

The Insecurity of Security

A study on the effects of Community Policing Initiatives
in Cape Town's townships



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2) Picture of the Ilitha Community Neighbourhood Watch. Published in City Vision on 08-02-2012, accompanying an article "Neighbourhood Watch gets the go-ahead". Photographer: Tandie Ntsepe. 3) Picture taken during a protest march in Khayelitsha. Published on 19-04-2012 in the Cape Argus, accompanying the article "Khayelitsha marks Tatane death". Photographer: David Ritchie.

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Abbreviations

ANC	African National Congress
CPF	Community Policing Forum
CPI	Community Policing Initiative
CSV	Centre for the Study of Violence and Reconciliation
DA	Democratic Alliance
GNW	Gugulethu Neighbourhood Watch
ISS	Institute for Security Studies
NW	Neighbourhood Watch
SAP	South African Police
SAPS	South African Police Service
Stats SA	Statistics of South Africa
VOCS	Victims of Crime Survey

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Introduction

“In the most violent of three incidents, 26-year-old Khululekile Mkiva was caught breaking into a house near his home in Philippi on November 2. Shouts from those who caught him quickly attracted a crowd. Mkiva’s hands and feet were bound and he was carried to his parents’ house. The parents told the crowd of about 100 residents that Mkiva was a thief and they should discipline him as they saw fit, before retreating back into their house. Mkiva was taken back to the scene of the crime and beaten to death with sticks, pipes, stones and half-bricks”.¹

South Africa has always been known for its violent society. Even after the Apartheid era ended, violence remained very visible in everyday life of an ordinary South African. Even though the country is moving forward and is often seen as one of the most prosperous countries in the whole continent – demonstrated by the fact it is part of the BRICS² countries- , it does not seem to get rid of its violent past. The South African Police Service (SAPS) has made some significant changes but is struggling with the sudden change from oppressing the political opposition to fighting crime. The SAPS does not seem to cope with the ever growing demand for their services; they arrive hours late or not at all, are ill equipped and have received too little training (Shaw 2002). Even though they are trying to improve their service constantly, they just do not deliver what is asked from them. Mainly because of this malfunctioning of the police service, a lot of different providers of safety and security have arisen: private security guards and companies, neighbourhood watches, street patrols and many more. Most of these initiatives are still monitored by the government, but there are also policing organisations/groups that are the initiative of the community itself.

The above mentioned quotation of a newspaper article shows how trust in the police service has declined to the extent where people take matters into their own hands instead of relying on the police to solve crime in their neighbourhoods. In the article, the victim was actually caught during the crime but it also often occurs that people are violently punished and sometimes even killed on the basis of suspicion only, without any trial or conviction. The problem lies not only with these vigilante acts itself, which has been in South African society for a long time, but the violence and lawlessness it goes hand in hand with.

¹ Citation from an article on the website of West Cape News titled: *“Police ignored as mob justice rules the townships”*. <http://westcapenews.com/?p=2443> — Sun, 14 Nov 2010

² BRICS countries are the upcoming economies of the world, including Brazil, Russia, India, China and South Africa.

1.1 Current academic debate and research puzzle

During my fieldwork period in Cape Town, I discovered that there are two types of community based policing initiatives; initiatives which are monitored by the government and vigilante organisations. Although I will discuss both types in this thesis, the main focus lies on vigilante organisations with no links to the governments. The research on vigilante organisations is mainly situated in the broader academic debate on how these organisations come into existence, what their methods are and what roles they fulfil in society. There are two main streams in the literature on how these organisations come into existence: grievance-based collective action and a malfunctioning police institution in South Africa. The two are interlinked but still different. The grievance-based collective action approach has a rather social interpretation of vigilante organisations. Authors such as Hobsbawm (1971) and Tilly (1978), argue that legitimate grievances lie behind and inform a crowd to take collective action. In this, individuals are seen as rational actors who act together in pursuit of the (common) interest. Another approach to collective action based is the one of Dunning, Murphy, Newburn, and Waddington (1987), who suggest that the terms rational and irrational are misleading and argue that it is more fruitful to explore the expressive and instrumental aspects of different types of disorders, where expressive violence has the meaning of the release of aggression and instrumental violence is the protest to redress grievances (1987: 24). Proof for both the theories of Hobsbawm and Tilly and Dunning, Murphy, Newburn and Waddington can be found in examples of vigilante organisations in South Africa. For example PAGAD, a vigilante organisation that fights against gangs and drugs in the townships, their actions definitely come from legitimate grievances: the violence and crime that these gangs and the drug dealers bring into the townships (Desai 2004). Another approach to the establishment of vigilante organisations is described in detail by Mark Shaw (2002). He explains how the transformation of the South African police force has contributed to the rise of vigilantism, this will be discussed in depth in chapter three.

These theories form a solid theoretical basis for my research because it provides me with the necessary background. However, all the literature on vigilante organisations I came across is mainly focused on the establishment, method and role of the organisations. What the academic debate on vigilante organisations lacks in my opinion is an assessment of the effects the organisations have on the communities in which they operate. Some of the literature discusses the difficult relation of vigilante organisations with the state institutions, but they both fail to address the relationship with the very people the organisations are trying to help and protect. Therefore, I have framed my research question as following: *How do community policing initiatives influence the feelings of security of the inhabitants within three township communities -Gugulethu, Langa and Philippi- of Cape Town, South Africa?* With my research question framed as such, I can contribute to the current

literature by adding a reflective element. The aim of my research is to add empirical data on the effect these organisations have on the community to the current debate and thereby adding to the debate around legitimacy of these vigilantes. In order to systematically form an answer to the research puzzle itself, I decided firstly to break up the puzzle in its constituent parts. I have therefore formed several sub-questions as demonstrated below:

- What is the political, economic, social and cultural situation in South Africa and in what way can it explain the formation of CPIs?
- What powers does the police institution have and how does that influence the existence of the CPIs?
- To what extent do people feel secure in the townships?
- To what extent can the hybrid political order theory explain the state's response to the CPIs?
- How does discourse influence the effectiveness of the CPIs?
- How do people in the township communities experience the presence of the CPIs?
- Do people in the township communities perceive the CPIs to be legitimate?

Guided by these sub-questions, this thesis will eventually answer the research puzzle stated above.

1.2 Analytic frames and concepts

Throughout this thesis, I will be guided by certain analytic frames. Firstly, the theory on hybrid political orders by Boege et. al (2008) will guide me in describing the background and establishment of the vigilante organisations. Boege et. al describe how in many regions of the world, there are competing claims to power and logics of order that co-exist, overlap and intertwine. This competition leads to so-called states not having a privileged position as the ones that provide security, welfare and representation but instead they have to share authority, legitimacy and capacity with other structures. This means we are confronted with hybrid political orders which differ considerably from the Western model of states (2008:10). This theory is very useful in explaining the context within which these organisations have risen. If South Africa has a hybrid political order, this means that not all policing activities have to be in the hands of the state institution. Vigilante organisations can fill in the niche in the provision of security where the official police institution lacks to do so. Using the theory on hybrid political orders, I can explain how the vigilantes came into existence and have achieved some legitimacy.

A second theory that will guide throughout my research is discourse analysis. I will use the approach to discourse analysis by Vivienne Jabri (1996). By analysing the discourse around vigilante organisations and townships, I can examine the effect they have on the community and the opinion about the vigilantes in the community. This can guide me in answering my research puzzle. If I understand the discourse around the vigilante organisations, I can give an informed answer to my research questions. Also, it will help me in establishing if people are telling me the truth or just what I want to hear. Discourse analysis is a much differentiated approach. As Jolle Demmers describes in her book (2012), there are six main approaches that place the role of discourse at the core of their theories on violence and conflict: “First, the politics of naming and coding of violence and conflict: Bhatia (2005); Peteet (2005), Derian (2005) Brass (1996; 1997), Ferrari (2007). Second, the examination of the processes of the legitimisation of violence (Apter 1997; Schmidt and Schröder 2001). Third, the reconstruction of subjectivities, memory and narratives of survival (Norris and Jones 2005; Jackson 2002). Fourth, the examination of discourses of the body in violent conflict (Appadurai 1998; Norris 2000, Feldman 2004). Fifth, the role of discourse in policy-making and conflict resolution (Duffield 2007; Hansen 2005; Dexter 2007). The final approach, focuses on ‘conflict as constructed discourse’ and examines the power relations embedded in discursive repertoires and the ways they construct meaning and identity (Jabri 1996: Brass 1996)” (2012: chapter six: 2). For this thesis I will mainly use the discursive theoretical approach described by Vivienne Jabri in her book: *Discourses on violence: conflict analysis reconsidered* (1996), but the second approach also plays an important part in this paragraph. Jabri describes in the introduction of her book that: “War as a social phenomenon involves individuals, communities and states and any attempt to uncover its genesis must incorporate the discursive and institutional continuities which render violent conflict a legitimate and widely accepted mode of human conduct” (Jabri 1996: 1). This statement is very essential to the discursive approach since it places discourse at the core of the legitimization of violence. Somewhere along the way, the discourse among people in a community has to be transformed in order to cross the moral boundary that violence is a bad and should be avoided at all times and transform it in an understanding that violence is a form of human behaviour (Ibid.: 6). Using the duality of structures theory of Giddens (Ibid.: 92), Jabri explains that neither the experience of the individual actor alone, nor the existence of any form of societal totality should be at the core of social sciences studies, but social processes that are ordered across time and space should. From birth we are amidst social structures that are enabling and constraining us at the same time. We make social structures but are made by them at the same time. This calls upon questions of power, since usually the group in the society with the most power, has the most influence on creating the dominant discourse (Ibid.: 96). As Gourevitch argues: “power consists in the ability to make others inhabit your story of their reality” (1998: 48). Precisely this point is very problematic in South Africa, as will be discussed in chapter five.

In this thesis I will use different concepts that need some explanation. Firstly, I speak about townships, the name for the slums used in South Africa. Township is a much contested word in South Africa, because the word township has very negative connotations to it since it is a term used during Apartheid. Therefore, some people prefer to name them communities, locations or settlements. The reason I do use the term townships is because I will use the word community for the groups of people who inhabit the townships. Location is a word that stems from the Afrikaans language (*Lokasie*) and Afrikaans was the official language of the Apartheid era. Therefore, this word does not seem appropriate to me, to use any longer. The term settlement indicates one type of housing, where most townships consist of a formal settlement area with government housing, an informal settlement area with shacks but ordered in streets and a shanty town area where shacks are built anywhere where there is space and there is no control whatsoever. Therefore, I have chosen to use the word township which included all these areas, since I researched all these areas. Another concept that needs explanation is the term racial group. Although I believe that the term race has very negative connotations, it is the word that is almost the most common in the South African language. Everything in South Africa has to do with race and it has become normal to use the term. South Africa might be the only country in the world where the term coloured is not perceived racist but just refers to a group of people of mixed descent. If I use the term racial group it is in no way meant to imply other things, it is just to clarify. A last concept that needs some explanation is feelings of security, which I use in my research puzzle. I am fully aware that feelings are a concept that is not easily measurable. What is meant by this term is the perception of security by the township inhabitants in everyday life. Do people feel secure enough to do everything they want and do they perceive themselves to be safe in their neighbourhood.

1.3 Methodology and Ethics

In order to conduct my research I made use of a range of research techniques and methodology. The whole research period I did a structural analysis of three newspapers: the Mail and Guardian, the Cape Argus and the Cape Times. This gave me insight in the discourse around crime and the townships, but also in the crime statistics. For example the Cape Argus almost every day had a cover story about a particular crime or a crime-related topic. The main focus during my research was however on qualitative methods such as participant observation and in-depth interviews. Being trained primarily as a cultural anthropologist I believe that one can only understand what is really going on in the country by studying the society from within. Therefore, I lived in Cape Town for a period of fourteen weeks, so I could experience first-hand how it is to be part of such a difficult society as the South African one. The first three weeks I lived in Woodstock, a southern suburb of

Cape Town which is a predominantly black and coloured community. It is a real middle class suburb which is not deemed the safest neighbourhood but it is also “not bad”³. After the first three weeks I moved to Gardens, a predominantly white suburb right next to the city centre. Most white Capetonians move to suburbs like Gardens because it is supposed to be a very safe neighbourhood, but it was here that I felt most unsafe. Probably all the false signs of security like burglar bars in front of every window, big walls and even electric fences surrounding the house and a dog barking in every front yard, made me feel like it was indeed needed and that I should feel unsafe. After having experienced both a black/coloured and a white neighbourhood, I moved to Observatory for the remaining seven weeks. Observatory is the student area of Cape Town and is racially very mixed. The reason I moved three times is because I wanted to experience different neighbourhoods to get a good picture of the city.

Even though the main focus in my research is on the feelings and views of township inhabitants on safety and security, living in a township would simply be too dangerous for me. I therefore decided not to live amongst the group I was studying since safety would then be an obstacle to my actual research. Living outside the townships had some positive effects on my research though, since it gave a good glimpse into the discourse on townships that Capetonians have and with which the townships inhabitants have to live. Although I did not live in a township, I frequently visited three townships: Langa, Gugulethu and Philippi. These three townships are all black townships. I decided early on in my research that I would stick to black townships, since coloured townships have a whole different society, structure and type of violence. The period of almost four months was not enough to even begin making a comparison of some sort, so I decided to focus on the black townships. Langa, Gugulethu and Philippi are very different from each other but share important characteristics: the majority of the inhabitants are black, the actual number of inhabitants remains unknown⁴, they all have formal and informal housing areas, there is a high unemployment rate and crime is prevailing. In this thesis I am not aiming at generalizing for Cape Town, any of the townships or even within the townships, since those situations I describe are at a certain place and time. It does however, say something about the current situation in which such events can occur and such views can be formed.

During the fourteen weeks, I used myself as one of the main research tools. Not only by participant observation in the neighbourhoods I lived and in the townships, but also in interviewing

³ Many of my informants and friends told me that Woodstock wasn't safe but after they heard I lived there they would tell me “don't worry, it's not too bad!”.

⁴ There was a population census held in 2001 which made an estimation, but the number of residents in the townships grew significantly over the past ten years so it is hard to give an estimate.

and informal conversations. As a qualitative researcher I am fully aware of my observer and ethnographer bias; the fact that I am a white, western female has influenced my data. In no way I want to claim that all of my data is objective since the circumstances in which I conducted the research cannot be separated from the accounts I will write in this thesis.

The topic of my research could, at times, be very sensitive. My informants have told me very personal and sometimes even dangerous stories. Therefore I decided to feign all the names used in this thesis, in order to protect their anonymity. All of them do know that I was conducting a research and agreed with their statements being used in my thesis.

1.4 Chapter Outline

This thesis consists of six chapters. In the introductory chapter the topic, analytic frame and research puzzle are introduced. Additionally, the methodology of the research is explained. In chapter two I will provide the necessary background for my thesis by discussing the current economic, social, political and cultural situation in South Africa with a focus on the Western Cape Province. Also I will discuss the legacy of the Apartheid era by discussing the culture of violence that exists in South Africa. This will provide me with a better understanding of the conditions in which the community policing initiatives that are central in this thesis could rise. Chapter three will be centralized around the South African police force. I will discuss the police institution both during and post-Apartheid and the changes it went through along the way. Also I will explain the different actors in the policing sector and the relationship between the police and the township communities. Guided by the Hybrid Political Order theory by Boege et. al (2008), I will explain how the malfunctioning of the police caused the creation of many CPIs. The fourth chapter will explore the CPIs further: the different types of CPIs, their origins, their methods and the recruitment of members. I will explain about the influence of Xhosa and Zulu traditions and look further into the hybrid political order theory. After the explanation about policing and CPIs, the fifth chapter will consist of a discussion about the effect that the CPIs have on the feelings of security of township inhabitants. Guided by discourse analysis, I will explain the civil perspectives on security and the CPIs, and compare that specific data with government statistics. Subsequently, the five chapters will result in a concluding chapter where I present some concluding remarks about my research and thesis and make some recommendations and suggestions for further research.

2. South Africa: A country in transition

In order to understand the current events surrounding safety and security provision in South Africa, it is important to look into the history of the country, the legacy of the Apartheid era and the current economic, social, political and cultural climate. This chapter will provide the necessary background information to better understand the context in which the community policing initiatives and vigilante organisations could come into existence.

2.1 Post-Apartheid South Africa

South Africa is known as one of the most prosperous countries on the African continent. After a long struggle against Dutch and British colonialism and decades of Apartheid with its inherent violence, the country was led by the ANC and its leader Nelson Mandela towards a transformation into a proper democratic state in which equality was a non-negotiable condition. After this victory there was a sense of euphoria and the South Africans did everything they could to get rid of their evil past. South Africa got a new flag with six colours to portray unity, a new national anthem in five of the country's eleven national languages and many symbols more. Archbishop Desmond Tutu introduced the popular term "rainbow nation" to portray South Africa's diverse races, tribes, languages and landscapes all living together in one country. The term is also symbolic of hope, promise and a country that has managed to reconcile against all odds. The phrase was elaborated upon by President Mandela in his first month of office, when he proclaimed: "*[E]ach of us is as intimately attached to the soil of this beautiful country as are the famous jacaranda trees of Pretoria and the mimosa trees of the bushveld ... a rainbow nation at peace with itself and the world*" (cited in: Valji 2003: 25). Another concept that was introduced by Desmond Tutu and is a characteristic of the promising Post-Apartheid period is *Ubuntu*. Desmond Tutu explains the concept as such: "*In Africa we have a word: Ubuntu, which is difficult to render in Western languages. It speak about the essence of being human: that my humanity is caught up in your humanity because we say a person is a person through other persons. I am a person because I belong. The same is true for you. The solitary human being is a contradiction in terms. That is why God could say to Adam: "It is not good for a man to be alone". No one can be fully human unless he or she relates to others in a fair, peaceful and harmonious way. In our African understanding, we set great store by communal peace and harmony. Anything that subverts this harmony is injurious, not just to the community, but to all of us, and therefore forgiveness is an absolute necessity for continued human existence*" (Tutu 1998: xiii). These beautiful words and gestures could not, however, bring about the change that was promised after 1994 by the first democratically elected government. Even though South Africa has made major steps in the right direction, it remains a country that is struggling.

2.1.1 Socio-economic situation

After the Apartheid era had ended in 1994, South Africa's biggest challenge was to create equality in a society that had known deep-rooted inequality for many decades. A lot of broad-ranging measures have been implemented in order to achieve greater social equality. Examples are the government housing program, equal access to basic services, extension of welfare grants, reforms in health care and land restitution. Besides, the Employment Equity Act was introduced to achieve equity in the workplace and broadening economic opportunities for the formerly disadvantaged black and coloured communities (Smith 2005:1). In theory, there is a lot of work done to improve the equality in the society, in practice however, there is still an enormous level of segregation and inequality. In Cape Town there was an official unemployment rate of 16.9% in 2007⁵, but in the townships the unemployment rate is sometimes estimated to be above 70%. Cape Town has a poverty rate of 30% which is low compared to the average in the whole of South Africa of 57%⁶. Even though this is relatively low in comparison to the rest of the country, it is still almost one third of the population who live below the poverty line of one dollar a day. Strikingly, regardless of the many efforts, the black and coloured population is still at the receiving end of poverty, unemployment and vast inequalities.

Another problem in the current socio-economic sphere is the enormous corruption. After the end of Apartheid the country wanted to get rid of all the past evils including corruption. Now, eighteen years later, the country is still perceived to be highly corrupt. In the Transparency International's 2011 Corruption Perceptions Index, South Africa scored 4.1 and was ranked 64 out of 183 countries⁷. Especially on the issue of having to pay bribes, South Africa scored badly. This is not a new phenomenon however, it is very well known in South Africa that in order to get something done, especially by government officials or police officers, you have to pay a bribe. In South African politics, corruption is a very predominant issue as one of my informants explained: *"It is very sad to see the men who were once freedom fighters, now corrupted by all the new found wealth. They drive the fanciest cars and wear the most expensive clothes while almost half of our population lives below the poverty line. They should have kept their promises and have everybody gaining from our national resources, instead of just the politicians."*⁸ The government has launched some anti-corruption programs such as the anti-corruption summit in 1999, the establishment of the Public Service Task

⁵ <http://www.capetown.gov.za/en/stats/Documents/City%20Statistics%202009.htm>

⁶ <http://www.sarpn.org/documents/d0000990/>

⁷ Results listed on: <http://cpi.transparency.org/cpi2011/results/#CountryResults>. Viewed: 13-06-2012

⁸ Author's interview with Robert, a white South African male, held in Cape Town on 16-03-2012.

Team (mandated to produce a national anti-corruption strategy for the public sector) and the National Anti-Corruption forum in 2001 (Camerer 2011:7), but these have not proven to be very successful up until now as is shown in the Corruption Perceptions Index. Corruption also plays a large role within the lack of legitimacy of the police, which results in a lack of trust in the police force and causes vigilantes to rise, but this will be discussed thoroughly in the next chapter.

2.1.2 Political climate and political competition in Cape Town

Ever since the first democratic elections of 1994, the African National Congress (ANC) is ruling the country. In the elections of 2009 however, the ANC lost its majority in the Western Cape Province to the Democratic Alliance (DA), the major opposition party to the ANC. This was the result of a continuing struggle between the ANC and the DA. The ANC is seen as the representative of the black majority in the country, which after Apartheid ended wanted to make things right for the blacks who had been wronged for such a long period of time. In their actions however, they focused only on the blacks and can sometimes even be perceived to be anti-white. The DA is often seen as the representative of the white minority and sometimes including the coloured community in their strife for an equal position in the predominantly black country ruled by a black government. In this struggle a real competition has developed between the ANC and the DA.

In the Western Cape the DA has largely succeeded in rallying whites and coloureds behind it through focusing its campaign on issues as escalating violent crime and corruption, which is portrayed largely as the failure of the ANC-leadership (Kagwanja 2009: xxxiii). South Africa -especially its major cities including Cape Town- is one of the most violent countries in the world. For example, the murder rate is eight times higher than that of the United States and twenty times higher than that of Western Europe: in South Africa forty-one people are murdered a year for every hundred thousand residents (Russell 2010:109). The numbers of rape, hijackings and robberies are equally high. In such a violent society, the provision of security to South African citizens is one of the declared priorities of the national government. Therefore, it is also one of the main issues within the struggle for power between the ANC and the DA. Since the ANC has only gained marginal votes in the white suburbs and the DA has not gained any influence in the black townships, the main electoral gain is to be found in the coloured communities. The DA constantly stresses the failure of the ANC to combat crime and violence and hopes to win votes within the crime- and gang violence ridden coloured townships that surround Cape Town (Fourchard 2012: 201).

With security as the top priority of both parties, one would think that the situation would improve and the South African society would be safer. In reality, however, at best nothing has changed. In fact, the competition between the ANC and the DA in Cape Town has caused a decrease

in safety at times. One example explained by Laurent Fourchard perfectly illustrates this argument: One of the coloured townships of Cape Town: Manenberg is effectively part of “the Bambanani school program” which was launched by the ANC to make schools in the townships safer. The Bambanani volunteers constitute the main actors of the NGO Proudly Manenberg on the ground: they are supposed to provide law enforcement on school premises, to control access at gates and open fences, to conduct searches and seizures, to patrol school perimeters as well as school corridors, to improve police youth relationships. Manenberg has largely benefitted from this scheme. Among the 109 identified most dangerous schools of the province’s 859 primary and secondary schools, Manenberg has all its 14 schools included in the program, among which 11 primary schools considered locally as not really dangerous. It clearly appears that these schools have been selected not because they were considered as the most ‘dangerous’ places of the province but rather because of the presence of Proudly Manenberg, whose leaders are ANC members close to the ANC former Premier Ibrahim Rasool. Although there seems to be some partiality in the selection of the schools, the project did work and there were a lot of volunteers mobilized to help out in the project. When the DA won the majority in the 2009 elections, it decided to stop supporting an NGO perceived to be aligned to the ANC. The Bambanani program was renamed the Safer School project and decided to finance the volunteers directly instead of through the NGO Proudly Manenberg. A new leadership supported by the DA came out from within the organisation and led to a breaking of the NGO in two parts; one supported by the DA and one still supported by the (national) ANC. The process of demobilization of volunteers soon followed the internal division of the NGO, fuelled by ANC/DA rivalry for the control of Coloured townships’ structures (Fourchard 2012: 203). This is a perfect example of how political competition stood in the way of increasing safety. The DA took over the program which caused a perfectly working program to struggle with internal division and in the end even disappeared.

2.2 Legacy of Apartheid: South Africa’s culture of violence

Above is already mentioned that South Africa has a very violent society and in order to test the effect of the community policing initiatives in combatting this violence, which is the goal of this research, the context in which they are formed has to be explained. South Africa’s culture of violence is a very important part of this context. As several authors have described: the South African society is suffering from a “*situation in which the use of violence has become 'normative instead of deviant' and is viewed as an acceptable response in conflict resolution*” (Valji 2003: 15). In Cape Town, this culture of violence is very evident. Everything around the people seems to be devoted to providing and increasing safety; the houses are little fortresses with burglar bars, (electric) fences and dogs barking,

on the streets there are signs and billboards for private security companies everywhere, people are walking around constantly looking in every direction and telling you to be careful and public safety officers are on every corner of the street in the city bowl. Of course all these precautionary measures are necessary in a way, but it also sometimes seems to contribute to feelings of unsafety in town.

The culture of violence in South Africa is often explained as a legacy of Apartheid. Not only the poverty and inequality that are both a result of Apartheid and a causal factor for the culture of violence in South Africa today, but the violent nature of the Apartheid era has also had a direct influence on the situation nowadays in the country. Schönteich and Louw argue that one of the many effects of the Apartheid era is the disruption of family life. During Apartheid, families suffered from the disruption of their family life by the forced removals to the 'homelands' created by the government. Political violence compounded this disruption of family life during that time. The result of these policies and political violence was the weakening of the family unit and thus parental control over children which may prompt criminal and violent behaviour among the youth. Together with the lack of trust in the authorities, this created a culture where violence was so omnipresent that it became normative instead of deviant as already mentioned above. This destructive culture that has its origins in the Apartheid era continues to exist in South African everyday life. Still, it means that South Africans quickly resort to violence as a means of solving conflicts — whether in the domestic, social or work environment. (2001: 5-6). Not only the disruption of family life is a legacy of the Apartheid era that causes a culture of violence in South Africa, also the inherent violent nature of Apartheid greatly contributes to this fact. Especially for the generation that is born into Apartheid, violence has almost become part of everyday life. People in townships were used to all sorts of violence being used to oppress them. Police violence, violent riots and race-related violence were of frequent occurrence during Apartheid and created a sense of violence as a normality in the South African society. The Apartheid government has even been known for deliberately arming and militarizing white farmers in rural areas to help in the fight against the insurgents. In essence, the state taught people that using violence is admirable, but it provided little guidance or supervision to its application. The result of this unprecedented power being placed onto the white farmers, was a culture of violence that has taken root in the rural communities in South Africa. Violence as a form of power became part of rural culture and permeated the social fabric (Steenkamp 2005: 258-259).

All these reasons to resort to violence are still seen in the new South Africa and as Alec Russell puts it beautifully: *"It is hard to avoid concluding that centuries of race-based repression, applied for the last half of the twentieth century with scientific and brutal rigour, embedded a culture of violence"* (Russell 2010: 115). This situation where violence is normative and seen as part of everyday life, is alarming. It breaks down a barrier for people that would otherwise often prevent them from committing a crime. One of my informants explained: *"Some people simply do not even*

think about not committing a crime. They are in need of food or money so they go out and rob other people. Violence thereby is just a means of getting their way and in their eyes they are just surviving day by day, they don't care about laws or police."⁹ This carelessness about the police is another important legacy of the Apartheid era; the police had as its sole goal to oppress political resistance against the Apartheid government. Crime fighting was not part of their tasks. Therefore, for the black majority who has been oppressed by the police for a long time, it is hard to accredit the police force with legitimacy since they were never there for them. This results in an increasing level of crime, since the majority of the people do not really care about the police and their laws. This issue will be further explored in the next chapter.

⁹ Author's interview with Barry, a white South African tour guide, held in Cape Town on 09-02-2012.

3. Policing in South Africa

The police force not only knows a very difficult history, but even today they are still struggling to make it work. The police force had to go through an enormous transformation after the Apartheid era ended, it has to cope with lack of resources and corruption and has to compete with other forms of policing. This chapter is devoted to an explanation of the police force itself and how it gives rise to private policing and vigilantism.

3.1 Police Institution Post-Apartheid

3.1.1 Transformation of the police force

The end of the Apartheid era brought with it some important implications for the South African Police (SAP). Up until 1994, the police force had been primarily a political instrument, designed to suppress political opposition instead of fighting crime. It was divided among the Apartheid influenced racial groups where the white (mainly Afrikaans) people had the senior and middle ranks in the police force and they were fighting against blacks and coloureds. Therefore, the police force was totally removed from those whom they policed. Combined with the violent nature of the policing in that period, the police force was not popular amongst the blacks and coloureds of the country (Shaw 2002: 22-23). Those groups have always had the idea of the police being the enemy instead of the police as an institution that could be of service to them.

After Apartheid, the ones who were always oppressed by the police came into power in the country which meant that the police force had to change. It had to transform into a democratic, non-racist, accountable and legitimate police force with the main focus on fighting and preventing crime. In order to make this transformation happen, a lot of the former policemen and senior officers were removed from the police force, the police force changed its name from South African Police to South African Police Service (SAPS) and their aim changed. Although these were some good initiatives, it did not quite work out the way they had anticipated it to be. Even though a lot of the seniors were replaced with new, black faces, this did not necessarily solve the problems of the SAPS. The whole institution was embedded in a deeply racist culture of policing and old habits died hard: policing either seemed to favour some parties over others or failed to intervene to stop on-going violence. These were habits that were certainly not resolved by adding the word "service" to the name of the police force. Their change of perspective, however, was more promising. Their efforts to include all racial groups in the police force worked out to some extent and the new police service was trained to fight and prevent crime. There remained some major challenges however, which were not easily overcome. The first and key challenge was achieving legitimacy for the police service. During Apartheid the police force had been violent oppressors and therefore they needed to gain the trust of the majority of the population. For most blacks and coloureds, the line between those who

enforce the law and those who commit crime had always been blurred (Shaw 2002: 25). The most difficult challenge was therefore to get black and coloured people involved in the police force which they distrust, and to convince those two groups that the police was actually going to be there to help. This was also stated in the government's white paper on Safety and Security which they issued in 1998: "The immediate challenge is to create a legitimate police service (...) key to this process was ensuring that the police in the future would act in ways which won the trust of citizens who had once feared them" (Service of Safety document 1998: 4). Achieving legitimacy was not an easy task and it was understood that first of all the police force had to be made accountable for their actions. Police violence was -and still is- a major issue at the time and there was no sign of the officers being punished at all. By increasing the accountability, the government had hoped to increase the legitimacy of the police force as well.

3.1.2 Problems of the SAPS

All the before mentioned goals seemed very promising, but 18 years later, the SAPS is not nearly the police force as they are supposed to be. The new recruits to the police received very poor training which left them largely unskilled. This year, the Sunday Times published an article about a firearms proficiency test that all South African police officers had to take. It turned out that 27 329 (or 17%) of the 157 704 police officers who underwent training to comply with the regulations of the Firearms Control Act, which took effect in 2004, failed the firearms proficiency test.¹⁰ Ridiculed by the media, who argued that gangsters are better shooters than the police, this was a major blow for the police. The police officers were labelled a threat to colleagues as well as civilians and were deprived of their rights to use a weapon until they passed the test. This is just one example of the poor training they clearly receive. Another problem the police force faces is the underpayment of the officers. The salary of most police officers (excluding the senior officials/generals) is an insufficient source of income to provide for themselves or their families. A police officer explained that his salary is around 5000 ZAR (around 500 euros) a month and with a family of six¹¹, this is not nearly enough to manage. Most policemen therefore, have a hard time resisting bribes and often take them which results in massive corruption within the police force. In a research by the Institute for Security Studies it was revealed that in general a police officer spends 25% of the time on duty on collecting bribes. This does not mean that every police officer is corrupt, but it does occur very often. Not only individual police officers are often involved in bribes and other smaller types of corruption, it has become

¹⁰ "Tenth of the police cannot shoot" Article in the Sunday Times, 05 March 2012.

¹¹ Author's interview with Martin, a SAPS police officer, held in Cape Town on 02-05-2012.

institutionalized within SAPS. Even though the actual extent of police corruption cannot be easily or accurately measured, there is evidence that the problem is widespread and systemic (Newham & Faull 2011: 1). One of the most infamous examples of the widespread and systemic nature of the corruption in South Africa is the fact that Richard Mduli, the crime intelligence boss of the country was suspended on May 13th of this year due to fraud and murder charges that had been reinstated and new fraud and corruption charges that he had to face. He was charged with murder relating to the death of an ex-girlfriend's husband: Abel Ramokgibi. This case stems from years ago, but was reopened as there was new evidence in the case. Mduli also allegedly misused secret crime intelligence funds for his personal gain, namely to buy luxury vehicles and had to stand trial for these allegations¹². Not only had he used state funds for personal gain, he is also investigated on, what Police Minister Nathi Mthethwa described as "*allegations ... so serious as to suggest the meddling of policing functions in politics*"¹³. By meddling of policing functions in politics Mthethwa means that Mduli is under the suspicion of allowing South Africa's feuding political elites to use the crime intelligence services to spy on each other, settle scores and influence the ANC leadership battles and President Zuma's bid for a second term. Although the court still has to reach a final verdict on the cases, it has been a serious blow to the legitimacy of the SAPS, whether Mduli is found guilty or not. In the end, the consequence of this corruption is that it hinders the extent to which the SAPS is able to do its work and to build public trust and legitimacy.

The poor training, underpayment and corruption all resulted in a police force that is highly malfunctioning. As stated above, they are not trained to react in the right way in certain situations but one of the biggest problems is the fact that they often don't respond to emergency calls at all or arrive very late at the crime scene. Zhindzi, one of my informants explained to me: "*If you call the police they will not show up, or maybe they do but hours later. If you scream on the phone, they will not come because they are afraid, they have a wife and kids as well you know, they don't want to get into the middle of a fight in the townships. If you call the police calmly, they might come, even though it will be very late*"¹⁴ So, according to her, the reason for not showing up in the middle of emergencies is often because they are scared themselves. They will simply not come if it is too dangerous for them, only if there is a minor problem and you remain calm on the phone, they might come to help you. This is just one of the many stories about the police being very reluctant to help. A

¹² IOL news article: "Mduli judgement stayed". IOL news, June 25, 2012. <http://www.iol.co.za/news/crime-courts/mdluli-judgement-stayed-1.1327232>

¹³ Cape Times articles: "Police Minister sidelines Mduli". Cape Times, May 10, 2012. <http://www.iol.co.za/capetimes/police-minister-sidelines-mdluli-1.1293709#>

¹⁴ Author's interview with Zhindzi, a domestic worker from Langa, held in Langa on 25-02-2012.

friend of mine had her phone and camera stolen and went to the police station close to her house. She told me: *“I went to the police station in Woodstock and after waiting for an hour, they told me they couldn’t help and I needed to go to Sea Point because it was not in her jurisdiction. I went to Sea Point only to be told to go to the central police station in town, there they could help me. At the central police station an officer asked if my insurance would cover it, I told her that that was probably not the case to which she replied that she wouldn’t file a report then because that would only make her crime stats go up. After spending the whole day in several police stations I took a cab home and the cabdriver, who had been a cop for twenty years, told me that they all could have helped me but they simply didn’t want to.”*¹⁵ This example shows the reluctance of the police to help, even in a non-emergency case. Another important example was given by Jackie, a woman originally from Uganda but she has lived for over 8 years now in South Africa. She explained: *“I ride the train to and from work every day. One day, I was attacked by two conductors on the train because they said I was a foreigner, a refugee and therefore could have never afforded to buy a first class ticket. They beat me up real bad, I had bruises all over. When I got to the police station to report it, they said that they could not help me because they could not see blood. Only if they could see blood or wounds on my body, they would file a report of assault.”*¹⁶ These three examples clearly show the reluctance of the police to help, respond and file cases. It creates a situation in which people do not rely on the police anymore to help them during or after they are being assaulted or witnessing an assault. This factor is one of the most important contributors to the occurrence of private policing, community policing and vigilantism, which will be explained in the next part.

3.1.3 Rise of vigilantism

Already early on in post-Apartheid South Africa, it became clear that in order to install a legitimate and accountable police force, the relations between the communities and the police had to be improved. During Apartheid, the majority of people saw the police only as the enemy. For fighting crime, the communities had their own solutions. Especially in the townships, street justice or people’s justice has existed for decades, it is not something new. With the end of Apartheid and the promises that were made to improve the police force, a lot of people had hoped to finally gain trust in the police and to receive justice and security. In practice however, nothing has really changed. The government has promised a lot but, as explained above, the police institution is facing major problems and is highly malfunctioning. Although these problems within the police force did not

¹⁵ Author’s conversation with Janna, a Danish exchange student, held in Cape Town on 06-04-2012.

¹⁶ Author’s interview with Jackie, a women’s rights activist, held in Cape Town on 02-05-2012.

create private policing and vigilantism, it certainly helped to reinforce the importance of it.

Over time, the first thing that became visible was a rapid expansion of the private security industry. Their presence is everywhere; they patrol city blocks, guard shopping malls, respond to home alarms and install a variety of other preventive security measures such as burglar bars and electric fences. Some estimates suggest that there are more than four private security guards for every uniformed member of the SAPS engaged in visible patrol work (Jenny Irish cited in: Shaw 2002: 102). Strikingly, the vast majority of these private security guards work in the suburbs, since the people who can actually afford private security live there. The people who live in the most unsafe areas, the townships, cannot afford to take these kinds of measures. Although the growth of private policing is not exclusive to South Africa, its rapidness is striking. This can be seen as a consequence of the decline of Apartheid and the resulting insecurities. One important problem that the growth of the private security industry brings about is the fact that they fulfil the immediate needs of the middle class, which makes them decreasingly reliant on the state for security provision and less likely to pressurise the government to improve its performance in delivering safety (Shaw 2002:104). This fact has consequences for the poorer areas, since they are the ones who are still reliant on the state security provision. The government however, did come up with several initiatives to recapture the control over the security sector. They made stricter rules for private security companies which resulted in the closure of one-third of the companies (Shaw 2002: 04), but more importantly they introduced the Community Policing Forums (CPFs). The overall aim of the CPFs is to improve the relationship between the civilians and the police. Among other things, the SAPS would be made accountable to the community. The following were the statutory functions of the CPFs as stated in the South African Police Service Act of 1995:

- to establish and maintain a partnership between the community and the SAPS;
- to promote communication between the SAPS and the community;
- to promote co-operation between the SAPS and the community;
- to improve the rendering of services to the community at local level;
- to improve transparency in the SAPS and accountability of the SAPS to the community;
- to promote joint problem identification and problem-solving by the SAPS and the community.

However, these functions as stipulated by the Act do not necessarily reflect what the CPFs do in practice (Tshehla 2002: 48-49). They are supposed to be the overarching institution for all the

community policing but sometimes they do way more than they are supposed to. Often the CPFs are described as the only legitimate structure because it is supported by the government and its members are elected by the community which it has power over. Therefore, they take on much more tasks than they should and assume much more power than they actually have which causes friction with the police. The CPF members often demand that the police do what they say, which the SAPS refuse to do. Legally the police were generally on solid ground, but that enhanced the impression that CPFs are simply “toy telephones” to make a statement about progression rather than creating real progression within the policing institution (Shaw 2002: 31). This failure in co-operation between the CPFs and the SAPS, results in a rise of vigilantism and community policing initiatives. The people noticed that the state policing did not help them in any way and therefore a lot of people resorted to their own familiar security measures: neighbourhood watches, street patrols and people’s courts.

3.2 Actors in Policing Sector

Above, I have already mentioned some of the actors within the policing sector. But in order to clarify the different policing structures and to emphasize the diversity within the policing industry, I think it is important to present an overview of the main actors, their tasks and their initiators.

State initiatives

SAPS: The official state police force which fights and prevents crime. The SAPS is an initiative of the national government and are allowed to make arrests and use weapons.

Metro Police: Special police force of the city of Cape Town. Their role is threefold: traffic policing, by-law enforcement and crime prevention. They sometimes work together with the SAPS but are not a part of the SAPS. They assist several departments such as the Traffic Department and Law Enforcement, but also have their own projects. They almost exclusively operate in the central city.

Public Safety Officers: Special department of the city of Cape Town. These public safety officers are more visible than the police and are specially assigned to patrol the streets. Like the Metro police, they almost exclusively operate in the central city. The only weapon they are allowed to use is a bat.

Community Policing Forums: The CPFs are a national governments initiative meant to create a co-operation between communities and the SAPS. There are currently 63 CPFs in the greater Cape Town area. They have no power to make arrests; their main aim is to regulate policing initiatives in their respective communities and to be a link between the communities and the SAPS.

Privately owned

Private Security Companies: These are commercial companies whose main aim is protection and prevention. They are usually hired by shops or companies, but increasingly also by individuals. They do patrols, respond to emergency calls and install burglar bars, electric fences and alarms.

Community initiatives

Neighbourhood watches: Unofficial structure which consist of groups of people from within the community who patrol and guard certain unsafe places of the areas.

Night patrols: Complementary to the neighbourhood watches during the day, the night patrols consist of people from within the community who go out at night on patrols in the neighbourhood. Known for their violence.

Kangaroo courts: people's courts or traditional courts that settle disputes between community members.

Mob justice: Vigilante action whereby a group of people from the community takes law into their own hands and punishes alleged criminals. Infamous for their violent ways, which sometimes even causes death.

3.3 Hybrid Political Order Theory

As has become clear in the former paragraphs, there is a constant battle for legitimacy in the security sector of South Africa. This is a very peculiar fact since the state is supposed to have total control over the security sector and with that automatically achieved some legitimacy. It is even implied in two of the three most common definitions of a state as described by Sebastian von Einsiedel: the first is based on notions of the state as a social contract in the tradition of Hobbes, Rousseau and Locke. According to this definition a state has authority when the members of a society acknowledge the authority of a set of rules or a political regime, emphasizing the relation between state and society. This definition inherits a responsibility of the state to deliver services such as security and social justice. A second definition lays in the tradition of Weber and defines the state as a corporate group that claims a monopoly on the legitimate use of force over a territory. This approach tends to focus on a state's means, such as violence, rather than its ends. The third definition is a rather juridical instead of social one and it emphasizes the legal characteristics of a state: a defined territory, a permanent population, an effective government and the capacity to enter into formal relations with other states (2005: 15). This last approach seems to stress only the legal matters with no regard to

legitimacy of the government or obligations to its population whatsoever. The first two definitions are of most importance for this thesis since they emphasize the inherent responsibility of the state to deliver services such as security and the monopoly on the use of force over a territory. These definitions would in the context of South Africa imply that the state is failing to perform its basic functions and can therefore, according to the definition used by William Zartman (1995: 5), be labeled a failed state.

This state failure discourse is oriented towards the western-style Weberian/Westphalian state. Yet the majority of the countries in the world are political entities that do not resemble the model western state. Rather than hanging on to the notion of the Westphalian state and judge states according to this notion and the failure of it, it might be more fruitful to think in terms of hybrid political orders as Boege et. al. introduce in their article (2008). A hybrid political order can be found in countries where 'the state' is only one actor among others, and 'state order' is only one of a number of orders claiming to provide for security and social services. In such states, there are competing claims to power and logics of order that co-exist, overlap and intertwine. This competition leads to so-called states not having a privileged position as the ones that provide security, welfare and representation but instead they have to share authority, legitimacy and capacity with other structures (Boege et. al. 2008: 10). This does not necessarily mean that the country is prone to a situation of anarchy nor does it imply complete absence of institutions. It simply is a different type of political order from the one that is well known. In the article of Boege et. al. the hybrid political order is often described as a political order which works for countries that have gotten rid of their colonialist oppressors. In South Africa, the situation is a bit different, but even though it was not a colonialist oppressor; the country did get rid of an oppressive regime and is struggling to build a democratic state with a –relatively- new majority government. Immediately after the victory of the ANC, they tried to build a strong government according to the Westphalian model of a state. Soon, the government discovered that, especially in the security sector, the state did not have any legitimacy at all. Boege et. al. describe that *"some governments also try to deliberately incorporate traditional authorities, in order to strengthen state capacities and legitimacy"* (Boege et. al. 2008: 8), and this is exactly what happened in South Africa. The government soon recognised that the state institutions were relatively weak and the traditional structures remained relatively strong so they decided to incorporate those traditional structures in the official governmental structures to increase legitimacy of the state. The CPFs discussed in the former paragraphs are an example of such an implementation. To achieve stronger state capacities and legitimacy, the state acknowledged that they had to work together with traditional structures and traditional leaders. The CPFs were founded to create this bridge between state and traditional structures. But, as also discussed above, the co-operation did not go smoothly as there was more competition than co-operation between the two

structures. This led to a situation nowadays, where there is a complementary hybrid political order, in which there are other structures operating but they are all regulated by the government. In practice however, these structures are still not providing security for a big group of people, mainly township residents, which resort to their own security structures parallel to the government ones. These structures are not officially legal, but they are tolerated by the government since they cannot provide the security themselves. These structures will be discussed in the next chapter.

4. Community Policing Initiatives

In this chapter I will introduce my main topic of interest: the Community Policing Initiatives or CPIs. After the description of the state police force and its procedures but also its flaws, I will introduce the alternative providers of security who work mainly in the townships. In this chapter I discuss the CPIs in its many forms and explain their importance, methods and the circumstances in which they arise.

4.1 CPIs and vigilantism – what is the difference?

Throughout this thesis, I talk about CPIs but also about vigilantism or vigilante organisations. In order to properly discuss these structures, I have to explain the definitions as well as the difference between the two concepts. As mentioned above, vigilantism is simply put 'to take law into your own hands'. A more comprehensive definition is one explained by Les Johnson (1996; 2001) who describes vigilantism as: 1) social movements that give rise to premeditated acts of force and corporal punishment or the threat to use violence or corporal punishment; 2) activities that arise as a reaction to transgression of relatively well established, sometimes institutionalised, norms; 3) acts that are focused upon crime and/or social control in the form of providing security to participants and members of established orders; and 4) groups that are seen as constituted outside legal frameworks enforced by the state (Johnson cited in: Buur&Jensen 2004: 141). The first notion that he describes, is a very important one as it links the concept of vigilantism to violence. Violence is a very important part of vigilantism. In a report by the Centre for the Study of Violence and Reconciliation (CSVR) it is explained that violence serves at least three purposes in vigilantism. Firstly, violence functions as a threat to elicit financial payment from the victim. For example in a kangaroo court, a suspected criminal can be offered the choice between a corporal punishment or a fine which has to be paid partly to the complainant as restitution and partly to the court as salary. Secondly, violence has a punishing function within vigilantism. The punishing with violence is not only meant as actual punishment by inflicting pain, it also plays a symbolic role. It represents a certain power and strength of the vigilante process. Additionally, corporal punishment renders a symbolic function visible to the victim, the bystanders and the vigilantes themselves. It is a form of humiliation of the perpetrator, because the process is carried out so publicly and everybody can hear what the person has done and see him/her getting punished. Thirdly, the violence serves a function of intimidation. It usually underlines verbal warnings and it strives for prevention and control, by instilling fear within the audience. It warns the perpetrators and bystanders that their future actions will be violently punished if they do not follow the vigilante rules (Harris 2001: 23). Although violence is an often used tool by vigilante organisations, it is not necessarily part of it. Vigilante organisations can also operate without violence. However, vigilantism and violence are so often linked together that vigilantism has

very negative connotations to it. It often gets misused by governments or media to discharge community initiatives as criminal because they do not want them. It is because of this negative connotation that I decided to use the term community policing initiatives. CPIs share the same characteristics as vigilante organisations; they are social movements that give rise to premediated forms of violence or corporal punishment, they have arisen as a reaction to transgression of established norms, they are focused upon crime and social control and they are constituted outside legal frameworks enforced by the state. The difference between CPIs and vigilante organisations is the fact that CPIs do not immediately get associated with violence, a side that I want to stress in this thesis. There are, although less, also non-violent structures of community policing such as certain neighbourhood patrols.

4.2 Types of CPIs

Street committees/neighbourhood watches

Street committees, better known as neighbourhood watches, form a significant part of township society. This type of community policing started in late 1970s in Port Elizabeth's and Johannesburg's townships. They later spread throughout the country and served as forums that dealt with townships problems such as housing, electricity, water and other services. The term neighbourhood watch refers to a structure that is part of a broader civic movement in townships (Tshehla 2002: 53). They were formed as a part of the United Democratic Front (UDF) but a lot of members of the neighbourhood watches wanted to operate independently. During this time, the members were used to articulate alternative ordering systems, which manifested itself in their handling of cases, both criminal and civil (Ibid.: 54). Nowadays, there are two types of neighbourhood watches active in the townships; the ones part of governments programs and the ones that are an initiative of the community, with no links to the government. The last type of neighbourhood watches is the one most active in the townships and therefore the one that I will discuss. Neighbourhood watches restrict their jurisdiction to solving disputes among neighbours and relatives and preventive measures such as patrols. They are tolerated by the government, but have no legal power whatsoever and are not allowed to use weapons or violence. Their main aim is to improve control over the neighbourhood and increase the safety in their respective communities.

Night Patrols

The night patrols have exactly the same goals and methods as the neighbourhood watches, except for the time frame. The night patrols operate during the most dangerous time in a township: the night. A member of one of the night patrol committees in Philippi told me: "*We go out at night in a group of around sixteen, we patrol the streets and when we see someone breaking into a house for*

example, we chase him away by running towards him making a lot of noise."¹⁷ The night patrols are, as the neighbourhood watches, not allowed to carry weapons and therefore try to scare the criminals of, and intimidate them with their big groups. However, there are well-known cases of night patrols using violence to pursue their goals of preventing crime and increasing safety in the neighbourhood. As Thandiwe also acknowledges: "*Occasionally, when the noise and chase do not scare the criminals off, we attack and beat the criminal to show that they cannot mess with us*"¹⁸.

The Peninsula Anti-Crime Agency (PEACA)

PEACA was formed in 1998 by ex-members (soldiers) of Umkhonto we Sizwe, the military wing of the ANC during the Apartheid struggle. The organisation was formed in response to the high crime rate and the criminal justice system's inability to deal with crime. PEACA deals with cases such as armed robbery, murder and car theft, leaving the 'petty' civil cases to the neighbourhood watches. In this feature the organisation distinguishes itself from other community structures which restrict themselves to non-criminal cases (Tshehla 2002: 62). When they regard a case not serious, they handle it themselves, but in a more serious case they hand the suspect over to the police. However, before the suspect is handed over to the police, they do their best to force the person to admit guilt (Coordinator of PEACA cited in Tshehla 2002: 63). This is thus a community structure which does work together with the SAPS, but their modus operandi is very controversial.

Kangaroo courts/people's courts

Kangaroo court is a term that stems from the Apartheid era, it means an unofficial court held by a group of people in order to try someone regarded, especially without good evidence, as guilty of a crime or misdemeanour¹⁹. An important characteristic of a kangaroo court is the fact that the principles of justice are often disregarded or perverted. Since this term kangaroo court has some negative connotations, it is often preferred to be called people's courts; unofficial courts set up by a group of people or vigilantes. The people's courts, instead of serving as mere complements to the state's courts, or of articulating formal and informal mechanisms of power in the dispute-resolution arena, sought to transform existing power arrangements by contesting the state's hegemony over the legal field (Pavlich 1992: 29). Nowadays, they are still used in the townships for settling disputes

¹⁷ Author's interview with Thandiwe, a resident of Philippi and member of a Philippi night patrol group, held in Philippi on 25-02-2012.

¹⁸ Author's interview with Thandiwe, a resident of Philippi and member of a Philippi night patrol group, held in Philippi on 25-02-2012.

¹⁹ Definition retrieved from the Oxford Dictionary
<http://oxforddictionaries.com/definition/kangaroo%2Bcourt?q=kangaroo+court>

amongst community members. There is a major problem with the courts, as mentioned above; the courts often disregard the principles of justice. In the townships communities, the people's courts are often used to justify mob attacks. Where in the Apartheid days trials were held for "sell outs", now the alleged criminals are being tried by the courts. The methods remained the same; a suspected criminal is brought before the court, he/she is tried often without any chance of pleading whatsoever, and harsh and sometimes barbaric and lethal punishment swiftly follows. This led to the idea that people's courts apparently kill and punish randomly, because the alleged criminal has no option to defend himself (Buur & Jensen 2004: 139-140).

Vigilante organisations: Mapogo

In order to give an explanation of a vigilante organisation, a reference to the above mentioned definition of vigilantism has to be made. Especially the last notion of Les Johnson's definition is very important; a vigilante organisation it has to exist outside the legal frameworks enforced by the state. An organisation like Mapogo is an excellent example of a vigilante organisation in that sense, since they started out as a group of businessmen who were fed up with the high levels of crime targeting them and the non-responsiveness of the official police. Mapogo was established as a reaction to this situation. Their initial methods constituted of arresting suspects and handing them over to the police, but the tactics changed after the police released a number of suspects. This change of tactics meant they would often interrogate and punish the suspects themselves. Due to this change they became more effective but also highly controversial, mainly due to their brutal and violent methods. They are known for *sjambokking*²⁰ alleged criminals, which Magolego calls "*The African way of stopping crime*" (Magolego in: Desai, 2004:23). The arrest of 607 member of Mapogo between 1996-2000 for alleged offenses such as kidnapping, assault and murder is a clear indicator of the controversy and the thin line between filling in the gap that the police left behind and criminal activity. There were, however, only fourteen members convicted of any offence out of the 607 members that were arrested (Desai, 2004:23). This might be an indicator of the legality of Mapogo instead of the presumed criminality, but it might also be another example of the absence of a good policing institution.

4.3 Origins

The discussion of how community policing initiatives came into existence often remains restricted to the absence of and lack of trust in the police and therefore the community has to take matters into

²⁰ A sjambok is a traditional leather whip.

their own hands with regards to fighting crime. CPIs exist, however, for many reasons other than fighting crime. Two of the socio-cultural causal factors will be highlighted in this paragraph.

4.3.1 Traditions of Xhosa's and Zulus

When asked about the origins of the different community policing initiatives, a lot of my respondents answered that it is just “the African way” or “our tradition”²¹. Corporal punishment has always been present in Xhosa and Zulu cultures. A crime, of whatever nature, is taken very seriously in the two cultures which are built on the principle of “eye for an eye”. Therefore, whenever someone murders another person for example, in the Xhosa and Zulu tradition the only sentence that fits is the death sentence. This phenomenon is described in an interview in a report by the CSVR: *“We as black people have never built jails. Jails were for white people. Once a person commits a crime in our presence, our jail is a grave yard. If you make trouble in Xhosa [tradition] we can take the law into our own hand because we grew up without jails in our communities. We sit at the round table and if the man is guilty, we hit him with stones until he dies. Our jail is a stick and a stone, we hit you until you die”* (Harris 2001: 37). Similar things have been explained by my respondents, they do not agree with the judicial system that is now forced upon them. Thandiwe explained: *“if I was to rape that little girl over there and the police will arrest me, there is a good chance that I will be walking these streets again in two weeks time”*²². This example shows the opposition towards what is called the “Western-style law”. In their eyes the law that is forced upon them, is way too weak and not going to prevent the criminal from recurrence. There is a belief that the only way in which criminals stop perpetrating crimes is by the right punishment in the form of corporal punishment or a death sentence.

Another very important factor of these judicial traditions is the fact that it serves as an example for other criminals. Because the sentences by the people's courts are performed immediately and publicly, other people who might think of committing a crime can see what will happen to them. In this way, the traditional justice system is built on punishing as well as preventing, a system that is deemed superior to the formal justice system in South Africa by many of the black population. People often see no reason to adapt to the formal justice system that is active in their country, because it is deemed less effective and too weak as Thandiwe also explains: *“When I know that a man has raped a woman, why should I go to the police? They will probably put him in jail for a year, where he gets a roof over his head and three meals a day. I feel much better when I go to the*

²¹ Author's interviews with Barry, a South African tour guide, held in Cape Town on 09-02, Thembe, a youth development worker and resident of Langa, held in Langa on 25-03 and Thandiwe, a Philippi night patrol member, held in Gugulethu on 20-04.

²² Author's interview with Thandiwe, a Philippi night patrol member, held in Philippi on 25-02-2012

*community court to have him sentenced properly and make sure he never does it again*²³.

4.3.2 Revenge and emotions

All of the before mentioned explanations for the origins of CPIS in South Africa are based on the assumption that community policing is motivated by fighting crime. There are however other explanations for the motivation of CPIs: emotions and revenge. Community policing is always explained as a form of justice, but the concept can also be misused by people who want to settle personal disputes. This is explained by an informant in the CSVR report: *“Sometimes you find that people may have a grudge against a certain individual and they may persuade a lot of other people to help them in dealing with this person in a sense of accusing this guy of committing some other crime. They form vigilante groups to get rid of this person in the name of justice”* (Harris 2001: 40). Since the people’s courts often hold no trial in which the accused can defend himself, and there is no lengthy gathering of evidence in order to convict people, the group of people would often succeed in getting that person convicted and sentenced. This is a clear example of emotions such as jealousy, grudges, anger and revenge as motivations for vigilantism instead of crime fighting. The thing that is the most worrying is that groups of people with such motivations often succeed in getting the person convicted. Examples like these show a big flaw in the community policing structure. The system works on suspicion and its sentences are often based on rumours. There is a sense of a moral high ground in the communities, that *“we are doing the right thing”*. This acts to justify whatever type of action (Harris 2001: 40). The system can therefore easily be misused and has lost legitimacy in the communities. One of my informants told me: *“I used to be a supporter of the people’s courts, but after a friend of mine got her boyfriend who was cheating on her sentenced for theft, I saw how weak they are. The courts are just being used by people who can’t fight their own fight. I cannot trust them anymore”*²⁴. Zhindzi’s story shows how people sometimes lose faith in the traditional mechanisms because they get misused.

4.4 Methods of the CPIs

The different CPIs use a broad and diverse range of methods; from patrols and increasing visibility to courts and corporal, sometimes lethal, punishments. They do however, share a broad set of characteristics. Firstly, they are always public in nature. The whole system of community policing is based on publicly trying and humiliating the alleged criminals, to serve two of their goals; punishing

²³ Author’s interview with Thandiwe, a Philippi night patrol member, held in Philippi on 25-02-2012.

²⁴ Author’s interview with Zhindzi, domestic worker from Langa, held in Langa on 10-03-2012.

and warning. An alleged criminal is not taken away from the society and put in jail as would happen in the official judicial structures, but made the centre of attention for everyone to see what he has done and what is being done to him now. Reports of vigilante attacks in the media never go without mentioning the often enormous size of the crowd who participated in or witnessed the punishment²⁵. Secondly, violence, or the threat of violence, is pervasive. The 'eye for an eye' ruling of the CPIs brings with it a lot of violence. For example for a rape convict, a punishment of being paraded naked before receiving 400 lashes with a *sjambok* is deemed suitable. For murder, execution at gunpoint or the gruesome method of necklacing is a matching punishment. Necklacing is a punishment that has existed in the townships for a long time. It comprises putting a tire filled with petrol around the neck of the victim, usually after a series of beatings, and set the tire on fire so the victim will eventually burn to death. It used to be performed on "sell-outs" during Apartheid but has become a more and more common method of the CPIs (Harris 2001: 25). It is violent methods like these that are seen as the most effective crime prevention strategies. One of my informants told me: *"Once you witnessed a person being necklaced, you get so scared of ever becoming that person that you will think twice before even thinking about committing a crime!"*²⁶ The violence that co-exists with the CPIs is very logical within the frame of South Africa's culture of violence. As a legacy of Apartheid, South Africans still quickly resort to violence as a means of solving conflicts (Schönsteich and Louw 2001: 5-6). Thirdly, a characteristic that the CPIs share is the generation of fear. Whether a neighbourhood watch or night patrol is walking around the streets in big groups, looking for criminals to beat up, a vigilante group like Mapogo known for its violent punishments or a court that might sentence you to a gruesome punishment, they all cause the generation of fear to some extent. This coincides with the violence used and the public displays which both increase fear and strengthen the goal of crime prevention.

4.5 Recruitment and mobilization

The violence that the people who join the CPIs come across on a daily basis makes one wonder why people would risk their lives to join. During my interviews, people explained me several reasons to join. The most common reason is simply because no one else is doing it and people get fed up with the violence, so they join a CPI in order to make a change in the situation. This change is a very

²⁵ For example the article "Mob Justice Blamed on Police Failure" in the Mail and Guardian of 21-06-2012. <http://mg.co.za/article/2012-06-21-e-blamed-on-police-failure>. And "Khayelitsha Mob Rules Raises Fears" in the Sunday Times on 12-06-2012 <http://www.timeslive.co.za/thetimes/2012/06/12/khayelitsha-mob-rule-raises-fears>.

²⁶ Author's interview with Zhindzi, a domestic worker from Langa, held in Langa on 10-03-2012.

important reason to join. Many people have told me that the situation in the township is so bad, they are willing to do everything to change that. Others, like Thandiwe, told me they joined a CPI – in his case a night patrol – to be a role model for the younger kids: “*When the youngsters look around and see young adults hanging around doing nothing all day, they are going to think that that is okay to do. When they see us working for the community, they might follow our lead when they grow up*”²⁷. This is linked to the notion of disappearing cultural tradition in the townships. Respect is a big part of the Xhosa and Zulu society, especially respect for elders. Nowadays, with all the other influences the children get, children get into the criminal arena and will even rob older people. The young adults need to give a good example in order to keep the children out of the criminal arena. One cultural tradition that remains very strong however, is the tradition of working together. Thembe mentions a very important saying in Zulu culture: *Isandla sigez' esinye*, literally meaning ‘one hand washes the other’.²⁸ The saying stands for working together and community spirit. There are always two hands needed to wash one. He meant to say by this that ensuring safety is a process in which the whole society should, and in the case of the townships will, be included.

A last, but very important, motivation for joining a CPI is financial gain. Although officially all the CPIs work on a voluntary basis, there are two complementary levels through which members of CPIs may profit materially from their actions. Firstly, they might benefit by charging for their services. This mainly occurs with groups that are organized and coherent such as Mapogo. Also, PEACA is known for charging money for example by, for example, asking for petrol money to pick up suspects or victims (Harris 2001: 22). Additionally, the members of CPIs may receive financial reward via their victims. Whenever they catch a suspect, they frequently force them into paying, not just to the complainant but to the members too. There have been some reports of people involved in a kangaroo court who are intimidating the people they are living amongst. They will demand protection fees or free things as restitution for their services for the community (Ibid.: 22). Fortunately, this is just a small proportion of the total of CPI members.

4.6 Hybrid Political Order – government’s response

In the former chapter the concept of a complementary hybrid political order was explained, but as already touched upon, the complementary structures are still failing to provide security for a large part of the South African people. They resort to unofficial and illegal crime prevention and crime

²⁷ Author’s interview with Thandiwe, a Philippi night patrol member, held in Gugulethu on 20-04-2012.

²⁸ Author’s interview with Thembe, a youth development worker and resident of Langa, held in Langa on 25-03-2012.

fighting structures to provide for their personal safety. In this chapter, we have seen what these structures are, how they operate, why people join and what their origins are, but what is left is the relationship between these structures and the government. Clearly the complementary hybrid political order is not sufficient, therefore I suggest that in South Africa there is really a competing hybrid political order in which the police and the CPIs compete over the provision of security. An important indicator of this competition is the attitude of the government towards the CPIs. The government regards the CPIs as criminal and condemns their activities. In the media they actively portray the CPIs as such and label all of their actions illegal and criminal²⁹. The government lists many motivations as for why the CPIs are criminal. They suggest, for example, that factors of emotion, prejudice and personal dynamics greatly dilute the 'fighting crime' rubric of vigilantism. Personal issues, as well as personal gain, suggest motives beyond the pursuit of crime-fighting. Mapogo is one of the greatest contributors to this view on CPIs. As mentioned earlier, 607 members of Mapogo were arrested between 1996-2000 for alleged offenses such as kidnapping, assault and murder (Desai, 2004:23). These are criminal charges and cannot be reduced to consequences of crime fighting alone. Instead, the crime fighting banner merely offers a cover for criminal motives at times. This is not to suggest that the crime-fighting practice of the CPIs are always legal or legitimate, most of the times they are criminal, regardless of intentions, because it infringes on human rights and undermines the constitution (Harris 2001: 46). What Harris also suggests, however, is that there are two different layers of criminality in operation regarding the CPIs. The first layer is the crime of vigilante violence; this comprises all the violence and criminal actions that are done for the reason of fighting and preventing crime. The second layer goes beyond the purported intention of fighting crime to one of personal gain. This is labeled 'pure crime' that exploits the crime-fighting justification offered by the vigilante rhetoric (Ibid.: 46). The last layer is regarded by the government as well as citizens as criminals that should be arrested. The opinions about the first layer are a bit more difficult. The government regards this vigilante violence as a crime, while citizens often view it as "*a necessary evil*"³⁰. The fact that the government does not acknowledge the CPIs as complementary to their own crime-fighting institutions, and even fights the initiatives, shows that there is a competing hybrid political order, where the government certainly is not the sole provider of security.

²⁹ For example: "Khayelitsha Mob Rules Raises Fears" in the Sunday Times on 12-06-2012. <http://www.timeslive.co.za/thetimes/2012/06/12/khayelitsha-mob-rule-raises-fears>.

³⁰ Author's interview with Thandiwe, a Philippi night patrol member, held in Philippi on 25-02-2012.

5. Effects of the CPIs

After the discussion on the origins, mobilization techniques and the methods of the CPIs, I want to discuss the effect these CPIs have on the feelings of security of the township inhabitants. I will perform a statistical analysis, an examination of the civil perspectives based upon my own interviews and a discourse analysis will be presented in order to reach a conclusion.

5.1 Statistical analysis

For a thorough analysis of crime statistics, one would normally turn to official governmental statistics to examine them. In South Africa however, crime statistics are often misused and manipulated by the police officials and the government which makes those statistics less reliable. For example in January 2012, four officers from SAPS appeared in court on charges of defeating the ends of justice after they were recently arrested for manipulating crime statistics at their police station in Tzaneen, Limpopo province. Evidence has been found that these commanders had deliberately tried to improve crime statistics for their precinct by recording murders as 'inquests' and downgrading cases of housebreakings to the less serious crime of trespassing³¹. In chapter three this phenomenon was already touched upon by using the quote from Janna where she explained how a police officer told her that she would not file a report because her crime statistics would then go up. This shows how widespread the problem is and questions the reliability of these official crime statistics. The reality on the ground is often very different from the picture drawn by the statistics. That is why additional independent sources of information are required to obtain a fuller picture of the crime situation in South Africa. For this research, I have chosen to examine the Victims of Crime Survey (VOCS) which is originally a project started by Statistics of South Africa (Stats SA) who have conducted the VOCS in 1998 and is subsequently conducted by the ISS in 2003, 2007 and 2011. The VOCS is intended to meet the following key objectives:

- To explore the nature, extent and patterns of crime in South Africa, from the victim's viewpoint;
- To identify victim risk so as to inform the development of crime prevention and public education programs;
- To obtain citizens' perceptions of services provided by the police and the courts so as to contribute to improvements in the work of the criminal justice system³².

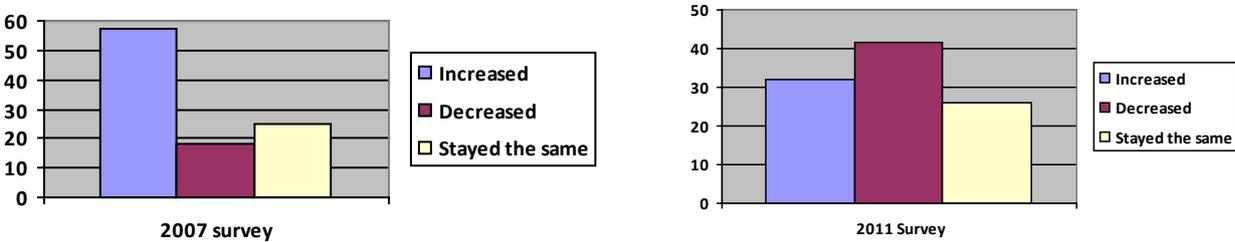
³¹ Gareth Newham – ISS paper 15 December 2011. http://www.iss.co.za/iss_today.php?ID=1407.

³² Gareth Newham – ISS paper 15 December 2011. http://www.iss.co.za/iss_today.php?ID=1407.

Therefore, the VOCS should give a more reliable picture of the reality ‘on the ground’ on the levels of crime and the performance of the police. It must be noted, however, that VOCS data cannot be directly compared with police statistics as they are collected and analysed differently. I chose to examine the VOCS instead of government statistics because they are in my opinion more reliable and because they have been collected within communities, it is therefore more relevant for my thesis on perspectives of township-inhabitants themselves.

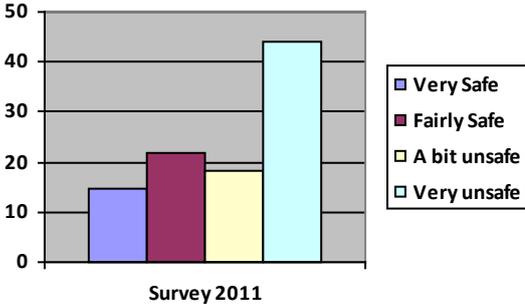
There are a few findings that are very important. The first is that the VOCS of 2011 found that the levels of crime, both violent and non-violent, have decreased over the years. Figure 1 shows a comparison between the 2007 and the 2011 VOCS:

Figure 1.



So the 2007 VOCS shows that 57% of the households thought that crime had increased in their area over the past four years while only 18% thought crime had decreased. In the 2011 survey, only 37% of the household indicated that they thought crime had increased in their area and 42% believed it had decreased. This shift is supported by the perceptions of safety that come forward in the surveys. In 2007, only 22% of the respondents felt safe walking alone in their neighbourhood after dark. This has increased notably to 37% of the respondents in 2011, as figure 2 shows.

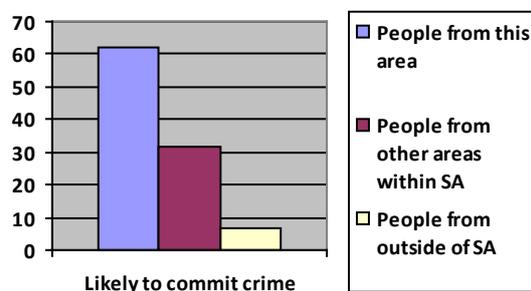
Figure 2.



Since the police are not present in the townships after dark to patrol, I believe it is safe to say that the CPIs, and especially the NWs and night patrols, are great contributors to this shift in the perception of safety. Although still a majority of the people, 63%, does not feel safe walking around, the increase in the perception of safety indicates that the CPIs do indeed have a slight positive effect. This can be seen as a motivation for CPIs to continue their work.

Furthermore, when asked about who was most likely to commit crimes, 61% of the respondents in 2011 stated that local people from the area committed it, while 32% believed that the perpetrators were South Africans from other areas.

Figure 3.



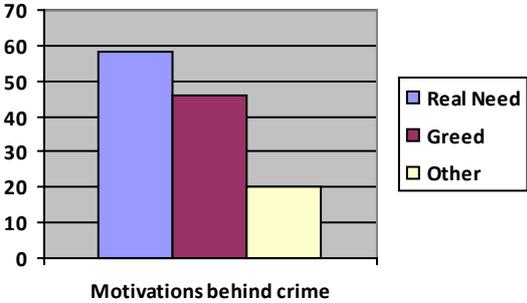
A majority of the crime is thus believed to be committed by people from the neighbourhood. It is in the nature of the CPIs to operate in the neighbourhood in which the members are themselves residents. Therefore, CPIs are in theory the most suitable policing institution to solve the crimes. Because the CPI members are also residents of the neighbourhood, they have an advantage on the police since they are more likely to gather relevant information because they know the neighbourhood and most of its inhabitants. The township culture is one based on social control and sometimes described as *“one big family”*³³, therefore the CPI members are likely to retrieve information faster than the police can. Although there is no data on whether or not the CPIs in practice can, they certainly have high potential to do so.

When looking at crime statistics, it is not very common to take the motivations behind it in regard. However, these motivations can tell a lot about the nature and occurrence of crime. In the VOCs, when asked about the motivations behind committing crimes such as burglary or robbery, the majority of the respondents, 58%, thought the crimes were committed because of real need due to poverty or unemployment rather than greed (46%), and only a very small percentage of the

³³ Author’s interview with Siviwe, a tourguide in the townships and resident of Gugulethu, held in Gugulethu on 19-02-2012.

population thought other motivations such as drug related criminality were the motives behind crime. The motivations are demonstrated in figure 4.

Figure 4.



Since the motivations are mainly based on real need, this outcome supports the understanding that South Africans generally do not believe that the solutions to crime lie with the criminal justice system. The trust in the ability of the criminal justice system to solve the problems has decreased in such a way that two-thirds of the respondents thought money to solve crime rather should be spent on social and/or economic development. This shows the attitude towards and the legitimacy of the official criminal justice system. People would rather rely on CPIs which, besides fighting and preventing crime, also have an important social function. In addition, when speaking about personal security, 50% of the households took some type of physical measure to protect their homes. 11% of this group relied on private security, 9% belonged to a “self-help group” and 5% took to carrying a weapon for protection. Although these numbers may not be very reliable since most people will not be honest about whether they carry a weapon or not, it is however an indication that at least 25% of the people do not trust the police and would rather deal with crime in their own way. Additionally, 9% is a relative big number of people who belong to a self-help group. With self-help group they refer to different types of CPIs that are not in any way involved with the government. If 9% is personally involved with a CPI, there is a good possibility that many more support the CPIs.

In conclusion, the VOCS provides a rich set of information from which to assess trends and dynamics in citizens’ experiences and perceptions of crime and the criminal justice system. It has shown that the crime decreased the past four years, people feel safer walking on the street at night, criminals are mostly believed to be from the neighbourhood they operate in, solutions to the crime problem lie not within the criminal justice system and the number of people that rely on alternatives such as CPIs has increased. All of these findings show a trend which supports the claim that CPIs can be, and are already in some cases, very effective.

5.2 Civil perspectives on CPIs

Over the period of four months in which I did my fieldwork, a lot of things have come up regarding the CPIs. Although there is a lot of difference in opinion between the respondents regarding the CPIs, there are some general points of view that the majority of the interviewees had in common. In this part of the chapter, I will discuss both the positive and the negative effects of the CPIs as well as the practical implications.

5.2.1 Positive effects

A lot of my informants pointed out what positive effects the CPIs could have on them. The most common mentioned effect was the increased visibility of “policing”. This is mostly aimed at the neighbourhood watches and night patrols. With their presence on the streets, during daytime as well as night, the feelings of security increased as one of my informants describes: *“Whenever I see the guys from the GNW [Gugulethu Neighbourhood Watch] walk by, I immediately feel a lot safer. I know they are looking out for us, even when they are not on duty”*³⁴. Most neighbourhood watches are very professional and even have uniforms. The lack of visible official policing in the townships, where most police officers don’t even dare to set foot in, is made up for in a way by the neighbourhood watches. What Mandisa already mentioned; the mere presence of the GNW is making her feel safer. She indirectly expresses the feeling of being neglected by the official institutions by acknowledging that the GNW members are indeed looking out for the community in opposition to the official policing institutions. Additionally she implies a strong sense of community by saying that they look out for her even when they are not on duty. This is an element that was very often mentioned in interviews. Being member of a neighbourhood watch strongly intensifies the community spirit. By working together and putting their lives at risk to get rid of the evils in the townships, people regain their community spirit that has always been so strong in Xhosa and Zulu culture but is often perceived to be disappearing in modern urban life. Participation can even be a replacement for the time in “the bush” as Thembe mentions: *“The fact that people are now working together to get rid of crime and violence in their neighbourhoods can for some be a replacement for the time in the bush that they didn’t have. Normally, youngsters undergo an initiation rite whereby they are sent into nature with a group of young boys for a period of two months. During these months, there is no electricity or running water or something, you only have each other to rely on. This creates a sense of community which is very important. Kids these days, who do not undergo these initiation rites, miss an important part of caring for each other. By working together in the neighbourhood watch or*

³⁴ Author’s interview with Mandisa, a resident of Khayelitsha, held in Gugulethu on 05-03-2012.

*whatsoever, they can receive that community spirit about which their parents have always talked*³⁵. The work in several CPIs can have a very positive effect on young people who are struggling with life between traditions and modern views on life.

Another aspect that came forward in interviews and conversations is the fact that the CPIs actually solve cases and scare potential criminals. They seem to have effect in reducing crime to some extent. Informants all know of cases that one of the CPI structures has solved, may it be preventing a robbery, punishing a criminal or increasing control and ensuring safety. Most people confirmed that the scare tactics sometimes work; *“When a person ends up in jail, he will make the same mistakes when he gets out. But when a person received a public and thorough corporal punishment, he will think twice before he commits another crime. Even people who did not get beaten themselves get scared and might consider stopping the criminality if they see the consequences”*³⁶. Especially within the township communities, the corporal punishment method of the CPIs is praised for its effectiveness in certain cases. Considering the conditions in which they live, this is very logical. Thembe explained: *“A lot of the young kids have this perception of prison being like heaven. You will get food, you don’t have to worry about getting a job or about safety. Therefore going to prison does not scare them away from committing crimes”*³⁷. Because their living conditions everyday are often worse than -at least their perception of- prison life, prison does not seem like a punishment for them and will not stop them from committing crimes. Therefore, corporal punishment and public shaming by the CPIs is in some cases very effective.

A last contribution of the CPIs that was mentioned often is the fact that it brings awareness and empowerment. By seeing the members of CPIs work for the community, a lot of people get inspired to create their own initiatives. Thembe, for example, did not feel suitable for joining a neighbourhood watch or night patrol, but by seeing people who did join those community policing structures, he became aware that he could make a difference in his own way as well: *“Near my house, there was an improvised garbage belt which all the people of my neighbourhood avoided walking by at night because this was where tsotsi’s*³⁸ *would hang around. I decided to clean up the garbage belt and plant a garden so we could plant some food as well as walk by safely at night*

³⁵ Author’s interview with Thembe, a youth development worker and resident of Langa, held in Langa on 25-03-2012.

³⁶ Author’s interview with Oyisa, a hostel manager and former resident of Gugulethu, held in Cape Town on 16-03-2012.

³⁷ Author’s interview with Thembe, a youth development worker and resident of Langa, held in Langa on 25-03-2012.

³⁸ *Tsotsi* is the local name for a gangster or a criminal.

*because it was not dodgy anymore*³⁹. This example shows that people can get inspired by the CPIs and start their own projects to make the neighbourhood a safer place. The knowledge that they all can make a difference empowers the greatly neglected township communities. By taking matters into their own hands, they can work together to make their own neighbourhoods a safer place. People create a sphere where the problems with neglect of the townships by the police, become less important because they are less reliant on the police.

All these positive effects of the CPIs are of course wonderful and help improve the life within the townships. With regard to safety however, the effects are still very minimal and mostly still in development. Also, there are several negative side-effects of the CPIs that hinder this developmental process. These negative effects will be discussed in the next part.

5.2.2 Negative effects

In the former chapter, several negative sides of the CPIs such as revenge violence and personal gain have already been discussed. Although these sides can have very negative influence on the legitimacy of the CPIs and are therefore able to jeopardize the positive outcomes, it is not the most devastating negative effect of the CPIs. The most important negative effect of the CPIs is the fact that they are treating violence with violence which in general often only creates more violence instead of stopping it. Dupont et. al. describe in their article: *If a sense of security is restored among the communities that resort to self-help, human rights are often a victim of these schemes, which tend to fuel rather than weaken the circle of violence experienced by these communities* (2003: 339). This is exactly what is experienced by a lot of the township inhabitants. The culture of violence that exists in the South African society is a big contributor to the enormous criminality rates in the country. It is therefore very logical to treat violence with violence, but this is precisely the problem that the society needs to get rid of. It further reinforces the normality of violence, which contributes to consolidate the circle of violence. Thandiwe explained in an interview: *“Young kids see a mob necklacing a person and see other people cheering it on. This damages their view on violence a lot, because they think it is a good thing and they are allowed to do it. This causes young kids beating up other kids for very silly reasons such as a fight over who gets to go first when they are playing a game. They think that is the right thing to do”*⁴⁰. This example shows that even though the use of violence can have profound preventive effect on the community, there is also a certain amount of

³⁹ Author’s interview with Thembe, a youth development worker and resident of Langa, held in Langa on 03-05-2012.

⁴⁰ Author’s interview with Thandiwe, a Philippi night patrol member, held in Gugulethu on 20-04-2012.

dangers that comes with the methods of the CPI. Additionally, the boundary between community policing as a structure and criminality gets blurred. Because violence is often seen as a good thing, a barrier between justice and criminality is faded. Murder and severe beatings are often justified in the name of civil justice. The seriousness of these crimes gets underestimated, which is very dangerous. A lot of people, even proponents of CPIs do not agree with it: *“You can’t go about killing people in the name of justice, that makes you no better than the criminal you murdered”*⁴¹. Especially in combination with the sometimes occurring misuse of the community policing structures for personal reasons as revenge and personal gain, the CPIs become a very dangerous structure that can have profound consequences for the community.

5.2.3 Practical implications

The CPIs know a lot of practical implications. The most important is the lack of official opportunities. The government still wants to hold all official control over the security department, which means that the CPIs are tolerated, but are not allowed any of the privileges of the official state police. They cannot carry weapons, which makes it very hard for them to compete with the gangs and criminals in the townships who have no shortage of weapons at all. Mandisa stated: *“If a night patrol comes across someone who tries to rob a house, they can go there and try to scare them away, but if the person has a gun, there is nothing they can do”*⁴². As discussed earlier, the CPIs are officially only allowed to increase visible policing and to hold criminals until the police arrives. Zhindzi explained about the restrictions of the community policing structures: *“One time, when I came home from work, my dog was gone. I keep him inside the house when I am gone so I knew that he was stolen. I went to the security guard [member of a neighbourhood watch] downstairs to ask if he saw anything and he told me he saw the people with my dog and went up to them to ask what was going on. They replied that I sold the dog to them, so he let them go out with the dog. A few days later he saw them again walking around with the dog past the apartment building and went over to them and got the dog back. But a week later it was stolen again”*⁴³. This is a good example of how the security guard is not really making the apartment building more secure, he can’t and doesn’t prevent stealing or other crimes. Additionally, the members of CPIs do not get any form of training. Usually it is just a group of people that get together [in case of the people’s courts an elected group of people] and make up their own strategy. This could have implications for the effectiveness of the CPI concerned. Thembe

⁴¹ Author’s interview with Zhindzi, a domestic worker from Langa, held in Langa on 10-03-2012.

⁴² Author’s interview with Mandisa, a resident of Khayelitsha, held in Gugulethu on 05-03-2012.

⁴³ Author’s interview with Zhindzi, a domestic worker from Langa, held in Langa on 10-03-2012.

gave me an example of a neighbourhood watch in his own neighbourhood: *“A few years ago there was a group of local young guys from Langa who would go on to the streets with fake machine guns and intimidate people, especially children. They would go up to groups of young boys that were out on the streets and shout at them to go home and not cause any trouble. This was of course a totally wrong approach; you can’t go about scaring people and expect the neighbourhood to get safer for it”*⁴⁴. According to Thembe the lack of proper training often makes members of CPIs make the wrong decisions and create ineffective structures like the one mentioned above. Within such approaches, there is no reference to the causes underneath the criminality which is very problematic because it makes the CPIs a short term solution but no real solution to the problem on longer term.

Although the CPIs definitely have positive effects on the safety in the communities, the negative sides tend to take over. Violence is not stopped nor prevented, which is the main aim of the CPIs. As we have seen there are a lot of practical implications which hinder the positive outcomes of the community policing structure. By creating a stronger, trained community policing structure, the negative sides might actually be overcome and the CPIS could be an excellent complementary structure to the official policing institution. A lot of people I spoke with share this feeling: the potential is there because in theory it can be an excellent structure, but in practice there are still a lot of flaws such as the violence and the misuse of the CPIs which causes the structures to lack in long-term safety provision.

5.3 Discourse Analysis

Discourse plays a huge part in understanding the effect that the CPIs have on the feelings of security of the township inhabitants. Throughout this thesis, discourse has been discussed, but the main focus has been on exterior factors that the CPIs originated from such as a policing gap and lacking social and economic opportunities. In order to understand the effect they have and the possibilities they might bring however, two discourses in particular have to be examined: discourse on townships and the discourse on the police. The aim of this discursive approach is to gain a better understanding of the ways in which people understand violence and war and act upon this.

⁴⁴ Author’s interview with Thembe, a youth development worker and resident of Langa, held in Langa on 25-03-2012

5.3.1 Discourse on townships

According to Vivienne Jabri, discourse consists of: “linguistic resources through which the socio-political realm [including violent conflict as a social phenomenon] is produced and reproduced” (Jabri 1996: 90). This is a fact that is seen in the South African society, narratives from the Apartheid era, when the aim was to get the whole country to believe in them, are still present and very hard to get rid of. Even almost two decades after Apartheid ended, discourse on whites being superior and violence as a form of natural human behaviour are omnipresent. This has many consequences for the conservation of the circle of violence that has its grip on the society and the neglect of the blacks and coloureds by the white population, even if they are not in power anymore. As was already mentioned in earlier chapters, South Africa’s culture of violence is deep-rooted in the society and has existed for a substantial amount of time. A very important example is the discourse on townships by the middleclass (mainly white) population. Most people from the middleclass are exceptionally afraid of anything that has to do with the townships. For them the discourse on townships only consists of negative features such as violence, drugs, criminality, unemployment and struggle. As one of my informants described: *“I would never go to a township, why should I? I would probably just get robbed or shot anyway. Those people see a white man and they presume that I have money, so they will definitely try to get my money from me”*⁴⁵. Negative stereotypes like this are very common amongst the middleclass. In itself they do no actual damage, but as a discourse it is very dangerous. Discourses like this make the two groups of people largely mistrust each other, makes the police afraid to go into townships and make people act upon these stereotypes because they start to believe in it themselves. This has profound consequences for the culture of violence that remains in place in the South African society like this. Many of my respondents argued that the people in the townships believe they have no opportunities because of the way that the rest of the society looks at them: *“Try to apply for a university or a job with a diploma from a township school, they will laugh at it and throw it away. Who wants to employ a potential Tsotsi? They think that we are dumb anyway, so why should I go to school... it makes no sense”*⁴⁶. It is this discourse that causes a lot of problems. Township inhabitants often cannot get out of that negative spiral because they believe, and often experience, that they have no opportunities. Without opportunities a lot of the people often see no other way than to resort to criminality and violence in order to provide for themselves and their families. In this way, Giddens’ notion of duality of structure becomes clear; discourses do not just represent social reality but they actively construct a particular version of that reality. In this

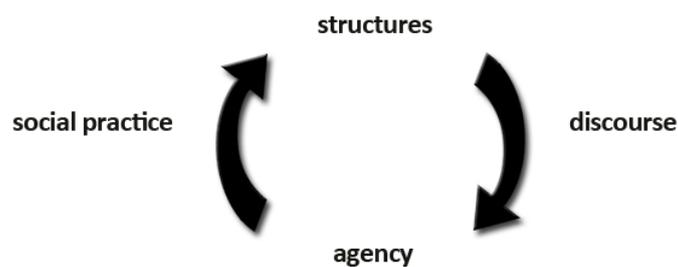
⁴⁵ Author’s interview with Tom, a real estate agent, held in Cape Town on 27-02-2012.

⁴⁶ Author’s interview with Thembe, a youth development worker and resident of Langa, held in Langa on 03-05-2012.

particular example, discourse has created a reality in which the black majority that live in townships feel that they have no opportunities and act upon that, which creates a very unequal society. This power structure is described by Jabri as: “The emergence of dominant modes of discourse is related to differentials in the distribution of power where structures of signification are mobilised to legitimate the sectional interests of hegemonic groups.’ This process involves the direct manipulation of information or communication as a form of strategic conduct to further the interests of dominant groups within society” (Ibid.). The dominant group in the society, the white middle class in this case, has interest in keeping the unequal distribution of wealth and opportunities, because they benefit from it. The last notion in the description of Jabri is very important as it stresses the manipulation of information or communication as a strategic conduct. This is a process that is very common in South Africa, as almost every newspaper reports on events of crime or violence with very explicit language and pictures, which strengthens the general perception that townships are very unsafe and dangerous; an excellent example of how the media is manipulated in order to enforce the discourse on townships and its inhabitants and maintain the inequality.

Over the past few years, however, there is a process of counter-narratives to this discourse noticeable. As was already mentioned, discourse construction is a constant developmental process. Introduced by Fairclough with his theory of Critical Discourse Analysis and demonstrated below in figure 5, structures are constantly influenced by social practice and agency is constantly influenced by discourse.

Figure 5.



This means that discourse is never a determined notion, but can constantly undergo changes. In townships, people got fed up with the negative discourse around them and they are trying to change it. A perfect example of this is the way I was treated when in a township. Most people did their absolute best to show that I was welcome and that the prejudices are not all true. I was greeted with nothing but friendliness and people even mentioned how happy they were that I came to visit their neighbourhood. This shows how from both sides, the discourse can and

hopefully will be changed, which will bring with it a positive change in levels of safety. Great contributors in this process are the CPIs; by trying to bring back safety and security in the townships, inhabitants hope to create counter-narratives which can transform the discourse on the townships to a more positive one. The process, within which this happens, with the inherent violence that it includes, may undermine this process. It is however too soon to make statements about this notion.

5.3.2 Discourse on the police

In addition to the discourse on townships, the discourse on police also plays a big role in understanding the violence and the origins of the CPIs. There are two vital parts of this discourse that are very important; perception of the police as corrupt and perception of the neglect by the police. The first has been discussed elaborately in chapter three, but also plays an important role here. Corruption of the police is a widespread phenomenon and even though the police institution is taking all sorts of measures to get rid of this image and this phenomenon in their practices, it is very persistent. Therefore, it has become part of the general discourse. The problematic part is the fact that it decreases the legitimacy of the police which creates great distrust between civilians and the police. Discourse around corruption is therefore one of the main instigators of vigilantism and the CPIs. The second part of the discourse is related to the corruption part; neglect by the police. There is a general understanding amongst township inhabitants that the police just does not care about them. Many factors have caused this discourse to rise over the years, such as: showing up late or not at all on crime scenes, no response to emergency calls, no visibility in the townships and the dismissal of cases. This discourse is very prevalent in the townships and has not changed after Apartheid. The discourse has many consequences like the loss of legitimacy and increasing crime rates but also results in the fact that people stop reporting crimes. A lot of my informants have told me that they no longer report crime: *“When something gets stolen I go after it myself or go to a neighbourhood watch. Why should I go to the police? The times I did do that they didn’t even bother to file a report or they just didn’t believe me. I don’t know anyone who has ever really been helped by the police”*⁴⁷. People do not report crimes to the police because they will not be believed or the police will not be bothered to research the case. Some people even believe that the police is working together with criminals and do not want to report crimes because of that. Zhindzi told me: *“When the police comes to investigate a criminal activity, they ask for your name and everything. I don’t want to be the one that reports the crime, because if my name is known, the cops who have*

⁴⁷ Author’s interview with Mandisa, a resident of Khayelitsha, held in Gugulethu on 05-03-2012.

*befriended tsotsi's can go to them and tell them I reported the criminals to the police. If that is the case, I am dead. The tsotsi's will kill me because I reported them. Therefore I will not report to the police, I will not risk my life to help the corrupt cops*⁴⁸. This example clearly shows the reluctance to work with the cops and the mistrust in the official policing system that causes the legitimacy of the police to decrease greatly.

In this way, discourse on the police is creating greater legitimacy for the CPIs, because they are believed to do the things that the police do not, or in case of the corruption, they do the things that the police ought not to do. This may, in theory, heighten the positive effects that the CPIs have on the safety of the township inhabitants. In fact, this is a great contributor because, as shown in the previous paragraph, many of the positive aspects that are named when speaking about the CPIs is the fact that they (1) are in fact visible; (2) do solve cases and (3) create a greater sense of community, all in opposition to the police. The police and the government do enter counter narratives, such as the anti-corruption programs that were discussed in chapter two: the anti-corruption summit, the establishment of the Public Service Task Team (mandated to produce a national anti-corruption strategy for the public sector) and the National Anti-Corruption forum in 2001. Besides the official programs they also try to improve their image by engaging in dialogues with the civilians, participating in programs and attending seminars and debates about policing. However, these counter narratives do not seem to catch on. Especially within the townships, the discourse around the police seems to remain the same.

⁴⁸ Author's interview with Zhindzi, a domestic worker from Langa, held in Langa on 10-03-2012.

6. Conclusion

6.1 Concluding remarks

During the process of conducting research for this thesis, the topic steadily became more and more complex. The research puzzle was framed seemingly straightforward: *How do community policing initiatives influence the feelings of security of the inhabitants within three township communities - Gugulethu, Langa and Philippi- of Cape Town, South Africa?* However, as an anthropologist, I tend to look at certain phenomena from every possible angle. Within this research, there proved to be a lot of different points of view on the concept of community policing, besides the numerous different structures itself, which further complicated my research but simultaneously made it more interesting. Despite several challenges along the way, this thesis has attempted to incorporate all the different angles by taking into regard the main causal factors of the rise of the Community Policing Initiatives (CPIs) by assessing the socio-economic situation in South Africa, the country's culture of violence and problems of the police force. Additionally, the methods, mobilization and characteristics of the CPIs were, using the hybrid political order theory, linked to these factors in order to create a deeper understanding of the community policing structure. Eventually this resulted in an examination of both the positive and negative effects of the CPIs, as well as the practical implications and the discourses that influence it. When summarising the argument of this thesis, it can be concluded that the answer to my research puzzle is based on the following four main components.

First of all, the socio-economic situation in South Africa, with characteristics such as high unemployment, high levels of corruption and vast inequality, deprives a majority of South Africans of opportunities to better their lives. Combined with the discourse around townships and its inhabitants, which contains mostly negative features like danger, drugs, violence and criminality, this results in the conservation and reinforcement of the culture of violence. If there are no opportunities, people easily cross the boundary of criminality and violence in order to survive. Not only do the socio-economic situation and the discourse reinforce and conserve the culture of violence, it can also give rise to vigilantism. Corruption and the lack of interest from the police and lack of trust in the police make township inhabitants resort to CPIs instead of the police for crime fighting and crime prevention. Additionally, the malfunctioning of the police has several other implications. Because of underpayment, corruption and poor training, the police lack the will to make a difference. They often show no interest in helping people that are in danger, either because they are afraid, they just don't care or it will make their crime statistics go up. This fact largely decreases the legitimacy of the police and cause people to resort to CPIs.

Second, even though widely believed that the lack of legitimacy of the police is the instigator of CPIs, they do exist for many reasons other than that. The motivations for the CPIs can influence

the effect that the CPIs have on the security in the townships, for example if tradition is the motivation to resort to CPIs instead of the official structures. Several characteristics of the CPI methods are believed to be traditional, like the severe corporal punishments and many believe this is the African way of solving crime. Therefore, CPIs are the only structure for a large group of people in which they believe and that can have any effect. The punishments often do instigate crime prevention and can thus be successful in reducing crime and increasing security. If the motivation for using a CPI structure is revenge however, CPIs can have a very negative effect on the feelings of safety. CPIs are under no control by the government or any other institution, therefore they can often be misused. If a person wants to get revenge on another person, he can easily get the person convicted before a kangaroo court because there is no official trial, he just has to get enough [fake] witnesses. This largely undermines fundamental human rights and can create a culture of fear in the community, instead of security.

Thirdly, even though the CPIs have numerous positive effects on the feelings of security such as increased visibility of policing, intensifying of the community spirit by taking care of each other, reducing crime, raising awareness and empowerment, these positive effects often seem to be overshadowed by the negative sides. Due to the methods that are used, which often include violence, a circle of violence is maintained and even strengthened. Treating violence with violence is shown to be an excellent scare tactic and preventive measure, but it can also have profound negative effects. It can produce more violence instead of the violence being reduced. Furthermore the boundary between community policing and criminality gets blurred, which greatly inflicts the legitimacy of the CPIs. This means that despite the wonderful work the CPIs do and despite the positive effects like crime prevention as a result of their violent methods, the society does not seem to get rid of its violence. Therefore the positive effects are often short-term and the negative effects long-term. These positive as well as negative effects leave a grey area in which security problems seem to neither get solved nor become worse.

Finally, it seems that at this moment none of the options is working properly and succeeding in effectively battling crime and violence. The police are launching new initiatives to battle corruption and increase their involvement regularly, but there are still several reasons that cause the police force to lack legitimacy especially amongst township inhabitants. Therefore people have no trust in them and do not even file reports with the police if they fall victim of a crime. Furthermore, the government initiated community policing projects, amongst which the Community Policing Forums (CPFs), turn out to be highly ineffective because of the lack of cooperation between police and community members and the control that the government still wants over the security sector. As discussed, there is a competing hybrid political order in South Africa in which the police and the CPIs compete over the security sector. On the one hand, the state allows certain community initiatives to

operate and even promoted community policing as one of their most important goals, while on the other hand they still want to have all control over the security sector and portray CPIs as illegal. Cooperation in this regard is therefore next to impossible. Additionally, the CPIs are in theory the best option, as most people in the townships agree upon. In reality however, the multiplicity of options and actors, the lack of resources and control and the illegality of most structures, cause the CPIs to carry out their work in an incomplete manner which undermines their possibilities. This means for example that more people can feel safe walking in the street after dark, as demonstrated in the VOCS, but they are not able to stop most criminals because they are not allowed to carry weapons. Meaning the potential is high but there are simply too many challenges at this moment to make them work properly. Or in the words of Thembe: *“We could really make a change, if only they would let us...”*.

6.2 Recommendations and further research

6.2.1 Recommendations

In order to end this thesis in a more positive manner, I would like to make some recommendations on how to make the CPIs a more fruitful structure and to gain more from their potential: 1) there should be more cooperation between the police and the CPIs. For example, if members of a neighbourhood watch (NW) catch a criminal and hold him, the police should come to arrest the criminal. Nowadays, there are still too many instances in which the police do not show up and the NW has to release the criminal without further consequences. In this way, the criminals can do whatever they want because the NW is not allowed to arrest him/her and the police will not do anything about it. 2) The CPIs should be empowered, but at the same time this has to be regulated. In order to make the CPIs a more effective en legit structure, they have to get more opportunities and support. The advantages that CPIs have over the official policing structures, for example the fact that they are rooted in the community and therefore instantly have more credibility and legitimacy, should be recognized and acted upon. There is a big debate over whether the NW and night patrol members should be allowed to carry weapons. I am not arguing that they should, but in order to be effective there lays some truth in being able to defend oneself. Now there is often a situation in which they catch a criminal, but if he/she pulls a gun, they cannot do anything. Perhaps, in addition to the former recommendation, there can be a combination of a NW or night patrol together with one or two cops who patrol the streets. In this manner, the credibility of the police also gets a boost. 3) There should be stricter control over the police force. Right now there is no control whatsoever, judging by the high levels of corruption within the police institution. The ISS has launched a campaign

which, according to me, can be really fruitful. The campaign is called “Professional Policing” and is aimed at increasing accountability of cops and eventually increasing the legitimacy of the whole police force. The idea is to create awareness about a citizen’s right to report a cop, but also reward a cop. In this way, citizens can easily help to increase the performance of the police force and eventually increasing the trust in the police force.

6.2.2 Further research

During the writing process of this thesis, I stumbled upon a lot of interesting topics that, unfortunately, fell outside the scope of this research. Therefore I want to make some suggestions for further research: 1) this research has only been conducted in the so-called black townships. A totally different situation will be found in the coloured townships because of the omnipresence of gangs. The gangs cause a similar, if not worse, level of criminality and violence and to battle that, there are several CPIs in these townships as well. It would be very informative to conduct a similar research in coloured townships to see if there are lessons to be learned from there or if there are maybe other initiatives that could work in black townships as well. 2) The VOCS is a really good start to gather insights on a larger scale on the perspectives of the people of South Africa themselves. However, it restricts itself to questions with restricted answer options. Interesting and relevant would be to conduct in-depth interviews with a sample group of the respondents to gain further insights in why they gave these answers.

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