threats. Not all non-military threats to South African security will be interpreted as threats to the internal security of the country.³² In fact, the biggest challenge to the internal security of this country is crime and the socio-economic causes of crime.

32 Virginia Gamba (2007), "Regional security", in L.L. Roux (eds.) *South African Army Vision 2020: Security Challenges Shaping the Future South African Army*, Pretoria: Institute for Security Studies, pp. 95-96

However, rise of crime may be typical in countries undergoing transition as democracy tends to compound crime by weakening the overbearing controls put in place by oppressive governments, while some citizens, who were and confrontational behaviour. Even relatively affluent citizens have an incentive to participate in crime when controls are weakened. "There are two additional aggravating circumstances in South Africa, namely the relatively free access to firearms, and the appearance of hundreds of crime syndicates, many of which are international".³³

The credibility and perhaps even the survival of the new democracy in South Africa are being threatened by high crime rates. On a macro level crime influences international economic relations adversely and on a micro level it constitutes a direct attack on public order and safety. Crime is a universal problem which has a negative impact on the functioning and stability of society. In South Africa it is often cited as the cause of poor economic growth and in particular, the inability to attract foreign capital and tourists.

1.4.b.ii. Crime Victimization

Crime affects South African victims directly. According to the victimization studies conducted, approximately a quarter of the households surveyed had experienced crime. Business is the largest organized group suffering from crime and violence, though the public sector also experiences high levels of fraud and corruption.³⁴ Official crime statistics, however, do not reveal the true situation.

Besides the direct effects on victims, crime has additional secondary effects related to the fear of crime that all potential victims experience. This is significant as it imposes psychological costs on potential victims that result in changes of personal habits and attitudes that are life styles, in order to avoid crime. Business

33 NEDCOR (1996), "*The NEDCOR Project on Crime, Violence and Investment*", Johannesburg: NEDCOR, p.70

34 *Ibid*, p.62

operations are also altered in order to reduce victimization and thereby allay the fear and insecurity related to crime. Given the high crime rates in South Africa, it is therefore not surprising that “around 50 per cent of the population rated crime as the most serious national problem, with a range of 44% in the black community to 58% in the white community”. This is a relatively new phenomenon as “in earlier surveys of public opinion using the same or similar questions, issues such as unemployment, housing, education and incomes were consistently most predominant, except among whites, who have for some time been concerned about crime”.³⁵

1.4.b.iii. Reliance on Private Security Services

Yet it is obvious that in South Africa with crime escalating at a considerable rate (including violent crime), public expenditure on crime prevention will not decrease in the foreseeable future. “The private security industry is booming and now employs over 4,50,000 people”, and “is now larger than the SAPS”.³⁶ In addition, the violent nature of crime in South Africa is causing a dangerous psychosis of fear that increasingly leads to discontent with government and its structures and to vigilante activity. If this situation is allowed to continue over a protracted period and to further deteriorate it could lead to a complete collapse of government at grass roots level and finally to anarchy and chaos.

1.5. Factors Responsible for increasing Crime in South Africa:

The management of internal security is extremely complex as the internal security scenario is influenced by many factors including its historical legacy,

35 K.V. Brown (2001), “The Determinants of Crime in South Africa”, *The South African Journal of Economics*, 69 (1): 270-71

36 NEDCOR (1996), “*The NEDCOR Project on Crime, Violence and Investment*”, Johannesburg: NEDCOR, p.74

geography, population size, quality of governance, sense of national unity and pride, economic development, poverty, socio-economic disparities and socio-cultural as well as ethno-religious traditions. Regional and global developments also affect our security interest.

Crime levels in South Africa are affected by many of the same universal factors which manifest themselves in other countries. South Africa's unique situation and history have however contributed to a range of factors specific to our situation. Some of these factors are outlined below:

- Comparative research, from countries such as the former Soviet Union and Northern Ireland, suggests that all forms of crime increase during periods of political transition. Our own rapid transition had the unintended consequences of breaking down the existing (and illegitimate) mechanisms of social control without immediately replacing them with legitimate and credible alternatives. This weakness has been exacerbated by the historical breakdown of other vehicles of social authority, such as schools, the family and traditional communities.
- The Government of National Unity inherited, intact, the entire public service, including a racially based, disproportionate distribution of Criminal Justice resources. Insufficient and ill-equipped personnel, combined with outdated systems, and fragmented departments, have contributed to a system that has been unable to cope with the demands created by the need to provide services to all the people of South Africa.
- The political transition also generated substantial material expectations many of which were largely beyond the immediate delivery capacity of the new government. This has generated frustrated expectations. The very high, and often unrealized, expectations associated with transition have contributed to the justification of crime. In addition, the legitimization of violence associated with political causes has served to decriminalize certain categories of crime related to intergroup conflict or political rivalries. Historical criminalization of political activity and protest has also contributed to a blurring between legitimate forms of protest and criminal activity.

- South Africa's violent history has left us with a "culture of violence", which contributes to the high levels of violence associated with criminal activity in South Africa. Violence in South Africa has come to be regarded as an acceptable means of resolving social, political and even domestic conflicts.
- The historic marginalization of the youth, combined with the slow growth in the job market, has contributed to the creation of a large pool of "at risk"; young people.
- While economic growth and development are crucial in addressing the factors which lead to crime, poorly managed development can itself contribute to increased crime rates.
- The problem of rising crime levels has become something of a "political football". The tendency of political parties to use the issue as a vote catcher has resulted in the generation of single-factor causes and solutions to crime and violence. It is vital that the NCPS be seen as both a multi-agency and multi-party approach, and that the widest possible consensus is forged in the approach we adopt to crime.
- The absence of services to victims of crime means that the negative impact of crime on individual, family and community is largely ignored. Not only does this contribute to the incidence of repeat victimization, but may lead to retributive violence, or the perpetration of other crimes displaced into the social or domestic arena.
- Gender inequality, both in terms of popular attitudes and the inadequate service offered by the criminal justice system to women, contributes to the high levels of violence perpetrated against women.

Among them, different findings and survey reports indicated that the most important one are those factors which directly affect the social and national integrity and dissolve the bond between the people in society. These are:-

1. The proliferation and easy accessibility of fire-arms is a major contributor to violent crime. The fact that a large proportion of the citizenry is armed serves to escalate the levels of violence associated with robbery, rape and car theft. According to the SANDF, "the proliferation of illegal weapons is probably the most significant contributing factor to violent crime in the country." South Africans have daily experienced the effects of weapons proliferation as robberies, vehicle hijacking, gangsterism, murder, rape, taxi violence and other crimes are increasingly committed with firearms.³⁷
2. History of racial discrimination and increasing gap between the living standard among different race and community (especially Whites and blacks) lead to the emergence of aggressive attitude for other community.
3. Frequent ethnic conflict during transitional and post-apartheid period accelerates the incidence of violent conflict and crime among different ethnic groups.
4. Historically shaped, poverty and underdevelopment provide key contextual factors in understanding increasing crime levels. Although poverty does not directly lead to higher crime levels, together with a range of other socio-political and cultural factors, it contributes to conditions for an increase in crime and the growth of criminal syndicates and gangs.

These all factors are important in context of South Africa in term to develop better understanding of crime situation. These above factors will be discussing in detail in next chapter "Various Dimension of Violent Crime and its Impact on Internal Security".

37 Ruchita Beri (2000), "Coping with Small Arms Threat in South Africa", [Online: web] Accessed on 22 Apr. 2009, URL: http://www.ciaonet.org/olj/sa/sa_apr00.html

1.6. Scope and Necessity of Research:

The current work defines the internal security as to provide safety and security to the state and its population from the threat emerges within the country in the form of any internal disturbance, instability, crises and from fear of violence. It is unique in that, according to this definition, it discusses not only safety and security, but also governance issues related to the police, intelligence services, paramilitary forces, related ministries and departments and governmental oversight organizations, as well as non-state security bodies and civil society. It stresses the importance of civil oversight, transparency and accountability, and recognizes that in good security sector governance all the actors must cooperate in a spirit of mutual trust and understanding as well as acceptance of their responsibilities.

This dissertation also discusses these in detail and provides guidance on planning, programming and budgeting processes as well as expenditure control. It does not attempt to prescribe an ideal model but focuses on universal principles and procedural guidelines. It stresses the importance of transparency and accountability in public expenditure management, but admits to the need for some degree of confidentiality in matters of internal security. It argues that this does not justify a lower level of oversight or lack of adherence to the stated principles but a different form of oversight for specific areas of internal security. The decision to deviate from standard practice should be subject to parliamentary approval.

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CHAPTER-2

Various Dimensions of Violent Crime and Its Impact on Internal Security

The growth of crime is a matter of great concern to all who are confronted with the increasing rate of crime, violence and fear in our societies. It is a phenomenon that is not exclusive to industrialized societies but also affects developing countries. Pressures arising from the globalization process are, among others, factors of crime development in quantity, variety and complexity. Globalization brings with it, or at least gives way to, a new scenario: namely, international and organized crime. The growth of crime is associated with rapid economic development, consumerism, the growth of cities and a degeneration of the social fiber. Therefore, it is a common concern of people of good will to try to understand the growth, extent and causes of crime, in order to find adequate mechanisms for fighting both crime and violence.

For the last ten years, South Africa has averaged more than 20,000 murders and 50,000 reported rapes and attempted rapes annually. The repercussions of this violent crime epidemic are potentially catastrophic, even though, there has been very little progress made in understanding why violence has persisted and even escalated since the end of apartheid in 1994. Popular explanations typically concentrate on the immediate environment, including poverty and joblessness, a new criminal-friendly constitution, a corrupt and ineffective national police force and the post-apartheid influx of African migrants.³⁸

38 G. Kynoch (2005), "Crime, Conflict and Politics in Transition-Era South Africa", *African Affairs*, 104 (416): 493

Historically it is considered, the roots of lawlessness and violent crime are often traced back to the ‘political violence’ of the 1980s and early 1990s that pitted the revolutionary ‘comrades’ of the African National Congress (ANC) against state security forces and members of the Inkatha Freedom Party (IFP), a ‘moderate’, ethical Zulu organization, created a class of disaffected militants who turned to crime following the cessation of politically motivated hostilities.³⁹ Crime and politics in South Africa have been closely intertwined; in the era of race domination, apartheid offences were classified as crime, while those people engaged in the struggle, particularly from the mid-1980s onwards, justified forms of violence as legitimate weapons against the system. Instability promoted a growing number of South Africans to acquire weapons; the use of guns to settle personal and family disputes became more common. Actions which were strictly violent were seen by their perpetrators as a legitimate defense against political ‘enemies’: the result was a society in which the use of violence to achieve political and personal aims became endemic.⁴⁰

Moreover, South Africa is often referred to as post-conflict society, within the implicit understanding that the end of struggle against apartheid in 1994 ushered in a new era. The violence of the apartheid is seen almost entirely as a product of the struggle against the racist regime. However, unlike many other post-conflict societies, South Africa continues to suffer from horrific rates of violence.⁴¹ There are no reliable crime statistics for the whole country before January 1994. “Crime and Policing in Transitional Societies – Conference Summary and Overview” finds that repression led to a blurring of the boundaries of political and criminal activity and that the state itself was often a significant source (although not defined as such at the time) of criminal activity.⁴²

39 *Ibid*, pp.493-95

40 Mark Shaw (2000), “South Africa: Crime in Transition”, in William Gutteridge and J. E. Spence (ed.) *Violence in Southern Africa*, London: Frank Cass, p.158

41 *Ibid*, pp.159-160

42 Mark Shaw (2000), *Crime and Policing in Transitional Societies – Conference Summary and Overview*, in Conference on Crime and Policing in Transitional Societies, Johannesburg: University of the Witwatersrand, pp.10-11

In another word, increases in crime from 1990s are consistent with the experiences of other countries undergoing transition to democracy; as change proceeds, society and its instruments of social control—formal and informal – are reshaped. The result is that new areas for the development of crime, which are bolstered by the legacies of the past, open up.

The perpetuation of the past and its dangerous impact on the present in South Africa is eloquently captured by Cawthra and Kraak (1999) when they write:

"the decades in which the police enforced apartheid have engendered a lingering mistrust of the rule of law and authorities. But crime is also intrinsically linked to poverty, unemployment, socio-economic inequalities and gender inequality. The coalescence of these indices with the brutalization that many experienced during the anti-apartheid struggle, has given crime in South Africa its particularly violent edge".⁴³

In fact, South Africa faces a complex and difficult internal security environment, characterized by huge social and economic inequalities, the marginalization of large sections of society, endemic political and criminal violence, the presence (although much reduced) of armed groups outside of state control, a charged political atmosphere in which some groups rejects the legitimacy of state, and racial and ethnic divisions which have been exploited by political organizations of various hues.

However, there is no clear-cut system for measuring the increasing rate of crime. The perceived level of insecurity, the disturbance of public order, fear to walk in the streets or to travel in places in towns and rural areas, are all clear indications of the presence of criminal activities. For scientific purposes, however, these indications cannot provide a reasonable instrument for measuring the level of

43 B. Hamber (2000), "Have no doubt it is fear in the land: An exploration of the continuing cycles of violence in South Africa", *South African Journal of Child and Adolescent Mental Health*, 12 (1): 7-8

crime. This is the place of statistics, regardless of the circumspection and skepticism surrounding the analyses. Such skepticism is justified on the grounds that statistics cannot reflect the real complexity of crime. Sometimes, only a small percentage of criminal activity can be perceived through statistics; that is, crimes reported to the police, passed on to the public prosecutor and referred to the courts.⁴⁴

2.1. Dimensions of Violent Crime:

However, both official police records as well as victimization surveys confirm that crime does not affect all people uniformly. For example, while the wealthy run the risk of becoming victims of property crime, the poor are much more likely to become victims of violent crime, as well as property crime. In the rural areas of the country, stock theft is one of the most common crimes with particularly serious damage for the small farmers.⁴⁵

An analysis of the national crime situation is facilitated by grouping the 21 serious crime tendencies, but among them, the main objective of current research is only to deal with violent/contact crime which are perceived as an intense challenge for the internal security of the country.

2.1.a. Contact Crime:

Eight categories of serious crime are grouped together as contact crime or violent crime against the person of victims. These crimes are:-

1. *murder,*
2. *attempted murder,*

44 Luis Antonio Mondelane (2000) *"The Growth, Extent and Causes of Crime: Mozambique"*, Conference on Crime and Policing in Transitional Societies, Johannesburg: University of the Witwatersrand, pp.94-95

45 Republic of South Africa (1996), *ODC Profile: South Africa Country*, Ministry of Safety and Security, Pretoria.

3. *rapes,*
4. *assault with the intent to inflict Grievous Bodily Harms (assault GBH),*
5. *common assault,*
6. *indecent assault,*
7. *aggravated robbery and*
8. *other robbery.*

The crimes in question account for one-third of South Africa's recorded serious crime. These crimes involve physical contact between the victims and perpetrators and such contact is usually of a violent nature. Contact crime frequently impacts on victims in one or a combination of the following ways:-

1. Death as an immediate or delayed result of the degree of violence employed (some deaths even occurring years after the original crime had been committed).
2. Injuries of various degrees, including permanent, disabling injuries.
3. Psychological trauma, which is in many cases also of a permanent nature.
4. Loss of and/or damage to property, which could under certain circumstances have serious repercussions for (particularly poorer) victims.⁴⁶

46 South African Police Service (2007), *Crime statistic in the RSA for the period April to Sep. 2007*, [Online: web] Accessed on 24 Apr. 2009, URL: <http://www.iss.co.za/pubs/crimeQ/no.2/contents.html>.

Table: 2.1*CONTACT CRIMES RATE - PER 100 000 OF POPULATION⁴⁷*

Years	murder	Attempte d murder	Common assault	AGBH	Rape	Aggravate d Robbery	Common Robbery
1994/95	66.9	69.1	516.0	555.8	115.3	218.5	84.2
1995/96	67.9	67.9	520.5	563.7	125.9	195.0	115.4
1996/97	62.8	70.4	500.3	570.4	126.7	163.0	124.9
1997/98	59.5	68.4	489.0	570.4	126.2	177.5	133.4
1998/99	59.8	70.4	485.0	566.3	118.3	220.6	154.7
1999/00	52.5	65.4	538.9	608.1	122.8	229.5	173.5
2000/01	49.8	64.4	569.7	630.2	121.0	260.3	206.5
2001/02	47.8	69.8	584.3	589.1	121.1	260.5	201.3
2002/03	47.4	78.9	621.6	585.9	115.3	279.2	223.4
2003/04	42.7	64.8	605.7	560.7	113.7	288.1	206.0
2004/05	40.3	52.6	575.0	535.3	118.3	272.2	195.0
2005/06	39.5	43.9	485.3	484.0	117.1	255.3	159.4
2006/07	40.5	42.5	443.2	460.1	111.0	267.1	150.1
2007/08	38.6	39.3	413.9	439.1	75.6	247.3	135.8

Data source: SAPS annual reports and Crime Statistics-2008

The serious consequences of contact crime and the fact that South Africa experiences exceptionally high levels of these crimes are generally acknowledged. The Government consequently decided in January 2004 that each of the contact crimes should be reduced by 7 – 10% per annum, starting with the 2004/2005 financial year. The present reporting period, namely the 2007/2008 financial year, is the fourth financial year since the determination of this 7 – 10%

47 Violent crime comprises murder, attempted murder, rape, serious and common assault, aggravated robbery. It should be noted that the Annual Report, SAPS 2001/02 uses somewhat different classification. In that report, violent crime is comprised of murder, attempted murder and aggravated robbery, while “social fabric crime” includes rape, serious and common assault.

reduction target. The target was established on the basis of broad comparisons with the crime ratios recorded by other Interpol member countries during the late nineties (i.e. the figures reported by those countries which did indeed submit their statistics to Interpol) and the increasing/decreasing trends observed locally since 1994.

Very broad and rough international comparisons indicated that South Africa in the late nineties experienced unfavorable contact crime ratios compared to other Interpol member countries and that these had to be reduced by between 7 - 10% per annum over a ten-year period to approach "acceptable" levels similar to those recorded by the majority of Interpol member countries. On the basis of crime reduction trends observed between 1994 and 2003 it was also accepted that a 7 - 10% annual reduction in contact crime was a realistic target. A higher target also poses a psychological and motivational challenge.

2.1.a.i. Violent interpersonal crime

These data under the contact crime can be broadly divided into two categories. The first category is that of *violent interpersonal crime*, such as murder, assault and rape, in which victim is in direct physical contact with the offender. The second category, *violent property crime*, includes all forms of armed robbery and is categorized by contact (often physical between the victim and the offender) with the aim of acquiring property.⁴⁸

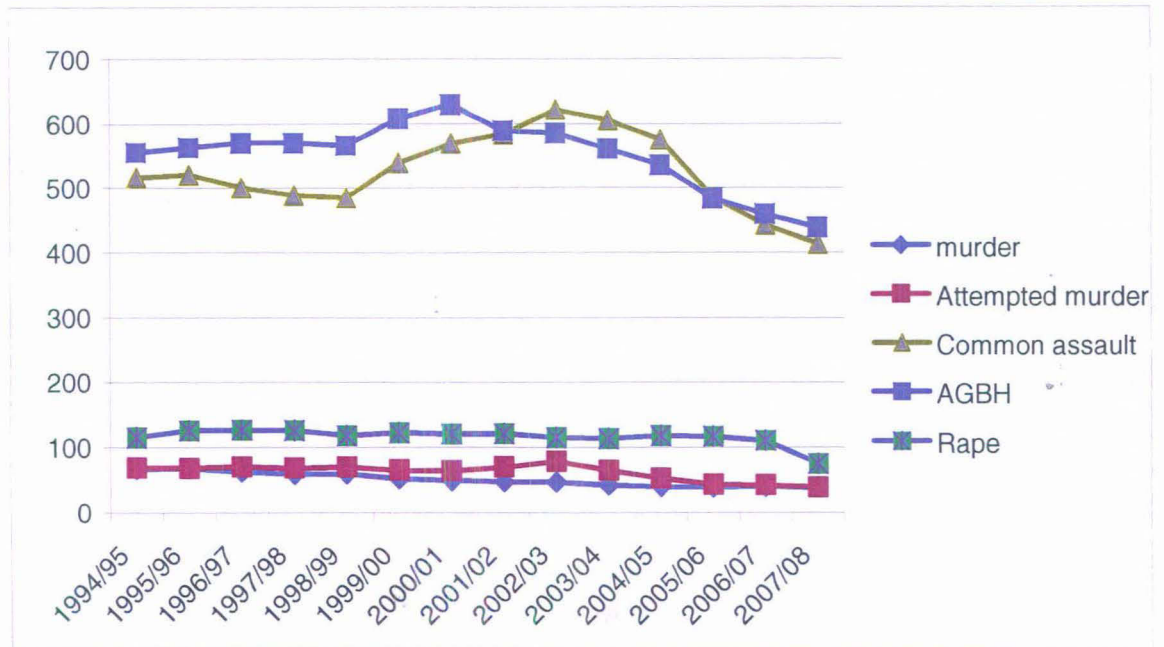
A number of the contact crimes are social or domestic in nature and occur in social environments (e.g. the privacy of residences) which are usually outside the reach of conventional policing. These crimes usually occur between people who know each other (e.g. friends, acquaintances and relatives). The report of SAPS indicates that 89.0% of both assault GBH and common assault cases, 82.0% of murders and 76.0% of rapes covered by the sample studied, involved people known to

48 Masuku Sibusiso (2002) "*Prevention is better than cure: Addressing violent crime in South Africa*", [Online: web] Accessed on 18 Apr. 2009, URL: <http://www.iss.co.za/pubs/crimeQ/no.2/contents.html>

one another. In addition, 59.0% of the attempted murders occurred under similar circumstances.⁴⁹

Figure: 2.1

VIOLENT INTERPERSONAL CRIME



Data source: SAPS annual reports and Crime Statistics-2008

When reference is made to socially-motivated (or social fabric-related) contact crime, this includes rape, assault (whether GBH, common or indecent), murder and attempted murder. If the figures for these crimes are added together, the result will provide an idea of the extent and distribution of socially-motivated contact crime. However, it should be noted that not all the cases of what is broadly described as socially-motivated crime (particularly not all the attempted murders and murders) are social in nature. This notwithstanding, social contact crime accounts for at least two thirds of all contact crime. Aggravated robbery and intra or intergroup conflict (e.g. gang fights, taxi-related violence and conflict among clans) make a noteworthy contribution to the incidence of murder and attempted murder.

49 Republic of South Africa (2008), *Annual Report of SAPS Crime for 2006/2007*, South African Police Service, p.248

2.1.a.ii. Violent property crime

It includes all forms of armed robbery and is categorized by contact (often physical between the victim and the offender) with the aim of acquiring property such as robberies and organized violent crime with aim to acquire properties or money. Prior to 1970, criminal organizations in South Africa tended to be relatively unsophisticated, and very few had international contacts. During the 1970s and 1980s, however, the police increasingly diverted resources toward suppressing political opposition rather than combating crime. Organized crime expanded unchecked and became more sophisticated, increasing cross-border trade in stolen vehicles and narcotics. The nature of South Africa's transition since 1994, particularly the weakening of state structures, opening up of borders, growth in international trade and tourism, and uncertainty among members of the police, has led to an increase in organized crime.⁵⁰

South Africa, with its air, road and sea links to the rest of the world and well functioning telecommunication facilities, provides organized crime groups with a well developed infrastructure to transport illegal goods through, into and out of its territory. In addition, South Africa is both a supplier of resources for organized crime and a market for it. South Africa has gold, diamonds, ivory, rhino horn, abalone, and motor vehicles, while it presents a market for illegal firearms and drugs.

Aggravated robbery is the second-largest generator of contact crimes, particularly attempted murder and murder, because victims are often killed and/or seriously injured during such robberies. The vast majority of house robberies, carjacking, business robberies, cash-in-transit (CIT) and bank robberies are committed with firearms and shots are frequently fired at victims. The latter in many cases return fire in self-defense. A number of attempted murders in particular can consequently be generated during a single case of such robbery. The fact is that a shot or shots fired at a person/s indicate intention to kill or at least seriously injure, and thus constitutes attempted murder.

50 P. Gastrow (1998), "Organized Crime in South Africa" *ISS Monograph Series*, Pretoria: Institute for Strategic Studies, p.23

Figure: 2.2

VIOLENT PROPERTY CRIME



Data source: SAPS annual reports and Crime Statistics-2008

Robbery with aggravating circumstances includes the following subcategories of robbery:

- Carjacking;
- truck hijacking;
- robbery at residential premises (house robbery);
- robbery at non-residential premises (business robbery);
- cash-in-transit (CIT) robbery;
- bank robbery; and
- other aggravated robberies not mentioned elsewhere in this list, which are mainly aggravated robberies occurring on the streets and in other public open spaces and are categorized as “street robberies”.

The Minister for Safety and Security and Members of the Executive Committees (MECs) in the provinces has since July 2006 repeatedly referred to violent organized crime. This has bearing on most of the cases registered under the

first six subcategories of robbery listed before (carjacking, truck hijacking, robbery at residential or business premises, CIT robbery and bank robbery). To measure the extent of violent organized crime, figures for these six sub-tendencies of aggravated robbery have to be added together.

It can be accepted that some aggravated robberies are highly organized in nature (e.g. most CIT and bank robberies, as well as truck and carjacking); while some are committed by groups which may not be organized criminal syndicates in the strict sense of the word (e.g. most house and business robberies); and still others are committed by one to three or four loosely associated or opportunistic individuals (e.g. most street robberies). Those robberies (particularly aggravated robberies) which involve more people (additional expertise) than only the group of criminals who perform the actual robbery (hit), will be much more organized than those in which only the direct perpetrators are involved.

Highly organized crime will *inter alia* subscribe to the following important criteria:

- It involves several people linked by a businesslike structure and with a clear profit motive.
- Each of the above members will fulfill specialized functions (a high degree of division of labour).
- Corruption/blackmail is used to procure the cooperation of people in positions of authority or able to facilitate matters for the criminals involved.
- Money laundering (usually through the acquisition of expensive vehicles, fixed property and jewelery) is involved.

Partially organized crime may meet some of the above criteria, while a few individuals acting together for criminal purposes may not subscribe to any of these.

2.1.b. General Trend:

Contact crime has been decreasing from around 2002, with the exception of aggravated robberies which include attacks related to cell-phones. Over 75% of robberies reported are street robberies and muggings that happen to commuters in townships and city centers. Murder has decreased by 42% since 1994. Many contact crimes, in particular assaults and murders, occur mainly between people who know each other and are linked to negative socio-economic factors such as alcohol abuse and dysfunctional families. Provinces like Gauteng and Western Cape have the highest levels of robberies, which could be linked to high levels of economic activity and the negative socio-economic factors.⁵¹

The South African crime report indicated that Murder decreased by -4.7% during 2007/2008, against an increase of 2.4% recorded in 2006/2007. The murder figure is now at its lowest level since 1994/1995. Common robbery, rape, attempted murder, robbery with aggravating circumstances and common assault were all decreasing within or almost within the 7 - 10% target reduction range during 2007/2008. The decreases in question are indicated below.⁵²

51 Republic of South Africa (2008), *Developmental Indicators 2008*, The Presidency of Republic of South Africa, Pretoria, pp.60-61

52 Republic of South Africa (2008), *Annual Report of the South African Police Service for 2006/2007*, SAPS, p.221

Table: 2.2

PERCENTAGE DECREASE IN CONTACT CRIME IN 2007-08:

Crime	% decrease
Common Robbery	-9.5%
Rape	-8.8%
Attempted murder	-7.5%
Robbery with aggravating circumstances	-7.4%
Common assault	-6.6%

Data Source: SAPS Annual Report for 2007-08:

Specifically these decreases during 2007/2008 represent a major improvement on the situation recorded during the 2006/2007 financial year (see table). In that financial year, aggravated robbery increased by 4.6%, while common robbery, rape and attempted murder decreased at approximately half the rate presently observed and consequently failed to meet the 7 - 10% reduction target.⁵³

2.2. Comparative analysis of SAPS and Other Organization Statistic:

2.2.a. SAPS Crime Report and Problem

Most researchers assume that the official crime statistics---that is, those collected and released by the *SAPS*--- provide a poor indication of levels of crime in the country. This is because official statistics never seem to match the personal

53 Republic of South Africa, "Crime statistic in the Republic South Africa, Apr. to Sep. 2007", SAPS, [Online: web] Accessed on 22 Apr. 2009, URL: <http://www.iss.co.za/pubs/crimeQ/no.2 /contents.html>

experiences of citizens (and their friends and neighbours), and because crime statistics are often, unsurprisingly, manipulated to serve political purposes.

A shocking new report presents evidence that South Africa's murder statistics are even worse than official statistics have so far admitted. For every 1000 crimes committed in South Africa, only 230 criminals are arrested. Of these, only 47 are convicted and barely 6 of these are sentenced to two or more years of imprisonment. It is also calculated that South African convicts have a 94% recidivism rate (that is, 94% of all persons released after serving a sentence immediately become involved in crime again).⁵⁴ Victims' surveys have consistently uncovered between 60% and 70% more crime than reported by official sources. Upwards of 50% of crime in many serious categories goes unreported.⁵⁵

2.2.b. Medical Research Council Report

While police crime statistics show that there were 38,683 murders in the year 2007, the *Medical Research Council* (MRC) puts the figure at 67,482. The MRC's estimate is close to the figure from the Department of Home Affairs, which are 48,068. This is a third more murders than reported by the *SAPS*, a discrepancy of more than 10,000 murders. So, while the Democratic Alliance leaflet "Fight Crime" puts the average daily murder rate in South Africa at 150 murders every day, the MRC's statistics reveal that over 180 murders are committed, on average, every day in South Africa.⁵⁶

⁵⁴ Khothla (2008), "Getting Away with Murder", South Africa's Crime & Murder statistics, [Online: web] Accessed on 7 May, 2009, URL: http://www.asiaobserver.com/component/option,com_func,fb_pdf

⁵⁵ *Ibid.*

⁵⁶ Republic of South Africa (2008), *Annual Report of the South African Police Service for 2006/2007*, SAPS, p.258.

2.2.c. Interpol Report

Even, *Interpol* claims higher numbers of murders in South Africa. While the SAPS claims that there were 28,883 murders in 1995, *Interpol* claims that there were 54,298 “murders known to the police” in 1995/96. *Interpol*’s figures are approximately double the numbers of “recorded murders” in South Africa. According to *Interpol*, South Africa has the highest recorded per capita murder rate of the countries covered in their report for 1998, second only to Columbia. In that year, *Interpol* recorded the per capita murder rate in the USA as 6 per 100 000, while in South Africa it was 59 per 100 000.⁵⁷

However, in the first eight years of peace of the new democratic dispensation, under the ANC, an average of 26,206 murders was committed each year. However, if the Interpol statistics are accepted, then the murder rate in South Africa during the ANC years has averaged 47,882 per year.

2.2.d. World Economic Forum Report

A report from the *World Economic Forum* claimed that South Africa’s organized crime was second only to Columbia’s, with its frightening drug cartels and Russia, with its omnipresent mafia. Police estimate that there are currently “about 1200 extremely well financed and superbly armed crime syndicates operating in and from South Africa.” However, it was also reported that “not a single ring leader of any of the 1200 crime syndicates operating in South Africa has been arrested”.

2.3. Major Factor Influencing Violent Crime and Its Impact:

Since the South Africa is a country riddled with violent crime, the case caught the headline for only one day, and then faded. Violent crimes have had a profound impact upon society. Crime is the reason most frequently cited for emigration. Some issues dominate public attention: the virulent xenophobia directed primarily at foreign African; attacks against white farmers on their land; new attempts

57 *Ibid.*

to control the legal ownership of firearms in South Africa, a highly contentious issue with strong political undertones. An exaggerated fear of crime serves as a factor isolating whites and to some extent the African middle class, from the rest of the society.⁵⁸

Issues of safety are likely then to continue to dominate every facet of life in South Africa. High walls, barbed wire, and ever present security guards serve as reminders of public fears. Beside, it is not limited to influence the life and livelihood of common people, but its impact extend to shadow the overall aspect of social, economic, political and cultural security.

2.3.a. Small Arms Proliferation

As the South African people have strived to transform their society over the past decade “to build a better life for all”, they have confronted a growing specter of gun related violence. Over 1,00,000 people have been killed in gun-related violence over the past ten years in South Africa, almost twice the number of Americans killed in the Vietnam War. South Africa is not alone in this predicament. It is now recognized globally that more die in day to day violence during peace than on the battlefields during war. Firearms have played an instrumental role in this. The impact of the proliferation of firearms has been profound. It has fed the growth of violent crime, in particular armed robberies and car and truck hijackings. It has also fed the growth of partner and acquaintance violence, which currently accounts for over half of all South African murders.⁵⁹

The proliferation of light weapons and illicit arms trafficking in South Africa pose a major threat to peace, security and development in the country. Although, they do not in themselves because the conflicts and criminal activities in which they are used, the wide availability, accumulation and illicit flows of such

58 Peter Gastrow (2001) “In Search of Safety: Police Transformation and Public Responses in South Africa”, *Daedalus*, 130(1): 265-66

59 M. Keegan (2005), *The Proliferation of Firearms in South Africa: 1994-2004*, Canada: Oxfam, [Online: web] Accessed on 22 Apr.2009, URL: <http://www.sahistory.org.za>

weapons tend to escalate conflicts; undermine peace agreements; intensify violence and impact on crime; impede economic and social development; and hinder the development of social stability, democracy and good governance.

South Africa has suffered considerably from the misuse of small arms since the end of apartheid in 1994, and has moved aggressively to reduce their availability. Nowhere is the impact felt more than in South Africa. It is estimated that there are about eight million illegal small arms circulating in South Africa. In addition there are four million licensed small arms in South Africa. The incidence of licensed firearms reported as lost or stolen continues to increase every year. The extent of the problem is best reflected by the ease with which criminals, political antagonists, vigilante groups and others can acquire firearms. Yesterday's weapons of war and political liberation have become today's weapons of crime and violence in South Africa.⁶⁰ The widespread abuse of weapons diverts scarce government resources from health and education to public security, discourages investment and economic growth, and deprives countries of the skills and talents of the victims of small arms.

Even Ms. Virginia Gamba, the former director of the *Arms Management Programme of the South African Institute for Security Studies (ISS)* also viewed that "The proliferation of light weapons in South Africa poses a major threat to development," Their low cost, ease of use and availability "may escalate conflicts, undermine peace agreements, intensify the violence and impact of crime, impede economic and social development and hinder the development of social stability, democracy and good governance." In South Africa guns are not just the weapons of choice but also weapons of mass destruction.⁶¹

60 Ruchita Beri (2000), "Coping with Small Arms Threat in South Africa", [Online: web] Accessed on 24 Apr. 2009, URL: http://www.ciaonet.org/olj/sa/sa_apr00.html

61 *Ibid.*

2.3.a.i. Murder involving firearms

Violent crime in South Africa is rife. Crimes involving firearms, especially murder are increasing in number on an annual basis. Between 1994 and 1998 a total of 57,106 murders and 11,000 attempted murders involving the use of firearms were reported to the police. In 1994, 41.4% of total murders were committed with firearms, and by 1998 this figure had risen to 49.4%. Of the 46 nations surveyed by the *United Nations Commission on Crime Prevention and Criminal Justice* in 1997, South Africa has the second highest homicide rate involving firearms (26,63 per 100,000 persons), a close second to Colombia. Between 1996 and 1998 a total of 1,80,088 serious robberies were committed using firearms, which accounted for 79.95% of all serious robberies. Serious robberies include, for example, car and truck hijacking, cash in transit robberies and bank robberies.⁶²

The increase, the analysts argue, "shows that more criminals are arming themselves" and that "access to firearms has become easier compared to previous years." By 2000 the South African government found that homicide, primarily involving firearms, was the leading cause of death among young men aged 1,521 and that gunshots from all causes (murder, suicide and accidents) were the single largest cause of non-natural death in the country. The death and injury of so many young people has profound consequences for development reducing the number of educated people entering the work force, diverting family and social resources into the care of those disabled by gun violence and forcing the government to redirect funding from social services to law enforcement. In 2000, for example, South Africa spent \$1.96 billion on law enforcement and \$1.56 billion on health.⁶³

A 1997 study of 1,000 gunshot victims in South Africa put the total cost of hospital treatment at nearly R30 million (then \$6.5 million). The indirect impact of gun violence on public health systems, asserts *WHO*, also is huge. Treating

62 Guy Lamb (2000), *An overview of Small Arms Production, Export, Ownership and Proliferation in South Africa*, Cape Town: Centre for Conflict Resolution, p.22

63 Michael Fleshman (2001) "Small arms in Africa: Counting the cost of gun violence", *Africa Recovery*, 15(4): 1-2

large numbers of patients with gunshot wounds "has a draining effect on basic health care and diverts much needed resources from other health and social services."⁶⁴

The disproportionate impact of weapons on young men has been widely noted in conflict situations. Much the same is true in peacetime. According to *WHO*, males of all ages comprise 80 per cent of homicide victims and males are 3 to 6 times more likely than females to commit murder, with both victims and assailants drawn largely from the ranks of men aged 18-49.⁶⁵

In South Africa, according to statistics from a non-governmental advocacy group, 'Gun Free South Africa', 12 per cent of gun death victims in 1998 were female and about 7 per cent were under the age of 17. While the limited data available shows that the overwhelming majority of female victims were murdered by domestic partners or ex-partners, evidence that small arms are a major factor in domestic violence in South Africa is more elusive. The actual incidence, however, is almost certainly higher, as violent crimes against women are less likely to be reported, and recording the type of weapon used is rarely a priority.

2.3.a.ii. Emergence of Fear Psychosis

While gun manufacturers argue that small arms are ideal self defense weapons for women equalizers in a fight with larger and more powerful men, however males continue to exercise a near monopoly on the ownership and control of weapons. Far from liberating women from the fear of violence, the ready availability of guns makes matters worse. "Women feel threatened by it," Ms. Van de Wiel said, "men feel empowered by it."⁶⁶

Criminal violence associated with the proliferation of small arms threatens the very fabric of the South African society. Since many people in South Africa feel that the central authority is not strong enough to protect them, more and

64 *Ibid*, p.2-3

65 *Ibid*, p.2-3

66 *Ibid*, p.3

more black and white citizens have come to rely on their own arms. Affluent citizens have the option of engaging security firms that advertise "Immediate Armed Response". The number of private security firms providing armed guards to companies and residences has multiplied in recent years. Apparently security is the fastest growing industry in South Africa after tourism.⁶⁷

In South Africa today, however, the weapon equips brutal insurgencies, criminal gangs and paramilitary militias paralyzing development efforts and dangerously exaggerating the association between arms and masculinity that is common to many cultures around the world. Replacing the romantic image of guns with an appreciation of their destructive impact, advocates argue, will require a long term effort to reduce the supply, improve police protection and increase educational and economic opportunities for young men to break their identification with guns and violence.⁶⁸

2.3.b. In-flux of Immigrants from other African Countries

Another major challenge, South Africa has been facing today is coming from "illegal immigration", especially from neighboring and other African countries. Since the demise of apartheid in 1994, South Africa has been confronted with a tide of humanity fleeing from countries north of the Limpopo River, which are confronting poverty, civil war, environmental catastrophe, or political mismanagement. Taking advantage of this situation, organized crime syndicates have seized on the opportunity to engage in human trafficking, arms running, and drug trafficking. Currently there are an estimated 285 organized crime syndicates operating in South Africa and an estimated 2.1 million to 4.1 million immigrants residing

67 Ruchita Beri (2000), "Coping with Small Arms Threat in South Africa", [Online: web] Accessed on 24 Apr. 2009, URL: http://www.ciaonet.org/olj/sa/sa_apr00.html

68 M. Keegan (2005), *The Proliferation of Firearms in South Africa, 1994-2004: Gun Free South Africa*, Canada: Oxfame, p.12

illegally in the country. Given the illegal nature of this form of migration, accurate figures are difficult to come by.⁶⁹

The issue of "illegal immigration" to South Africa has become increasingly controversial. To date, the new government has failed to develop an approach that is consistent, coherent, cost-effective, enforceable and morally defensible. The dominant response is to frame undocumented migrants as a one-dimensional security threat, prompting policies of "keep them out and send them home".

2.3.b.i. Violent Crime involving illegal immigrants

The impact of illegal immigration on South Africa relates not only to the economy and jobs but also to crime. The specific relationship between illegal immigrants and crime is illustrated more vividly by the following data's: in 2000 the *SAPS Organized Crime Unit* estimated that 90 percent of the local cocaine trade was controlled by illegal immigrants. Between January and November 1995, 152 aliens were convicted for various commercial crimes to the value of more than R500 thousand, which constituted 19.6 percent of all commercial crimes over the same period. In March 1999 Senior Superintendent Johan Steyn, commander of the *Brixton murder and robbery unit*, noted that 60 percent of all bank robberies and serious house burglaries in Hillbrow were perpetrated by illegal Zimbabwean immigrants. By April 2004, newspaper reports indicated that Zimbabwean crime syndicates were fighting bloody turf wars with Nigerian crime syndicates in South Africa for control of drug trafficking and bank robberies.⁷⁰

The information on arrests of foreigners indicates that they form the minority of the arrestee population, with immigration matters being the primary reason for arrest. Recent *Department of Correctional Services statistics* reveal that 4%

69 Hussein Solomon (2005), "*Turning Back the Tide: Illegal Immigration into South Africa*", [Online: web] Accessed on 16 may 2009, URL: http://muse.jhu.edu/journals/mediterranean_quarterly/v016/16.4solomon.html

70 *Ibid*

of the prison population consists of foreign nationals suspected or convicted of a crime, of whom 2 214 are un-sentenced and 3 525 sentenced prisoners. The majority of these prisoners are held for violent (39%) and economic offences (36%). Interestingly, while 2% of the general prison population are being held for narcotics-related offences, 11,6% of the foreign nationals in prison are being held for these offences.⁷¹

2.3.b.ii. Threat Perception

A field survey by *Human Rights Watch* in 1998 reported that South Africans saw immigrants as a 'direct threat to their economic well-being and as responsible for the troubling rise in violent crime in South Africa'. Similar sentiments have been voiced by the minister of home affairs M. Buthelezi. He argued that the migrants threaten the resources of the government's new economic programme- Growth, Employment and Redistribution (GEAR)- a socio-economic policy framework for building an equitable and non-racial future of South Africa.⁷²

A *National Operational Police Policy* document views illegal immigrants as "South Africa's Number One Enemy" and notes that illegal immigrants contribute to 14 percent of all crime committed in South Africa.⁷³ These crimes included diamond smuggling, small-arms proliferation, narco-trafficking, car hijacking, taxi violence, burglaries, stock theft, and involvement in political killings by hiring oneself out as an assassin. However, it must be noted that the impact of illegal immigrants on crime differs from province to province. While 37 percent of all serious crimes in Gauteng, the country's richest province, are committed by illegal

71 Republic of South Africa (2007), *The Violent Nature of Crime in SA: A Concept Paper for the Justice, Crime Prevention and Security Cluster*, Ministry of Safety and Security, Pretoria, p.137

72 Renu Modi (2003), "Migration to Democratic South Africa", *Economic and Political Weekly*, 38 (18): 1760

73 T.J. Mofomme (2004), *South Africa's Number One Enemy: Influx Control on Illegal Immigrants*, National Operational Police Policy, unpublished manuscript

aliens, the figure for Mpumalanga is 12 percent and for Cape Town a paltry 0.12 percent.⁷⁴

2.3.c. Racial divide/discrimination

2.3.c.i. Racial Composition

The chief characteristics of South Africa's population, and the one that dominates its society, is the great racial, linguistic and cultural heterogeneity of its people, with Africans, Asians, Europeans and mixed race citizens making up the population. At mid 2004 the total population was estimated to be 40,586,607. At the October 2001 census the ethnic composition of the total population was: Africans 79.0%; Europeans (whites) 9.6%; Coloureds 1.9%; and Asians 2.5%.⁷⁵ So, South Africa is, having highly diverse population ratio in the world.

All South African socio-racial groups are multi-dimensional in terms of the extent to which their members express their identities. No group is monolithic although, perhaps an even greater understanding might be gleaned from a more differentiated sampling of opinion among different white and coloured groups, especially coloureds. The *Social Identity Survey* does not do justice to the degree of cultural pluralism amongst coloureds who, in a sense, reflect a bridging sister relationship to all other South African socio-racial/cultural groups.⁷⁶

74 B.V. Niekerk (1996), *Illegal Immigrants' Impact on Crime*, paper read in "Seminar on Population Movements into South Africa," Pretoria: ISS.

75 A.M. Hutcheson (2005), South Africa: Physical and Social Geography, *South of Sub-Saharan Africa year book 2005*, New York: Tylor and Francis p.1043

76 F. Komegay (2005), "Race and Ethnic Relations Barometer: A Narrative Analysis of Findings from the Centre for Policy Studies' Social Identity Survey", *Research Report 106*, Johannesburg, p.6-7.

2.3.c.ii. Violent Crime and Racial divide

South African society in many ways still reproduces the “two-tier” structure and relationships of apartheid, although in a slightly deracialised form, and in many ways still operates in such a way as to serve the interests of the (non-racial but primarily White) elite, contributing to a sense that the elite are valued but that the mass of people are not valued as citizens.

Given the importance and pre-eminence of the right to equality, how has the Constitutional Court interpreted and given meaning to it? In one of the first cases dealing with equality under the South African Constitution, *Brink v. Kitshoff* (1996), Judge O'Regan described the right to equality in the following terms:

"The policy of apartheid, in law and in fact, systematically discriminated against black people in all aspects of social life. Black people were prevented from becoming owners of property or even residing in areas classified as 'white', which constituted nearly 90% of the landmass of South Africa; senior jobs and access to schools and universities were denied to them; civic amenities, including transport systems, public parks, libraries and many shops were also closed to black people. Instead, separate and inferior facilities were provided. The deep scars of this appalling programme are still visible in our society. It is in light of that history and the enduring legacy that it bequeathed that the equality clause needs to be interpreted."⁷⁷

Kelly argues that race is a predictor of crime through social isolation and feelings of hopelessness in black communities in the United States. Race may also be associated with other factors linked to crime. For example, an analysis of the *South Africa's 1998 Victims of Crime Survey* (VCS) shows race to be a strong correlate of private protection. Blacks are less likely than those in other racial groups to have private forms of protection, such as alarms, high walls, fences, armed security,

77 Saras Jagwanth (2000), "South Africa: The inequality challenge", *Southern Africa Report Archive*, [Online: web] Accessed on 22 May 2009, URL: <http://www.africafiles.org/actionfocus.asp.html>

or guns. Like inequality, racial heterogeneity in the police precinct may also hinder private provision of protection from crime by inhibiting collective action. It may also be negatively correlated with institutional quality in general, leading to ineffective provision of public safety by the police.⁷⁸

2.3.d. Economic inequality and unemployment

Inequality and unemployment are often cited as one of the biggest challenge facing development and transformation in post-apartheid South Africa. Given the history of apartheid, this is no surprise. Indeed, severe poverty, inequality and discrimination are three key consequences of apartheid's economic growth strategy and policies of social control. As a result, a number of new laws and policies aimed at addressing different forms of discrimination have been passed since the election of the ANC government in 1994.

2.3.d.i. Race and Class Coincide in South Africa

During the apartheid regime, poor white people benefited economically-especially through education, reserved labor positions, and pensions; thus race coincided with class. While the state cut benefits for Africans, it intervened actively to create a privileged minority based on race and gender through its welfare policies. According to these authors, once white people's economic power was entrenched, they no longer relied on racial discrimination for protection. Thus, by the 1970s labor-market policies entrenched a distributional regime which was difficult to change.

In theory, deracialization aimed at removing racial discrimination from policy by opening economic opportunities to formerly disadvantaged racial groups. But in fact deracialization in South Africa left the apartheid economic structure intact:

78 Gabriel Demombynes (2005), "Crime and local inequality in South Africa", *Journal of Development Economics*, 76(2): 272-73

in post-apartheid South Africa the prosperous group is multiracial, the middle group mostly African, while the "impoverished" third category is "entirely African". Adopting conservative macroeconomic policies and inheriting a budget which was "already surprisingly redistributive", the government failed to address economic inequality.⁷⁹

2.3.d.ii. Link between Violent Crime and Poverty

The *UNDP* report notes that although absolute poverty and the poverty gap declined between 1995 and 2002 from 51.1 percent to 48.5 percent of the population, using the national poverty line of R354 per adult per month, the population has grown in the same period—thus increasing the number of poor from 20.2 million in 1995 to 21.9 million in 2002. Blacks constitute the poorest layer of the population, making up over 90 percent of the 21.9 million poor. In seven of the nine provinces more than 50 percent of the population lives in poverty.⁸⁰

The report defines extreme poverty as those living on less than one US dollar per day. In South Africa the number of people in this situation has increased from 9.5 percent in 1995 (3.7 million) to 10.5 percent in 2002 (4.7 million). The rate has increased for all ethnic groups and all provinces. The poverty gap, indicating the depth of poverty, has also increased between 1995 and 2002. South Africa also has one of the most unequal distribution of incomes in the world, with approximately 60 percent of the population earning less than R42,000 per annum (about US\$7,000), whereas 2.2 percent of the population have an income exceeding R360,000 per annum (about US\$50,000).⁸¹

79 Mueni Muiu (2007), "Class, Race, and Inequality in South Africa", *African Studies Review*, [Online: web] Accessed on 16 May 2009, URL: http://findarticles.com/p/articles/mi_qa4106/is_200709/ai_n21186193/html

80 World Socialist Web Site (2004), "United Nations report highlights growing inequality in South Africa", *International Committee of the Fourth International (ICFI)*, [Online: web] Accessed on 22 May 2009, URL: <http://www.wsws.org/articles/2004/may2004/safr-m21.html>

81 *Ibid*

2.4. Safety and Public Perception:

However, all above major factors has been responsible for enhancing the crime rate, especially the violent nature of crime, which leads to create big internal security challenge; the South Africa is facing since 1994. The result of the surveys does seem to support claims by the police that crime in general is on the decrease or has at least stabilized. The most surprising result of the victims of crime surveys was the marked change in public perceptions about crime and safety. In 1998, for example, 32 per cent of the respondents said that they felt very safe when walking alone in their area, against 25 per cent who indicated that they felt very unsafe. In 2003 only 10 per cent felt very safe and a staggering 58 per cent felt very unsafe.⁸²

In other word, in spite of signs of stabilization and even decreases in the crime rate, the number of people who felt very unsafe more than doubled in the space of five years. The significance of this discrepancy – stabilization in crime rates and deterioration in public perceptions about their safety – is that it indicates a loss of faith in government and specifically in the criminal justice system. It also has the potential to lead to an escalation in vigilante activity and lawlessness.

2.5. Psychological Impact of Violent Crime:

However, it is argued that the solution to South Africa's violent crime problem is much broader. It is robbery and the violence that accompanies it that has the biggest psychological impact on the ordinary person. If this situation is allowed to continue and, even worse, allowed to deteriorate further, it will create a psychosis of fear, which, in turn, could lead to irrational and even unlawful behavior by individuals

82 *Ibid*

and groups. It is obvious from these figures that crime of violent nature is set to remain a priority concern on the domestic agenda for some time.

In addition to crime in general, the violent nature of crime in South Africa is causing a dangerous psychosis of fear that increasingly leads to discontent with government and its structures and to vigilante activity. If murder, for example, continues its downward trend of the last 12 years, it may take another 15 years before we reach the world average of 5,5 per 100000. Rape shows no sign of decreasing and robbery, as will be shown below, is at much higher levels than 11 years ago. If this situation is allowed to continue over a protracted period and to further deteriorate it could lead to a complete collapse of government at grass roots level and finally to anarchy and chaos.

CHAPTER-3

Crime Violence and State Links in South Africa

South Africa is a low to middle income country and as such is part of a group of nations that display twice the rate of violence than high income countries. It experiences a far greater homicide rates. It is a post-conflict society and continues to wrestle with many of the challenges thrown up during the years of its political struggle for democracy. Finally, it is a country in transition, and change has led to disjuncture, uncertainty and conflict.

In fact, politicized hostilities and the continuing deterioration of law and order structures in the final years of apartheid gave birth to various groups that engaged in criminal violence and provided favourable conditions for well established criminal networks. Such elements were unlikely to put down their guns and relinquish power simply because politicians declared the fighting to be over. Situating transition-era violence within its historical context and broadening the narrow connection of political conflict enable us to better understand both this fractious period and the violence that continues to afflict South Africa.

3.1. Political Violence and State Links in South Africa:

The tentative foray into apartheid and transition-era violence indicates some of the ways in which politics and crime interacted, often in line with long-standing patterns of township conflict. There are numerous examples of criminals and gangs rising to prominence amidst political antagonisms, and the precise nature of the connections between such criminals and State Security Forces, Inkatha Freedom Party (IFP) and the African National Congress (ANC) requires more scrutiny. There is no question that fighting between State, ANC and IFP created dynamics of violence that were unique to the transition era. The horror of the 'necklace', a method of killing suspected informers and political adversaries by dousing them in petrol, placing a

rubber tire around their necks and setting them alight, popular with some ANC supporters, is almost unknown in recent years.⁸³

Since 1994, politicized violence in KwaZulu-Natal has developed highly specific dynamics that deviate from the established rivalry between IFP and ANC. Yet even these seemingly new developments demonstrate clear connections to crime and conflict in the apartheid, transition and post-apartheid period.

3.1.a. History of Political Violence: -

The decade leading up to South Africa's first universal, democratic elections in April 1994 was one of mounting political violence. The formation of the United Democratic Front (UDF) – a broad, popular front of churches, civic associations, trade unions, student organizations and sports bodies - in 1982 to fight oppression, was met with increasing violence by the apartheid state, leading to the declaration of a State of Emergency over the whole country between 1986 and 1990. Under the state of emergency, the state was able to declare areas “unrest areas”, allowing it to use extraordinary measures to crush protest.

3.1.a.i. State of Emergency under Apartheid regime

The states of emergency saw a loosening of controls on the use of deadly force by security forces. The police were able to detain suspected activists at will, and covert units in the police and military acted to intimidate or assassinate opposition leadership and to arm and train opponents of the democratic movement.⁸⁴ In response, activists – notably black youth - worked to make their townships “ungovernable”. Throughout the country, many townships set up autonomous structures, like street committees, to take over the tasks of government, ranging from

83 Gary Kynoch (2005), “Crime, Conflict and Politics in Transition-Era South Africa”, *African Affairs*, 104(416): 511.

84 Republic of South Africa (1998), *Truth and Reconciliation Commission Report*, Online Report, [Online: web] Accessed on 22 May 2009, URL: http://www.doj.gov.za/trc/trc_frameset.htm

garbage collection to “people’s courts”. These could use violence to impose their will. Already by the early 1990s, Hansen noted that “A culture of violence has taken seed and flourished in the conditions of civil war which have plagued South Africa since late 1984”.⁸⁵

3.1.a.ii. Period after Emergency

The lifting of the State of Emergency in 1990 and the unbanning of political organizations like the ANC saw the focus of violence shift from direct confrontation between the democratic forces and the state to internecine conflicts between political rivals – notably the ANC and the IFP. The IFP often worked in collusion with or with the direct support of the police, whose covert operatives came to be seen as a “third force”.

The period between February 1990 and the democratic elections in April 1994 saw unprecedented levels of political violence. This included indiscriminate massacres - of ordinary people at home or attending vigils - political assassinations, violent conflicts between township residents and migrant workers, train attacks, taxi wars and the rise of ‘warlordism’ in informal settlements. During this period over 14,000 were killed and many more thousands injured.⁸⁶

In response, communities elaborated township structures, creating Self-Defence Units (or SDUs, linked to the democratic movement) to protect themselves from state instigated attacks, and in Kwazulu and Natal, Self-Protection Units (SPUs, linked to the IFP) to secure areas and then protect them from the ANC. In Kwazulu/Natal in particular, this resulted in the creation of no-go areas and cycles

85 D. Hanson (1990), “Firearms used with Deadly Effect: A Study of South Africa Law and Practise”, *Research Report Services*, Cape Town: Institute of Criminology, p.23

86 A. Minnaar, S. Pretorius and M. Wentzel (1998), “Political Conflict and Other Manifestations of Violence in South Africa”, in E. Bermman, Rene van Eeden and M. Wentzel (eds.), *Violence in South Africa a Variety of Perspectives*, Pretoria: Human Sciences Research Council. pp.35

of violent attack, retaliation and revenge.⁸⁷ The lethality of these incidents was increased by the growing presence of guns. Although the government prohibited black ownership of guns before 1983, a serious demand for guns took root in the townships in the 1980s in response to the states of emergency.⁸⁸ The apartheid government openly armed tribal and homeland leaders, while covert government operatives smuggled guns to the IFP. At the same time, the ANC used *Operation Vula* between 1988 and 1990 to smuggle arms into the country.

Black access to and ownership of guns was stepped up after 1990, as many SDU and SPU members acquired firearms from political formations or by smuggling them into the country. However, while the proliferation of firearms was often initially a political response, it opened up opportunities for the exploitation of violence by criminal gangs.⁸⁹

3.1.b. State of Violence: Legacy of the Past:

While the political struggle led to democratic transformation in 1994, it also left a legacy of violence with which South Africa still struggles. This legacy very much facilitates the extraordinary levels of gun violence that occur ten years later.

In fact, many of the social resources available to a society that create stability and assist non-violent conflict resolution were seriously weakened under apartheid. While a majority of families were deeply challenged by endemic poverty, inequality and high level of unemployment. This forced men to leave their families

87 W. Scharf (1997), *Re-integrating Militant Youth, Street gangs and Self-Defence Units, in Mainstream in South Africa: from hunters to game-keepers*, Paper presented at the Urban Childhood Conference, Trondheim, Norway, [Online: web] Accessed on 2 Jun. 2009, URL: <http://www.web.ac.za>

88 J. Cock (2000), "Weaponry and the Culture of Violence in South Africa: Society Under Siege", in Virginia Gamba (eds.), *Managing Arms in South Africa*, Pretoria: Institute of Security Studies, p.34.

89 A. Minnaar, S. Pretorius and M. Wentzel (1998), "Political Conflict and Other Manifestations of Violence in South Africa", in E. Bernman, Rene van Eeden and M. Wentzel (eds.), *Violence in South Africa a Variety of Perspectives*, Pretoria: Human Sciences Research Council. pp. 44.

behind in rural areas in search of work in urban areas, to return possibly once a year and sometimes not at all. At the same time, extended family and community structures were threatened and in many instances broken as a result of forced removals.⁹⁰

3.1.b.i. Youth and Experience of Violence

The situation was aggravated by the extreme exposure of youth to violence. Youth spearheaded the struggle for democracy and played an increasingly central role in the ANC military wing, *Mkhonto we Sizwe* (MK), in UDF youth formations and in the SDUs and SPUs. While youth were led by their strong idealism, they undoubtedly paid a price. Most activists forfeited their education and committed themselves fulltime to the serve the struggle. However, in this work, they could be exposed to considerable violence in their confrontations with the police or other political factions and in some cases by being actively hunted down. This extended far beyond youth activists to the children who witnessed the violence on their streets. As a result, this led to a breakdown in the control of youth. While many youth became political activists, responding to the calls of their community, others became involved in crime. This made reintegration of these youth a slow and problematic process later on.⁹¹

3.1.b.ii. Weak Security Institution

The apartheid government's activities to suppress political opposition also resulted in a breakdown in its authority – in its perceived legitimacy - and the loss of a common commitment to the rule of law. For example, *Operation Marion*

90 J. Cock (2000), "Weaponry and the Culture of Violence in South Africa: Society Under Siege", in Virginia Gamba (eds.), *Managing Arms in South Africa*, Pretoria: Institute of Security Studies, p.34-35.

91 W. Scharf (1997), *Re-integrating Militant Youth, Street gangs and Self-defence Units*, in Mainstream in South Africa: from hunters to game-keepers, Paper presented at the Urban Childhood Conference, Trondheim, Norway, [Online: web] Accessed on 2 Jun. 2009, URL: <http://www.web.ac.za>

was a state authorized operation launched by the apartheid government in the mid-1980s to counter growing support for the ANC and the UDF in Kwazulu and Natal. It involved supplying military and political mobilization support to the IFP, including officially channeling weapons to the IFP through structures in the Kwazulu government and later, when this became awkward for the national government, unofficially channeling weapons through a state-created “third force” This had complex results. Within advantaged, white communities, there was a growing “privatisation of security”. As civilians lost confidence in the ability of the state to protect them, they turned to private methods - gun ownership and the employment of private security companies. At the same time, township residents withdrew their confidence in the police and created popular structures like Street Committees, Makgotlas and SDU to fill the security gap.⁹²

Jackie Selebi, the National Commissioner of Police, later acknowledged, “South Africans do not respect the law,” noting that it would still take some time to change this attitude.⁹³ It seems that the situation deteriorated further even further in the 1990s, as neither the police nor street committees could stem the growing tide of violent crime. Increasingly, then, township residents would turn to the use of guns.

3.1.b.iii. Security and Role of Military

One final legacy was the legacy of militarism. Jacklyn Cock argues that under the apartheid regime the military sat at the centre of society, and both sides of the struggle saw violence as legitimate and inevitable. Given the weakness of traditional family structures, the acceptance of violence at a political level trickled down to the social and cultural level. It was acted out in homes, Cock argues, as Pretoria became the family murder capital of the world between 1976 and 1990, with ex-policemen and ex-soldiers playing a disproportionate role. Militarism seeped down

92 D. Bruce (1997), “Community safety and security: crime prevention and development at a local level”, *Servamus Vaktydskrif*, pp.3–8

93 M. Keegan (2005), *The Proliferation of Firearms in South Africa, 1994-2004: Gun Free South Africa*, Canada: Oxfame, p.16

into the popular consciousness where it narrowed and shaped people's understanding of effective and appropriate responses to conflict. From there, it became an accepted way of expressing discontent and frustration.⁹⁴

One often sees in South Africa a high tolerance of violence in interactions, whether within communities, or within families. People have learned violent behaviour by exposure to it in their early lives and have not developed non-violent methods of resolving conflict. This is aggravated when people use drugs or alcohol, which tend to lower peoples' inhibitions and make them more aggressive.⁹⁵ This is particularly problematic, given the poverty in South Africa, the deep-rooted patriarchy, and the contradictions, disjuncture and tensions that have accompanied transformation.

3.2. Changing Patterns of Violence:

The history of war in South Africa compounds the problem of violent crime. Except KwaZulu-Natal in the rest of the country, political violence dissipated in 1994, but it was soon replaced with growing violent crime. The crime rate probably started to rise before 1994. Louw and Shaw argue that the lifting of the State of Emergency in 1990 saw a relative explosion in crime. Crime levels had always been high in the townships, they argue, but the relaxing of controls over peoples' movement allowed crime to move out of the townships and into the suburbs. As a result, recorded levels of almost every category of crime increased significantly after 1990, but more profoundly after 1994.

94 *Ibid*, p.16-17

95 A. Dissel (1999), "Kids Behind Bars: Talking to Young Inmates", *Crime and Conflict* (17): p.17

3.2.a. Political Violence in the Post-Apartheid Period:

The 1994 elections saw political violence rapidly resolved in most parts of South Africa. Deaths due to political violence dropped quickly and dramatically, from 487 in April 1994, to 195 in May 1994, to 100 in December 1994. The exception was Kwazulu/Natal, where communal conflict continued to disrupt communities until 1998-99, particularly in politically contested areas around Durban and the Natal Midlands. Thus, Kwazulu/Natal saw 75 politically related deaths in January 1995, where the rest of the country saw 21.⁹⁶

3.2.a.i. Violence in Kwazulu/Natal

Undoubtedly, violence in Kwazulu/Natal was shaped by local and regional factors, yet the overt cause was political conflict: between supporters of the ANC and supporters of the IFP, or between supporters of the ANC and the newly formed UDM. It was particularly fierce up until 1999 because the IFP had only a narrow electoral majority in the province.⁹⁷ As political factions vied to secure territory, they created “no-go” areas. The IFP established hit squads to destabilize contested areas. The resulting conflict exposed whole communities to arbitrary violence and dispossession. In the end, violence in Kwazulu/Natal during this period claimed 15,000 lives; a further 25,000 were injured or disabled, and 5,00,000 were displaced from their homes and their communities.⁹⁸

96 J. Cock (1996), “The Link Between Security and Development: The Problem of Light Weapons Proliferation in Southern Africa”, *African Security Review*, 5(5): 6-7

97 A. Minnaar, S. Pretorius and M. Wentzel (1998), “Political Conflict and Other Manifestations of Violence in South Africa”, in E. Bernman, Rene van Eeden and M. Wentzel (eds.), *Violence in South Africa a Variety of Perspectives*, Pretoria: Human Sciences Research Council. pp. 47.

98 C. Higson-Smith (2002), *Supporting Communities Affected by Violence*, Oxford: Oxfam, p.45.

3.2.a.ii. Violence in other part of South Africa

In South of Durban, the placement of a group of IFP, hit men in their area who came out at night and terrorized the community. They were supported by local IFP members who were armed with 303 rifles or home-made guns. They were supported, too, by the local police. The focus group told of police officers who when conducting searches kicked a door down, entered a house with guns, and could shoot a person or sexually assault a woman or girl, and if they wanted, remove all the furniture. Youth could be accused of political activities and be beaten on the street, simply because they were young. Finally, from time to time, IFP supporters were bussed into the area to fight. This situation came to an end, however, in 1999.⁹⁹

Very quickly thereafter, the political situation in the community began to stabilize. While there was serious, ongoing intimidation in a number of communities like Umlazi, it was the Midlands town of Richmond that came to symbolize the anguish experienced in the conflict because of the extreme violence it saw. In Richmond, violence was not only extensive, pervasive and brutal, but also deep rooted. Father fought son, and a person could be gunned down by a member of his own family. A survey of Richmond residents found that in the course of criminal violence 70% lost all of their property including their homes, 60% lost members of their immediate families, 80% witnessed the murder of a family member, and later, when peace was restored, 96% suffered from the symptoms of post traumatic stress: uncontrollable crying, nightmares and flash backs.¹⁰⁰

As a result, it broke down the social fabric of the community, for Richmond's residents felt "We were not betrayed by outsiders; we were betrayed by our own flesh and blood". Many residents took flight and sought refuge in Durban, Pietermaritzburg and Ixopo and have still not returned home. Social workers active in the Richmond area in 2005 noted that although the fighting ended shortly after the assassination of the UDM leader, Sfiso Nkabinde, in 1998, even today the community

99 M. Keegan (2005), *The Proliferation of Firearms in South Africa, 1994-2004: Gun Free South Africa*, Canada: Oxfame, p.17

100 T. Emmett and C. Higson-Smith (2000), "Kwazulu/Natal Programme for Survivors of Violence", in A. Butchart and T. Emmett (eds), *Behind the Mask*, Pretoria: Human Sciences Research Council. pp. 203-04

remains fragile as many continue to struggle with traumatising, bereavement and anger.¹⁰¹

3.2.b. Criminal Violence in Post- Apartheid Period:

In rest of South Africa, all forms of crime normally increase during periods of political transition. South Africa had a rapid transition from apartheid to democracy. Because of this, the existing (and illegitimate) mechanisms of social control were broken down without immediately replacing them with legitimate and credible alternatives. This weakness has been worsened by the historical breakdown of other vehicles of social authority, such as schools, the family and traditional communities.

3.2.b.i. Weak Social and Political Authority

The 1993 Government of National Unity inherited, intact, the entire public service. Including with it was a racially-based, disproportionate distribution of Criminal Justice resources. Personnel were insufficient and ill-equipped, systems outdated and departments were fragmented. This resulted in a system that was not able to cope with the demands created by the need to provide services to all the people of South Africa.

South Africa's violent history has left the country with a "culture of violence", which contributes to the high levels of violence associated with criminal activity in South Africa. Violence in South Africa has come to be regarded as an acceptable means of resolving social, political and even domestic conflicts. And the lack of effective police force precipitated the moral of common people.

The failure of government policies in reducing unemployment, poverty and inequality has led to the break down of the public confidence in new institutional

101 M. Keegan (2005), *The Proliferation of Firearms in South Africa, 1994-2004: Gun Free South Africa*, Canada: Oxfame, p.18

structure. In addition, the feeling of ethnic and racial identity is still dominated in most of the South African people.

3.2.b.ii. Presence of Firearms under Civil Control

Beside, the presence of huge number of live arms in hand of most South African's create another problems of quick response, while encounter with any incidence. These arms were provided by the state machineries itself to counter insurgency situation in state. For example, the SADF distributed R1 rifles to *civilian commando units*, which have not been returned. Commandoes were local units of men and women who received training from the SADF and specialized in local area protection, intelligence and counter the insurgency activities. Today, they serve as *rural protection units*. It is estimated that at one point there were 1,30,000 civilians in commandoes. It would seem that many commando members assumed that the weapons issued to them could remain in their possession indefinitely, and in 2004, large numbers still held them.¹⁰²

Gould et al reported that it was a very difficult task to track these individuals down: records were very poor, and many had moved, taking the weapons with them, and did not inform the military of their new addresses. At least some of these weapons entered the illegal pool. In 1999 alone, 43 firearms were stolen from commando homes. Moreover, stolen commando rifles have periodically been linked to farm murders. Thus, tens if not hundreds of thousands of weapons left over from the apartheid government's "Total Strategy" remain unaccounted for, possibly stockpiled, possibly stored, but possibly circulating in criminal hands, as well. There can be no doubt; the failure of disarmament has had a high cost, indeed.¹⁰³

However, It is estimated that the South African military and police force gave the IFP 116 tons of firearms prior to 1994. Only 6 tons of these weapons

102 *Ibid*, p.73-74

103 C. Gould, G. Lamb, G. Mthembu-Salter, S. Nakana and D. Rubel (2004), *South Africa: Hide and Seek. Taking Account of Small Arms in Southern Africa*, Pretoria: Institute for Security Studies, p.28

were recovered.¹⁰⁴ This fuelled the political and communal violence which gripped Kwazulu/Natal up until 1998.

3.3.Crime and Corruption: State Still in Transition:

Corruption is a highly complex and diverse phenomenon with many different manifestations. It can be grand or petty, incidental, systematic or systemic. It can be judicial, administrative, legislative or political in nature. It can occur in the public, private or civil society sector. It can involve groups or individuals. Academics from various disciplines (including lawyers, historians, moralists, economists and political scientists) and international organization experts define it in various ways.¹⁰⁵ Corruption appears to be more than bribery (to which it is often reduced in legal definitions), and relates to various forms of mismanagement, abuse or misuse of mainly public authority, office, duties, trust or resources, for private, personal or sectoral interest, benefit or gain.

Moreover, that may lead to the weakening of those institutions which are responsible for the protection of 'social fabric'. The society with corrupt official and weak institution are more vulnerable to crime and violence, because important social institution on which the responsibility of the security of citizenry has laid down, can be easily disintegrate.

3.3.a. Criminal Elites and official links

The relationships between the criminal elite and various officials and businessmen are the hardest dimension of the criminal domains to research. Unlike the rather conspicuous criminal elite and the visible street gangs, officials and businessmen strive to keep their position in the criminal economy secret. In South

104 *Ibid*, p.28-29

105 Lala Camerer (2001), "Corrupt Monograph, No 65, [Online: <http://www.issafrica.org/pubs/n> South Africa: Results of an Expert Panel Survey", ISS, accessed on 2 June 2009, URL: <http://www.issafrica.org/pubs/n>aphs/No.65/Notes.html

Africa, many crime bosses develop relations with local police officers and local politicians. Although these relations may be based on bribery, they are at times also based on political and strategic associations—the crime boss can offer information and influence in ‘his’ community and in return the police and politicians can offer a degree of respectability and perhaps protection from prosecution or investigation. This is not to suggest that a majority of police and local state officials rely on corrupt links with organized crime, but rather that there is a tendency for a minority to do so. Irrefutable evidence for this is not abundant although few people, not even within state institutions, pretend that such arrangements do not exist. Indeed, in a telephone survey conducted in 1997 only 4% of Cape Flats respondents thought there was no corruption in the police force.¹⁰⁶

The suggestion has been made that once the causes of corruption have been identified in a particular society, they can be matched with appropriate control strategies to address the problem. However, this is only possible up to a point. In the South African context, where political transformation and the legacy of apartheid, as well as socio-economic conditions are cited as key causes of the corruption phenomenon, wider reform strategies are clearly required than those listed. Economic growth, the inculcation of democratic practices and measures to address the apparent culture of impunity are just some of the challenges facing the current government.¹⁰⁷

But, what is less clear is the collusion of officials in illicit trade, although again such allegations are common and taken for granted by many. The origin of many of these accusations—as with so many aspects of the criminal economy—can be traced to the period of apartheid. As described most lucidly by Stephen Ellis, towards the end of apartheid rule the security forces developed covert relations with various strategically placed criminals. These relations were formed partly to help with clandestine business activities, such as sanctions busting and the

106 Andre Standing (2003), *The social contradictions of organized crime on the Cape Flats*, Institute for Security Studies, Occasional Paper 74, [Online: web] Accessed on 23 May 2009, URL: http://www.iss.co.za/static/templates/tmpl_html

107 Lala Camerer (2001), *Corruption in South Africa, Results of an Expert Panel Survey*, ISS, *Monograph*, No 65, [Online: web] Accessed in 2 Jun. 2009, URL: <http://www.issafrica.org/pubs/monographs/No.65/Notes.html>

illegal trade in weapons and ivory, and also to assist with the domestic civil conflict against anti-state political movements. As Ellis describe:

Some explicitly criminal gangs have developed close relations with the security forces. This has produced within some sections of the security forces a highly ambiguous attitude towards certain types of crime. During the last phase of the guerrilla war some police and army officers even developed criminal enterprises of their own, such as in weapons, gems, ivory and marijuana trades, partly for their own profit and partly as a covert means of providing arms and funds for informal militias opposed to the ANC and the SACP.¹⁰⁸

The prominent gangsters of Cape Flats, are believed to have been used to plant bombs and carry out political assassinations. In return they were given weapons and granted immunity from the law as well as relative freedom to conduct illicit trade. It was these relations that are thought to have created the environment for the continued involvement of police and security officials in on-going illicit trade after the ANC was elected to power. For example, one application to the TRC, which received a high degree of credibility among the Committee's researchers, accused a senior member of the new South African Police Service of trading in drugs and arms with the Hard Livings gang. Similarly, Irvin Kinnes writes:

There have been consistent allegations of police complicity with gang members...This was once more revealed in January 2000 when police officers assisted the Hard Livings gang to break into a police base in Faure to steal firearms.¹⁰⁹

108 A. Standing (2003), *The social contradictions of organized crime on the Cape Flats*, Institute for Security Studies, Occasional Paper 74, [Online: web] Accessed on 23 May 2009, URL: http://www.iss.co.za/static/templates/tmpl_html

109 *Ibid.*

3.3.b. Criminals and Professionals links

In addition to potential links with police and politicians, the activities of the criminal elite bring them into contact with various professionals who help protect and expand their criminal fortunes, particularly lawyers and business consultants. These professionals are essential in keeping their clients out of prison, as well as ensuring that the proceeds of crime are successfully laundered. Money laundering is becoming a key topic in the fight against organized crime in Southern Africa and thus those with expertise in this field will become increasingly valuable.¹¹⁰

3.4. Public Perception:

Public perception that a democratic South Africa is more corrupt than the apartheid regime dominated much of the public discourse for a number of years after 1994. It may be that white and black South Africans alike had come to believe their masters' lie. Public perception of apartheid-era corruption was reinforced by the views of former leaders of the National Party, such as F.W. de Klerk, who noted in 1997 that:

With regard to...crime and corruption, the true facts are that the situation has deteriorated seriously since the ANC took over.¹¹¹

In societies where corruption is the most likely to occur — where there is low political competition, low and uneven economic growth, a weak civil society and the absence of institutional mechanisms to deal with corruption — South Africans would be wise to focus their attention on the first two features. Besides the need for sustained economic growth, the arrogance bred by power within political parties that feel no threat to their majority position from other parties, is not healthy in any context. The incumbents and custodians of public power, office, authority, resources

110 *Ibid.*

111 Hennie van Vuuren (2006), *Apartheid Grand Corruption: Assessing the scale of crimes of profit in South Africa from 1976 to 1994*, Cape Town: Institute for Security Studies, p.3

and trust have to retain strict vigilance to prevent even the perception of abuse of these public goods.¹¹²

The years before and after 1994 cannot simply be neatly compartmentalized. However, there was political support for this point of view as summed up in comments made by National Party (NP) leader, Martinus van Schalkwyk, (a supporter of the NP under P.W. Botha and a Cabinet Minister since 2004), in his preface to the National Party Corruption Barometer (1997):

...They [the ANC] turned South Africa into a Mecca of maladministration, crime and corruption. It is the NP's duty to take them to task on this, and we will do precisely this.¹¹³

In making this comment Van Schalkwyk appears to support the argument that corruption is an import of democracy, as opposed to apartheid-era corruption making any contribution at all to contemporary corrupt behaviour. However, as Frene Ginwala, the former Speaker of Parliament (1994–2004), points out, to break with the past may not have been so easy:

In South Africa we inherited an intrinsically corrupt system of governance...To survive, it created a legal framework that was based on and facilitated corruption. It has taken years in Parliament to repeal old laws and introduce even the basic legal framework that would enable us to deal with corrupt bureaucrats, politicians and police. The private sector also operated in a closed society and profited by it. There were partnerships with international criminals, and the corruption that was built into the system is very difficult to overcome.¹¹⁴

112 Lala Camerer (2001), "Corruption in South Africa: Results of an Expert Panel Survey", ISS *Monograph, No 65*, [Online: web] Accessed on 2 June. 2009, URL: <http://www.issafrica.org/pubs/monographs/No.65/Notes.html>

113 Hennie van Vuuren (2006), *Apartheid Grand Corruption: Assessing the scale of crimes of profit in South Africa from 1976 to 1994*, Cape Town: Institute for Security Studies, p.3-4

114 *Ibid*, p.6-7

Social scientists have started to grapple with the effect that corruption has on effective democratic governance in South Africa. Such enquiry primarily with a focus on the public sector, but increasingly also the private sector (and to a limited extent civil society) has tested the nature and extent of corruption through both qualitative and quantitative research. This has established a baseline for measuring corruption in South Africa.

In order to ensure that the new democratic framework of government (both in law and in terms of institutions) can effectively combat corruption, it is necessary to understand the nature, extent and effect of corruption in both the public and private sector. The global nature of corruption, its prevalence in all societies and the frequency of its occurrence since 1994 in a country whose constitution is based on the values of equality, the antithesis of corrupt behaviour, continues to make the study of corruption pertinent in South Africa.¹¹⁵

Civil society has to be strengthened and mobilized to play its important watchdog role in the fight against corruption. While the architecture of anti-corruption agencies within the South African context is impressive, its effectiveness has not been proven in the public perception. The key challenge is therefore to sustain the positive national anti-corruption initiatives under way.

On the question of corruption prevention, the opinions on sanctions for corrupt public officials and politicians were fairly similar. Expert attitudes towards sanctions for corruption indicated a tough stance towards corrupt public officials and politicians. These attitudes might inform criminal justice responses which, in the public's perception, appear not to treat corruption as the crime it is, with fines rather than imprisonment being the norm. Government responses to corruption have to reflect the seriousness with which it is viewed. It may be necessary to 'fry some big

115 UN office on Drug and Crime (2004), *ISS Anti-Corruption Strategies Programme*, Cape Town in co-operation with The United Nations Office on Drugs and Crime – Regional Office for Southern Africa, p.6-7.

fish' in order to show that the government is serious with its well-publicized zero tolerance approach to corruption.¹¹⁶

116 Lala Camerer (2001), "Corruption in South Africa: Results of an Expert Panel Survey", ISS, *Monograph*, No 65, [Online: web] Accessed on 2 June 2009, URL: <http://www.issafrica.org/pubs/monographs/No.65/Notes.html>

CHAPTER-4

Assessment of Government Policies and Initiatives for Crime Control

In the almost fifteen years since the establishment of South Africa's first inclusive, democratic government, an ambitious, extensive and systematic process of reform has been carried out in the governance of security. The process is widely regarded as having been successful and a model for other processes of 'security sector reform' in the context of transitions from authoritarian forms of governance to democratic ones.

The new government led by the African National Congress (ANC) was faced with daunting security challenges, for which it was ill-prepared. The apartheid regime had put in place a comprehensive '*National Security Management System*' to deal with both internal and external threats, but this had been largely demolished and was in any case based on political repression, militarism and conflictual relations with neighbouring countries and had been largely unaccountable. Yet the new government inherited intact the security apparatus that had served this system. It thus had to simultaneously rework policy and governance and to reform and restructure the various security institutions.

The number of unemployed and unacknowledged ex-combatants who were never assimilated into formal structures at the end of the struggle, contributed to the types of crime and the use of force as demonstrated by the military-style bank heists experienced through 1996 and 1997. The problem of ex-combatants appears to be a common one as recommendations to the United Nations (UN) in 1998 based on research in El Salvador suggests:

-- "One should not underestimate the likely extent of crime, especially organized crime that can develop during a transition to new police institutions, especially in countries that have experienced prolonged civil conflict and a tradition of impunity ... estimates should take in to account the demobilization of large

numbers of former combatants from both sides, lack of employment and pervasiveness of military arms”.¹¹⁷

In fact South Africa remains one of the most heavily armed countries in the world with just licensed firearms making up an estimated 4.2 million for a population of 42 million. Coupled with these problems are other factors. It has been argued that the relaxation in border controls has contributed to the increase in crime, and that this has had an especially devastating effect on the South African economy, undermining many well-intended policies. Lax border control has been accompanied by many problems, including illegal border crossings and immigration, a rise in corruption among border officials, increases in disease owing to fewer health inspections, tax evasion due to smuggling, the illegal movement of endangered species, and syndicates moving contraband and smuggled goods in both directions. Both SAPS and Home Affairs argued that this had an impact on crime in South Africa, and the Minister of Home Affairs suggested repeatedly that South Africa was losing billions of Rands in revenue that could alleviate poverty and build prosperity.¹¹⁸

The long-term impact of all of these factors has been a downward spiral. Societal attitude is one of “no faith in the police”, coupled with a loss of faith in the justice system. Crime, and the fear of crime, has become a serious concern of many South Africans. In 1998 and 1999, crime (especially violent crime) emerged as the major factor fuelling emigration decisions, with 62% of respondents in a recent survey citing crime as the issue that would push them to consider emigrating in the future.¹¹⁹

It is within this context that the South African government had to develop and implement crime prevention policy and provide a response to its citizens.

117 W. Stanley and R. Loosle (1998), *El Salvador: The Civilian Component of Peace Operations*, Cape Town: Institute for National Strategic Studies, p.75

118 R. Griggs (1999), *Overview of South African Borders*, Pretoria: Idasa, p.45

119 J. Bennett (2000), “Crime Still Rattles SA’s Skilled”, *Sunday Times Business Section*, 12 March 2000

In examining government response and policy one needs to examine two time frames, period during Nelson Mandela (1994-99) and T. Mbeki (1999-2008). During this former period, policy was developed and police transformation was a priority. In the latter period, the government has come under increasing pressure to deliver on the policy and for the *SAPS*, service became an increasing priority. The response of government has changed considerably over that time, no doubt due to both a changing external environment and internal changes of personnel.

4.1. Government Policies and Initiatives for Crime Control:

In the safety and security area, the post-apartheid government had to integrate eleven police forces and carry out a process of systematic restructuring, reorientation and retraining aimed at transforming the police from a political instrument of repression to a crime-fighting service based on community policing and respect for human rights. In intelligence, it also had to integrate several intelligence agencies and establish new frameworks for control and new orientations. It had to develop a strategy for dealing with previous human rights abuses, which gave rise to the *Truth and Reconciliation Commission (TRC)*. And the new government also had to meet African and world expectations of South African security leadership.

That most of this has largely been achieved, and with hardly a shot fired in anger, is a remarkable achievement, and a credit to visionary political leadership as well as organizational capacity, in other words to effective security governance. At the same time, progress has been uneven and sometimes fragmentary, policy intentions and commitments have not always been translated into practice, the end results have not been to everyone's liking, and transformation has engendered its own pathologies. There thus remain several challenges in improving security governance.

This dissertation provides an overview of the roles played by the various actors in the governance of the security sector. It examines the main policy frameworks and touches on organizational transformation because it is impossible to deal with governance in isolation from these issues. Policy processes and the

frameworks they give rise to in particular are critical for effective governance. This dissertation deals with the defence, safety and security and intelligence fields. The current work does not seek to make an overall evaluation of governance, but to identify achievements, shortfalls and challenges.

4.1.a. During Mandela's Period: 1994-99

4.1.a.i. National Peace Accord

A broad framework for security and ending civil conflict was put in place during the transition to democracy, as a result of a 'pacted' agreement between the major actors – chiefly the ANC and the outgoing apartheid regime – in which normative principles relating to human rights, political conduct and the 'rules of the game' for the transition were agreed. This included: a *National Peace Accord*, which set out norms for the conduct of political parties as well as the police; joint executive control in the lead-up to the election through the establishment of a transitional government; an early agreement that all combatants and soldiers answering to political parties who were party to the negotiations would be integrated into one national defence force; agreement on the (limited but critical) role of external actors and the active involvement of civil society. Many of these principles were incorporated into an interim constitution that received wide support. At the same time the transitional government sought to demilitarize relations with neighboring states.

During the Mandela presidency, security policy, including the foreign policy dimensions there of, was highly normative. Principles of democratic governance, human rights and constitutionalism dominated the policy discourses in all areas, although this was strongly inflected with the overriding requirements for 'transformation'.¹²⁰

In the post-1994 period, the South African government, drawing on its traditional intellectual power base within non-governmental organizations (NGOs),

120 G. Cawthra (2005), Security Governance in South Africa, *African Security Review*, Pretoria: Institute for Security Studies, 14 (3): 96-97.

trade unions and universities, produced consistently excellent and visionary policy, the failure of which can be attributed in part to the over-investment of the state in the political symbolism of policy rather than its practical implementation. While it is appropriate for social policy to carry a broader symbolic significance than its simple technocratic ends – indeed all states use policy for purposes of legitimization – problems occur when policy is driven more by political imperatives rather than practical considerations. In South Africa there is a tendency to believe that the mere promulgation of policy constitutes changes.¹²¹

The White Paper on Safety and Security and the National Crime Prevention Strategy (NCPS) are key examples of the kind of visionary policies which have proved to be extremely difficult to implement. These policies demonstrate government's understanding of crime prevention as a long-term social development issue requiring the participation of multiple role players as well as tight interdepartmental coordination and cooperation. However, they are almost impossible to implement without a well functioning state bureaucracy, which not only understands the objectives of the policy but is committed to achieving them. As early as 1996, there were warnings of the potential problems this ambitious strategy posed for a new government within a transitional environment. Graeme Simpson noted that:

“In demanding the establishment of programmes and policies which cut across various government departments (and which therefore demand a degree of horizontal accountability between these departments), this approach ignores the extent to which a new political leadership is actually struggling to assert vertical lines of accountability within individual departments and bureaucracies which were inherited from the former government.”¹²²

121 J.C. Jansen (1998), “Why Education Policies Fail”, *Indicator SA*, 15 (1): 24-25

122 Simpson, G. and J. Rauch (1999), “Reflections on the National Crime Prevention Strategy”, in G. Maharaj (eds.) *Between Unity and Diversity*, Cape Town: David Philip Publishers

Once a policy exists, an administrative structure which constantly develops and enforces that policy, both horizontally and vertically, throughout the various departments must be put in place. In the case of many departments, a major hindrance was the creation of policy without the internal structures and mechanisms to support and ensure its implementation – budgets did not reflect policy objectives, there was an absence of training to ensure the development of new and appropriate skills, information was poorly disseminated and vertical accountability was non-existent.

4.1.a.ii. National Crime Prevention Strategy (1996)

When the government drafted National Growth and Development Strategy (NGDS) was tabled in February 1996, safety and security was included as one of its six pillars. When the NCPS was approved just a few months later, in May 1996, it was regarded as the core component of the NGDS safety and security pillar. The NCPS was developed by an interdepartmental strategy team in direct response to concerns expressed by the South African government about the high levels of crime in the country.¹²³ These concerns were addressed in two ways: first, through the NCPS as the longer-term strategy aimed at addressing the social and developmental factors thought to facilitate crime and, secondly, shorter-term high-profile visible policing measures intended to reassure the public.¹²⁴

According to the NCPS, its primary objective is to reduce crime levels in South Africa. It goes on to list ten supporting objectives that are deemed necessary to achieve the primary objective.¹²⁵ The following two supporting objectives are particularly relevant:

123 J. Rauch (2001), “The 1996 National Crime Prevention Strategy”, Pretoria: Institute for Security Studies, Online Source: Accessed on 27 May 2009, URL: <http://www.csvr.org.za/docs/crime/1996nationalcrime.pdf>

124 J. Rauch (2002), “Changing step: Crime prevention policy in South Africa”, in E Pelsler (eds.), *Crime prevention partnerships: Lessons from practice*, Pretoria: Institute for Security Studies, p.10

125 J. Rauch (2001), “The 1996 National Crime Prevention Strategy”, Pretoria: Institute for Security Studies, Online Source: Accessed on May. 27, 2009, URL: <http://www.csvr.org.za/docs/crime/1996nationalcrime.pdf>

- Establishing a comprehensive policy framework which addresses all policy areas which impact on crime, as part of the greater initiative to improve economic growth and development.
- Generating a shared understanding among South Africans of what crime prevention involves.

The NCPS takes a strong stand against the simplistic view that more police – and in particular more visible police – will solve the crime problem: ... it is only necessary to consider the magnitude of the problems of rape and domestic violence, child abuse, etc. to recognize that while this approach may provide solutions for some kinds of crime, it will not deal with other serious criminal activities, such as those which take place within the private realm.¹²⁶

According to the NCPS there is no single cause of crime and violence and mono-causal explanations will only lead to simplistic solutions. Accordingly, effective crime prevention would be possible only if the overlapping social, economic, political and psychological causes of crime are properly analyzed and understood. The NCPS also emphasizes the importance of making a conceptual distinction between the ‘root causes’ and ‘enabling factors’ of crime. The NCPS explains that ‘enabling factors’ are those circumstances that facilitate crime or make it easier for criminals to commit crime and get away with it. An inefficient criminal justice system would be an example of an enabling factor. Root causes, on the other hand, are those factors that create the initial motivation to commit an offence.¹²⁷

One of the more salient and often quoted features of the NCPS is its so-called ‘four pillar’ approach to crime prevention. The ‘four pillars’ are derived

126 J. Rauch (2002), “Changing step: Crime prevention policy in South Africa”, in E Pelser (eds.), *Crime prevention partnerships: Lessons from practice*, Pretoria: Institute for Security Studies, p.10

127 Republic of South Africa (1996), *National Crime Prevention Strategy*, Ministry of Safety and Security, p.11

from the identification of the ‘four most crucial areas for intervention in addressing crime’.¹²⁸

- The criminal justice system
- Community values and education
- Environmental design
- Transnational crime

According to the NCPS, it does not represent all government activities that may contribute to crime prevention but rather serves to emphasize areas of crime prevention not covered by other components of the NGDS. Examples of these ‘areas of crime prevention’, which may eventually also impact on the prevention of crime, are job creation, welfare safety nets and meeting basic needs. The NCPS also makes it clear that crime prevention cannot be tackled by government alone, or by one sector of government alone. What is needed is an ‘integrated, multiagency approach’.¹²⁹

The NCPS is an excellent strategy, although some may argue it is more policy than strategy. It recognizes that the police can only contribute short-term visible policing measures, while much more is needed to address crime in the longer term. In this regard, it places a specific focus on those issues that are associated with the social and developmental factors thought to cause or facilitate crime.¹³⁰ However, a decade after its launch few people would agree that the NCPS has lived up to expectations. On the contrary, at this stage the NCPS can only be regarded as a good strategy on paper, but one that has failed in practice.

128 *Ibid*, p.50

129 *Ibid*, p.80-81

130 J. Rauch (2002), “Changing step: Crime prevention policy in South Africa”, in E. Pelsler (eds.), *Crime prevention partnerships: Lessons from practice*, Pretoria: Institute for Security Studies, p.9

Apart from the necessary administrative structures needed, the NCPS is exactly the kind of ambitious policy which also requires a detailed programme of implementation in order for it to be successful. Clear action plans, time frames, monitoring mechanisms and criteria for evaluation were sometimes lacking and, where they existed, they were seldom adhered to or enforced. This meant there was no way to ensure the cooperation and coordination between government departments that was necessary. The lack of a detailed strategy for implementation also ignored the inevitable power plays and jockeying for position that occurs within these departments; issues which are particularly prevalent during transformation processes.

Over much of the four years following the elections, the government has appeared to be unable to provide, or support, any of the conditions necessary for real change to occur. What this may reflect on, is often the sheer size and complexity of the task, rather than the will to succeed, or lack of it. Nevertheless, the lack of clear decisive leadership and well formed human resource management policy and mechanisms within departments had a particularly negative effect and created a space in which the focus of many individuals was on self interest, rather than service delivery.

4.1.a.iii. Management of Security Institution

Many of the departments expected to contribute to crime prevention initiatives were themselves in states of flux and transition, which created additional problems. This was especially true within the *SAPS*; one of the key departments targeted for massive transformation. Organizations throughout the world undergo major transformations in response to the external environment and there are known tools and techniques for handling these processes. However, due to political pressure, internal conflicts and unrealistic expectations, the process was not handled as effectively as it might have been.

The change process in the *SAPS* exacerbated all of these factors, contributing to the difficulty in achieving any measurable outputs. The *SAPS*, with its tendency to manage “paper” more effectively than “people”, was unable to effectively manage the “human” side of the transformation. The resultant loss of morale, decrease

in performance and increase in stress among members has had dire long-term consequences. The most visible changes such as new uniforms and new symbols not only encouraged internal resistance, they also failed to convince anyone on the outside that real change had occurred.

The entire change process was marked by conflict both internally and externally, by constant tensions between the police and the civilian oversight bodies, by frequent accusations of racial bias, and by difficulties in integrating members from the 11 different services. This was compounded by the lack of a clearly defined, well-communicated strategy and strong decisive leadership. Members could not commit to a vision they could not see. It is easy to criticize with hindsight, yet it is worth noting that while “there was no change management process to let police know what in the old order (actions and attitudes) needed to be left behind, and which attitudes and actions need to be celebrated and taken forward”,¹³¹ today there is still no clear reward for “good” behaviour and equally no real punitive action against “bad”.

4.1.a.iv. New Labour Relation Act.

Station management continues to be unclear about the behaviour expected from them, with no job descriptions and no clear performance objectives. The New Labour Relations Act which was intended to “advance economic development, social justice, labour peace and democratization of the workplace” has also had an unintentionally negative effect. Management is poorly informed about the details of the Act, believing that it prevents them from dealing with insubordinate staff. At station level and above, misconduct is often ignored and corruption tends to be dealt with only through prosecution rather than through better management. Managers almost never act, even against substantial transgressions. This sends out a clear message that wrongdoing is not punished, which fosters a culture of impunity.

These problems must rest squarely on the government’s inability to establish effective systems of human resource management within departments.

131 W. Scharf (1999), *Police Transformation in South Africa – What not to do*, Paper Presentation, Belfast: Queens University

Within the *SAPS*, this failure has been blamed on lack of resources and limited management skills among members, alternated with promises that everything is about to change with the introduction of “this” or “that” new programme. While resources are undoubtedly a problem, many of the initiatives taken to improve police management have also been poorly thought out and reflect a “knee jerk” reaction, rather than a clear strategy defined in response to an accurately identified need. Similarly, human resource management lacks coherence and integration. It has been noted that:

--“The continuing lack of a coherent and integrated training, deployment, development, and succession strategy geared towards enhancing local service delivery means there is no systemic incentive for rewarding innovative or effective practice at the local level.”¹³²

While attempts have been made to integrate the various human resource management components, in real terms training operates in virtual isolation from career planning and personnel services. Human resource management is further hindered by the vertical lines of command which see every decision centralized at national level and limited horizontal communication at provincial level. Once again the structure is often the problem rather than the people.

4.1.b. During Mbeki’s Period: 1999-2008:

Security decision-making has become increasingly centralized in the Office of the President which has been provided with dedicated intelligence, policy and foreign affairs capacities. The somewhat *ad hoc* decision-making processes of the early post-apartheid period (which gave rise to some ill-prepared actions, such as the intervention in Lesotho in 1998) have been replaced by a much more co-ordinate system for national security management.

132 E. Pelser (2002) “Can the community police for a work – revisiting a key policing strategy”, *Crime and Conflict*, No 18, pp.56-58

Under the Mbeki presidency, *realpolitik* has become a more dominant trend in foreign as well as domestic security policy and the emphasis has been on implementation. Promotion of human rights and democratization agendas internationally have given way to a concentration on conflict-resolution, peacekeeping, good governance and the promotion of national interests. Domestically, the focus has been on the ‘war against crime’. Transformation, however, has remained an overriding concern, democratic governance has been consolidated and none of the normative intentions have been abandoned even if they have sometimes been difficult to put into practice.¹³³

4.1.b.i. Operation Monozite (1999)

By the late 1990s and with crimes escalating to alarming proportions there was growing impatience with the ‘failure’ of the NCPS to stem the tide. There seemed to be little appreciation for the medium and long term objectives of the NCPS. The call was for a plan that could deliver immediate results.

The *South African Police Service*, with support from the *SANDF*, replied with Operation *Monozite* in 1999. Operation *Monozite* focused on police station areas where 50 per cent or more of the crime in a province occurred. This operation employed high-density tactics on the ‘flood-and-flush’ principle and focused specifically on roadblocks, cordon-and-search actions and air-supported operations. In many ways, Operation *Monozite* was used to test operational concepts for use in future crime combating operations.

4.1.b.ii. National Crime Combating Strategy (2000)

In early 2000 the police published a special edition of the SAPS Bulletin with an article entitled ‘*The new strategic focus of the SA Police Service for 2000-2003*’. The ‘strategic focus’ of the police resulted in what was initially known as the *SAPS Crime Combating Strategy*, but was subsequently renamed the National

133 G. Cawthra (2005), “Security Governance in South Africa”, *African Security Review*, Pretoria: Institute for Security Studies, 14 (3): 96-97

Crime Combating Strategy (NCCS).¹³⁴ The NCCS was designed to focus on four operational and two organizational priorities. These priorities were described as follows:

- **Operational priorities:** organized crime, serious and violent crime, crimes against women and children and service delivery
- **Organizational priorities:** budget and resource management, human resource management

The following time frame was set for the implementation of the NCCS (with the initial ideal of multi-agency co-operation):¹³⁵

- A short-term stabilization phase (2000-2003)
- A medium-term normalization phase (2000-2005)
- A long-term socio-economic development phase (2000-2020)

The first two phases were clearly aimed at directly confronting criminals and the so-called enabling factors of crime, while the third phase is aimed at the root causes of crime.

4.1.b.iii. Operation Crackdown

The police, again with the assistance of the military, adopted the proven operational concepts of Operation *Monozite* for performing their part in the NCCS and subsequently launched Operation *Crackdown*. It consisted of both a geographic and an organized crime approach to address serious and violent crimes, as well as organized crime. The two approaches of Operation *Crackdown* were informed

134 Republic of South Africa (2002), *The SAPS Annual Report 2001/2002*, SAPS, Pretoria, p.24

135 Republic of South Africa (2000), *SA Police Service Bulletin*, SAPS, Pretoria, p.1

by a CTA (Crime Threat Analysis) and an Organized Crime Threat Analysis (OCTA) respectively.¹³⁶

One hundred and forty-five police station areas (precincts), out of almost 1,200 nationally, were identified for Operation *Crackdown* on the basis that the areas were responsible for 50 per cent or more of all serious, violent and organized crime in the country. Once identified, these station areas were initially clustered into 32 ‘crime combating zones’ or geographical areas. A ‘crime combating task group’ – comprising police officials from various operational branches, as well as members from the *Metropolitan Police Services* and the *SANDF* – was deployed for each zone.¹³⁷ Similarly, as part of the organized crime approach, a number of ‘organized crime task teams’ were appointed. Unlike the ‘crime combating task teams’, however, the ‘organized crime task teams’ were not allocated or restricted to specific geographical areas, because of the nature of this type of crime.

The police also set in motion a joint co-operative venture with other government departments, including Justice, Correctional Services, Health and Water Affairs and departments in the Social Cluster, inter alia to address ‘social instabilities’ in the identified high crime areas. However, it soon became evident that this venture was not achieving much. As with the *NCPS*, there appears to have been very little understanding for the need to deal comprehensively with the root causes of crime. The crime combating operations of the police can, at best, create some space for the other government agencies to perform their role in this regard.

4.1.b.iv. SAPS Strategic Plan-2005-10

According to the *Strategic Plan for the South African Police Service 2005-2010* the police’s strategic direction is informed by the following four scenarios, which were presented to Cabinet in July 2003:

136 Republic of South Africa (2002), *The SAPS Annual Report 2001/2002*, p.15, [Online: web] Accessed on 24 May 2009, URL: <http://www.icd.gov.za/media/2002/annual.html>

137 Republic of South Africa (2000), *SA Police Service Bulletin*, SAPS, Pretoria, p.2

- **S’gudi S’nais:** This is an intolerable future. Powerful individuals become involved in a power struggle that leads to increased tension and conflict. This scenario would increase the burden of the police to an impossible level

- **Dulisanang (We’re all in this together):** This is a tolerable but undesirable future. The country unites around an agreed set of social values, but experiences economic problems and an increase in crimes of greed

- **Skedonk (It goes, but only just):** A weakened, divided South Africa tries to survive in a world going through an economic crisis. Those at the lower levels of society have become poorer and the higher levels of crime could lead to lawlessness. The result would be a further overburdening of the criminal justice system

- **Shosholoza:** This scenario depicts a tolerable and desired future. The world is characterized by multilateralism and a robust global economy in which South Africa experiences economic growth and increased social cohesion.¹³⁸

The obvious strategic direction of the police is to pursue the Shosholoza scenario ‘while neutralizing and/or preventing the prospects of the undesirable scenarios from taking root’. To enable them to achieve their objective within the broader *Justice, Crime Prevention and Security Cluster (JCPS)*, the police have listed nine so-called implementation strategies:¹³⁹

- Human resource management strategy
- National crime combating strategy
- Firearms strategy
- Crimes against women and children strategy
- Corruption and fraud prevention strategy
- Prevention of police attacks and killings strategy

138 Republic of South Africa (2006), *SAPS Report-2005*, SAPS, Pretoria, p.23-24

139 *Ibid*, p.25

- Risk management strategy
- Technology strategy
- Information strategy

4.1.b.v. Staff Management Strategy

However, in terms of their human resource management strategy, the *SAPS* have already increased their numbers from approximately 1,21,000 in 2001 to 1,55,320 in March 2006, with the target for 2008/09 set at 1,79,000.¹⁴⁰ The current police/population ratio of 1:385 already compares favourably with the world average of 1:300-400 and will further improve with the addition of more staff over the next two to three years. During 2006 the police also embarked on a comprehensive restructuring exercise aimed at decentralizing specialized units and other members, currently stationed at various head offices, to police stations. Police management expects this move to improve policing and service delivery at grass roots level.

As far as crime is concerned the *National Crime Combating Strategy (NCCS)* remains the main crime-fighting strategy, with the police employing a number of operations within this strategic framework. However, over the last number of years the *SANDF* progressively withdrew its active participation in police crime combating operations as part of the so-called 'exit-entry strategy' between the two departments.

This strategy also includes the closing of the commandos and the withdrawal of army units from borderline protection. This is a phased process and is expected to be completed by Mar. 2009. The police will take over responsibility for borderline control and for rural safety, the latter having been a responsibility of the commandos for many years. The main aim of personnel increases in the police is to enable it to enhance visible policing and to perform its traditional tasks more effectively, as well as to take over the above functions previously performed by the military. Many question the ability of the police to perform borderline control

140 Republic of South Africa (2007), *SAPS Annual Report- 2006*, SAPS, Pretoria, p.6

effectively and to provide rural safety. There are also indications of growing distrust of the police performing their primary crime combating functions. This again became evident during the first half of 2006 when there was a sudden spate of high-profile violent crimes in this country and, as shown above, an exceptionally high increase in cash-in-transit robberies. This led to calls for military intervention, something many still see as essential in view of the perceived military expertise and armament of some of these crime syndicates.

There is no doubt that some of the criticism against the police is unfair, especially in view of the absence of a clear and concerted effort by other government structures to tackle the root causes of crime, but there certainly are areas where the police are not performing as well as they should. This was partly acknowledged by the Minister for Safety and Security when, at a press conference on 1 August 2006, he announced additional measures by the police to curb the new upsurge in violent crimes in particular. The minister made it clear that far more emphasis will be put on the eradication of organized crime. For this purpose special teams will be established to deal with crime syndicates, while other teams will be formed to search for and arrest suspects for whom warrants of arrest are outstanding. Intelligence units will assist these teams and will receive additional funding and human resources. In view of indications of the increasing involvement of foreigners in crime in South Africa, the minister also announced stricter border control measures. For this purpose a national border control and security strategy had been finalized and a national border control centre set up.

4.2. Public Response against Violent Crime and Government Policies:

The increasing failure of the government policies and initiatives to tackle the increasing number of crime incidence especially violent nature of crime and fair criminal justice system to deter or punish offenders has been marked by a growing trend among citizens to take the law into their own hands. None of this is new, all occurring in some form or the other under apartheid rule. What is significant now is the growth of extra-state mechanisms of law and order in conjunction with declining confidence among the peoples in the ability of the police to secure a safe

environment. Forms of alternative protection vary—the wealthier components of society can afford to contract out responsibility for their safety to the private security sector, less fortunate communities are more likely to take their own initiatives.

4.2.a. Emergence of Non-government Anti-crime Groups

As popular worries about violent crime grew, anti-government protests increased, and a number of few non-government anti-crime groups began to mobilize. These ranged from vigilante organizations to groups launched by big business. The government's first response to this growing pressure was to co-opt the most vocal of the new anti-crime groups. The most prominent of these groups was “Business Against Crime” (BAC), an alliance of white businessmen. While BAC originally lobbied the government, it soon began to channel resources to the government. Initially, the relationship was uncoordinated—the BAC alternately pressured officials and offered resources to the police. Over time, the relationship stabilized, and agreements were struck as to what issues were of priority for business intervention.¹⁴¹

Ironically, it was a much more sinister anti-crime initiative that exerted the most powerful influence on the government thinking in these years. A vigilante group calling itself People Against Gangsterism and Drugs (PAGAD) had been operating since the mid-1990s in the Western Cape Province. While it had originally targeted drug dealers in former townships on the periphery of the city of Cape Town, trying to frighten them out of business of targeting their homes with crudely made bombs, the group grew increasingly militant under the growing influence of radical Muslim leaders. They began to target government buildings, particularly police stations, as well as prominent tourist areas in the heart of Cape Town.

141 Peter Gastrow (2001), “In Search of Safety: Police Transformation and Public Responses in South Africa”, *Daedalus*, 130(1): 268

Vigilante violence was not confined to PAGAD. In many of the urban black township there was a resurgence of action against suspected criminals. For example, in Guguletu, a predominantly black township on the out skirts of Cape Town, a surge of crime during 1998 led to the community taking action against “criminals”. Alleged rapists, murderers, burglars, and thieves were physically assaulted and paraded naked down the streets. The state deplored the lawlessness—but also replaced a number of local police officers in an effort to store public confidence in the government’s own police force.

During apartheid period, many black communities had welcomed vigilante group as legitimate organs of local law and order. After the end of apartheid, however, public opinion shifted: groups that engaged in vigilante action did so at the risk of being labeled “bad” by the state, and also by formerly sympathetic member of the local communities. This shift occurred despite the inability of the state to provide a safe and secure environment for many black communities. Many people wanted to adhere each community in new legal order, and to rely on its criminal justice system. However, when that system failed to secure the safety of citizens, vigilante groups sprang in to action. Some people came to regard the new Constitution as favouring the criminal instead of the victim.¹⁴²

4.2.b. Divergent of Public view on Crime

In addition recent research suggests that black citizens see crime as a symptom of social and economic inequalities rather than a product of democracy’s ‘weakness. Survey evidence suggest that white and black citizens view increasing crime and state responses from diametrically opposed position:-- whites see crime as a breakdown of policing standers and the weakness of the new order, where as blacks view increasing lawlessness as a sign that the new democracy has not consolidated and that its institutions need strengthening.¹⁴³

142 *Ibid*, p.269

143 Mark Shaw (2000), “South Africa: Crime in Transition”, in William Gutteridge and J. E. Spence (eds.) *Violence in Southern Africa*, London: Frank Cass, p.173.

Government had adopted the NCPS in 1996, which sought to focus all of the resources of government toward both improving the functioning of the criminal justice system and preventing crime. However, the NCPS brought little practical improvement. Many came to regard it as a soft and ineffective alternative to real crime control. Those South African who could afford it increasingly turned to private security firms. While private forms of security have enjoyed an increased popularity in many countries, in South Africa the industry has been one of the fastest-growing private sectors.

Many South African lacked confidence in the new criminal justice system. A survey conducted in the Eastern Cape Province during 1999 showed that only a minority of black and coloured respondents thought that the criminal justice system had improved since 1994, or that the new government had done a good job of fighting crime. The only reassuring finding of the survey was that the fear of crime in the Eastern Cape had not yet eroded public confidence in the Constitution and the rule of law. But the lack of confidence in the police force, combined with a perceived lack of government support, led to precipitate decline in police morale especially in 1990s. There were more and more cases of police corruption. Some officers turned to crime. Overall, discipline weakened.¹⁴⁴

4.3. Need for Collective Effort

According to *SAPS* report, the murder rate has shown a drop in every year since 1994 (except few exceptions). However, the levels of crime that are typically linked to a collapse of social fabric, such as child abuse, rape, drug consumption and assaults remain alarmingly high and in some cases show continued increases. This is also applied to the case in which crime is influenced by poverty, unemployment etc. There is no doubt that a reduction in these crime categories would require concerted efforts by more role players than the police.

¹⁴⁴ *Ibid*, p.175.

The longer the dilemma remains unresolved, the more likely is it that the democratic authorities and therefore the political process, will cease to be seen as credible guarantors of personal safety: for those unable or disinclined to emigrate, 'self-policing' and reliance on private security will be seen as more viable protections. While the impact of these choices on democracy may be difficult to determine, at the very least they suggest a declining relationship between securities on the one hand, and accountability and legality on the other hand. As the more affluent, in particular, are forced to rely on their own response to crime, the more likely they are to seek to insulate themselves from the rest of society.

CONCLUSION

The advent of democracy in April 1994 ushered in what is, without doubt, the most optimistic era in South Africa's history. Political and social transformations have affected South Africa profoundly. Whereas apartheid obliged policemen and policewomen to disregard the human rights of fellow South Africans, they have now been offered a place of pride in the process of building a new and better life for all. The advent of democracy brought about the potential for unprecedented progress for South Africa and held out the promise that people would be able to live their lives in prosperous peace.

New and non-racial forms of democratic government have been established at national, provincial and also at local level, and reconstruction and development have (slowly) begun. But the process has been far from painless: while political violence has ended-excluding in some parts of KwaZulu-Natal – the transition to democracy has been characterized by rising levels of crime.

There is a clear and crucial link between South Africa's transition and the growth in crime rates which has accompanied it. But, it would be dangerously simplistic to argue that crime is purely a consequence of the transition. Indeed, there is strong evidence to suggest that its roots lie in the apartheid system which the negotiated transition sought to end. There is little doubt, however, that the increase in criminality from 1990 – and in the decade before – cannot be divorced from the political, social and economic changes that have ended apartheid. Still there are so many challenges exist in South Africa, which are enough to make busy it for next few decades and to hinder the development of the country.

However, the major challenges for the internal security of South Africa remain crime (especially violent crime) and the risk factors of violent crime. In spite of positive indications that crime in general is on the decrease, it is still at exceptionally high levels. If the current rate in crime decreases can be maintained, it may still take another 15 years or more to reach internationally accepted levels. However, for this positive trend to continue at least two important challenges need to be addressed, namely the risk factors of violent crime and organized crime which is

responsible for dissociation of social fiber. Inevitably, newspaper headlines, police reports and the experiences of citizens have brought the issue of crime to the public agenda. To many, the problem has assumed crisis dimensions as the country is swamped by a 'crime wave'. And crime is seen by both the political elite and the media as a threat to the stability of the new democracy.

Therefore, crime is implicitly and explicitly seen as a central test of the capacity of the Government to rule and the new democracy to consolidate. Steps were recently announced by the South African government to address violent crime more effectively and are apparently also underway within the JCPS to deal more effectively with the enabling factors of crime such as weaknesses in the criminal justice system.

In this dissertation we have already discussed changing mode of security issues (i.e. concentration has shifted from external to internal security issues) in context with South Africa and various form of violent crime been existed in South African society and their links with the state. In chapter IV we have also highlighted major initiatives and policies taken by government during N. Mandela's and R. Mbeki's presidencies. We also discussed practical guidance on the important function of policy development and implementation. Lack of a coherent policy framework often results in inappropriate and unaffordable security services. Policy provides clear guideline for developing strategies and plans, enhances discipline in the utilization of resources, provides predictability, and promotes performance measurement and accountability. Policy formulation is essentially a political process and security policies must be approved by parliament. The quality will be improved if policy formulation is an open and consultative process with all actors contributing equally.

Therefore, it is important to note here that we are premised on the existence of a functioning democracy, the rule of law, and a system of checks and balances as conditions for good, democratic security sector governance. The security services do not exist in a vacuum and the issue of good governance is applicable to the state on the whole. The essence of good security sector governance is ensuring that the security services are aligned with the core values, principles and practices of democratic governance. The most important of these are transparency, accountability, a legal basis for the security services, and civil oversight.

That is why the effective governance can only take place if state institutions function properly and are responsive to the needs of individuals in society, especially the poor and marginalized. These institutions range from legislatures, the courts, and the police and government departments. But other processes are equally important, such as a culture of human rights, the rule of law, gender equality and open electoral processes. In short, effective governance is a precondition for sustainable human development in all its manifestations.

Democratic reforms do not necessarily help the poor unless the institutions of government are improved in terms of party systems, mechanisms for popular participation, the administration of justice and bureaucracies stimulated by incentives linked with accountable measures of performance. Likewise, macro-economic reforms do not necessarily help the poor unless market institutions are improved through better systems of quality measurement and standards, property rights, contract laws and so forth. Today's challenge is to go beyond macro-policy reforms and the dichotomy of state and market to the improvement of the institutions.

However, it remains a huge concern that there does not seem to be a similar concerted effort to deal with another important aspect of the risk factor approach, namely the economic and socio-political root causes of violent crime. It seems more than likely, looking at the four scenarios of the police, that this country is still some way from the Shosholozza scenario and that it will for some time to come linger on in a situation very similar to the Skedonk scenario. In this regard the following pertinent issues should be considered:

- The growing gap between rich and poor and the real potential for revolution inherent in the apparent increases in the levels of poverty among the masses
- Unemployment and poverty, which, although not always directly responsible for violent crime, can create conditions that are conducive to violent crime
- Organized crime syndicates that often exploit the above conditions to recruit new members or to solicit support in particular communities (e.g. buying their silence)

Moreover, the work of fighting crime is becoming more complex and, therefore, more challenging. Criminals are becoming more organized and more sophisticated, operating with little regard to national boundaries. Foreign criminal groups are extending their operations as organized crime becomes increasingly globalised and South Africa is not impervious to this development.

The bulk of trans-national crime (involves organized syndicates) which are a major contributor to the increase in general crime levels. South Africa has become a recent target for organized crime, because of its relative affluence and the relative weakness of regulation of movement of people and goods across regional borders.

Inadequate regulation of land and sea borders and national air space, combined with poorly regulated ports of entry, create easy opportunities for criminal activity. Large-scale illegal immigration has received the most public attention, although its contribution to crime levels is probably overrated. The programme should warrant closer attention, which aims to improve controls over cross border movements of persons and goods to enable detection of cross-border crime.

But at the same time, it is important to recognize that there is no single cause of crime in South Africa. The search for single causes will merely lead to simplistic and therefore ineffective solutions. At the same time, different types of crime have different root causes, and hence require different approaches to prevention. The NCPS and NCCS is based on the principle of separate examination of each form of crime. This disaggregated examination of different crime types leads to the inevitable conclusion that sustainable prevention can only be achieved through a multi-faceted approach. Crime needs to be tackled in a comprehensive way, which means going beyond an exclusive focus on policing and the Justice system. It means problem-solving to address the causal factors which provide opportunities for crime and limit the likelihood of detection. And the framework outlined must bring a far wider range of solutions to bear on specific crimes, as well as creating roles for a broader range of participants.

In one sense all crime is related, in that the proliferation of petty offences creates a sense of lawlessness, within which the community is more likely to turn a blind eye to much more serious offences. On the other hand, it is necessary to focus limited resources on the most important crimes. For this reason we need to prioritize crime to tackle on the basis of which crime currently pose the greatest threat to the citizens and to the prosperity of the country. This prioritization must be understood in the context of provincial and local differences and must not be cast in stone.

In fact, the State police are the most visible symbol of administrative authority and its failure to effectively maintain law and order has not only eroded the credibility of the Government but has also emboldened criminal elements to persist with their unlawful activities with impunity. Hence, there is a need to restore the fitness, capacity and morale of the State police forces, through a transparent recruitment and promotion process, a well thought-out training regimen and improved living and working conditions. The police forces have also to be adequately sensitised to the demands of their profession and the expectations of the people. Thus, an exercise to modernise the police apparatus and simultaneously improve its image has to be undertaken on a priority basis.

The *SAPS* faces new challenges within the increasingly sophisticated, technological and international crime arena. To meet these demands the *SAPS* needs to upgrade the skills, competencies and capacity of its members and its ability to gather and use crime intelligence. Therefore implicit in the institutional reform outlined in the White Paper is the development of our human resources in terms of their ability to meet the complex challenges of constantly changing crime. This institutional reform will also ensure that the Police Service becomes representative of the communities it serves.

Therefore, the emphasis has now shifted towards improved service delivery. This means that the Departmental approach continues to be underpinned by the philosophy of community policing. These have at their heart the principle that a partnership between the police and communities is essential to effective service delivery.

South Africa has come a long way in meeting their initial objectives. They have created a single police service from eleven separate police forces and have succeeded in laying the foundation for making this police service accountable and community-oriented. This was achieved by, amongst other things, the demilitarisation of the rank structure of the new police service and the appointment of skilled civilians into key positions in this service. They have also established functioning mechanisms of civilian oversight and channels for community participation. South Africa have placed crime prevention firmly on Governments agenda and a structure dedicated to the implementation of the JCPS and NCCS are now a component of their department and have also learnt a great deal in last few years and have received informed input from a wide variety of international and local role-players.

The major challenges facing security sector governance in Africa, include lack of a tradition of democratic norms and practices: balancing the need for confidentiality with transparency, accountability and control; overcoming vested interests; ensuring a broad-based security sector approach; enhancing the knowledge base of all actors; and situating the transformation of security sector governance in the correct political context. These challenges are not unique to South Africa. But in the African context, the challenge is to find African solutions to African problems.

This dissertation takes cognizance of the developments towards regional and sub-regional security cooperation in South Africa and the establishment of the corresponding protocols and mechanisms. It positions security sector governance in the regional contexts and argues that the governance of the security sector requires a regional approach because of the common security needs of provinces, the cross-border nature of many security challenges, the need for collective responses and for coordination and harmonization of the policies and actions of all actors. The underlying imperative is a commitment to democracy, human security and good governance.

Moreover, the *authoritative commissions* also agree on the Role of Municipalities, because they are best able to organize the strategies to tackle the risk factors that cause crime. The *European Forum for Urban Safety* and the *United States*

Conference of Mayors have stressed that municipalities must target the programs to meet the needs of youth at risk and women who are vulnerable to violence.

Therefore, crime prevention strategy is an initiative which reduces the aggregate level of victimization or the risk of individual criminal participation. It includes government and community based programs to reduce the incidents of risk factors correlated with criminal participation and the rate of victimization, as well as efforts to change perceptions. Criminologists such as Gottfredson, McKenzie, Eck, Farrington, Sherman, Waller and others have been at the forefront of analyzing what works to prevent crime. Prestigious commissions and research bodies, such as the World Health Organization, United Nations, *the* United States National Research Council, *the* UK Audit Commission and so on, have analyzed their and others' research on what lowers rates of interpersonal crime.

They agree that governments must go beyond law enforcement and criminal justice to tackle the risk factors that cause crime because it is more cost effective and leads to greater social benefits than the standard ways of responding to crime. Interestingly, multiple opinion polls also confirm public support for investment in prevention. Some of the highlights of these authorities are set out below. The *World Health Organization Guide* (2004) complements the *World Report on Violence and Health* (2002) and the *World Health Assembly Resolution* (2003) for governments to implement nine recommendations, which are:

- Create, implement and monitor a national action plan for violence prevention.
- Enhance capacity for collecting data on violence.
- Define priorities for, and support research on, the causes, consequences, costs and prevention of violence.
- Promote primary prevention responses.
- Strengthen responses for victims of violence.
- Integrate violence prevention into social and educational policies, and thereby promote gender and social equality.
- Increase collaboration and exchange of information on violence prevention.

- Promote and monitor adherence to international treaties, laws and other mechanisms to protect human rights.
- Seek practical, internationally agreed responses to the global drugs and global arms trade.

In addition, slow pace of criminal justice is a matter of serious concern. The law enforcement machinery must be effectively backed by an efficient criminal justice system. Improvements in the investigation and prosecution functions have therefore to be suitably addressed by different wings of the Government. In this context, the provisions of various laws need to be examined and suitably modified wherever necessary. A comprehensive economic offence code would be necessary to deal with hitherto unknown varieties of organised crime including violent crime.

To rely on law enforcement alone will incur huge costs associated with investigation, prosecution and imprisonment. Therefore, without an adequate focus on crime prevention, the justice system will remain overburdened. International experience suggests that it is more cost effective in the medium to long term to invest in projects which prevent crime, than in simply spending more on the institutions of policing, courts and corrections. These reactive responses to crime, in addition to proving more expensive in the longer term, also do little to improve the quality of life of the country's citizens.

In another finding, *SAPS report* (published in 2004) emphasize on a body of research that highlights a range of interventions, targeted at children and families that have demonstrated the strongest impacts on levels of crime. The potential for expanding initiatives at this level also raises a question about the need for a dedicated agency intended to guide crime-prevention initiatives of this kind, which are primarily concentrated outside the criminal justice system.

In terms of immediate measures, the report also makes a number of recommendations including, among others, motivating for mobilization of local-level capacities to strengthen conflict and violence prevention at the local level, and an

audit of government policy in relation to the full range of recommendations put forward in this report. Overall, it seems that criminal violence is itself a manifestation of South Africa's historical traumas as well as contemporary social ills. Many of the contemporary problems deserve to be addressed in their own right. But there will also be considerable benefit to South African society if measures targeted specifically at the problem of violence are brought more directly and explicitly onto the priority public agenda.

Thus, crime prevention must aim at reducing the social, economic and political factors conducive to particular types of crime. Targeted crime prevention strategies must focus on the individual offender or victim and the environment in which they live. For example, research in the Northern Cape which is supported by police docket analysis suggests that high alcohol consumption (a result of historic distribution policies in wine growing areas) plays a key contributing role in some types of crime, particularly, assault, domestic violence, rape and murder. Thus, a multi-faceted strategy is required to effectively undercut these crimes.

It is clear that policing alone will do little to resolve many of the Northern Cape's crime problems. In fact, the Northern Cape has the highest police/citizen ratio in the country. This example of the potential effectiveness of crime prevention is not isolated to the Northern Cape. Such an example suggests that successful crime prevention is critical to the poor, both because they are least able to cope with the consequences of crime and because the socio-economic conditions at the root of many crimes are often found in underprivileged areas. The government will, therefore, specifically build the needs of the poor into any evaluative framework for crime prevention programmes.

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