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Remembering the Police

"We salute those who paid the highest price" (In golden letters on the cover of Servamus,[31] July 2000).

"…it is funny, the more things change, the more they remain the same" (Senior officer in Rauch 2004).

"Apart from standing orders forbidding any policeman from discussing or taking an active part in politics, the subject was seldom mentioned, except, of course, jocularly in its relation to every policeman being the dog of every succeeding government; to be whistled up, leashed, muzzled and made to jump through figurative hoops by whoever held the office of Minister of Justice" (Van Onselen 1960:118).

2.1   Introduction: At the police memorial

In Pretoria, tucked away to the left of the Union Buildings, stands a memorial honouring dead police officers. It is a forlorn place, unnoticed by most of the tourists who tend to favour the sloping terraced gardens below the seat of the South African government, where they take pictures in front of the statue of Jan Smuts. One could almost say the police memorial, with its amphitheatre-like layout and its back to the city, its three wind-bent palms serving as a lonely guard of honour, does not *want* to draw people's attention.

The polished granite structure forms a three-quarter circle around seven square pillars connected at the top by a vertical bar forming a kind of arch. Several huge bronze plaques are attached to the granite walls, bearing long lists of the names, ranks, staff numbers and dates of death of police officers. The memorial, constructed in 1983, was

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[31] A glossy police journal.

officially unveiled on 17 October 1984; the moment of its inauguration is commemorated in a central plaque that carries the name of the prime minister of the time, P.W. Botha, and announces in Afrikaans and English the memorial's function as a "Roll of Honour".

Every May a ceremony takes place here, for police officers by police officers. A memorial service under the guidance of the South African Police Service (SAPS) Spiritual Services is held to honour those who died on duty. Family and friends of those who died, a range of senior level officials from the SAPS and from the relevant government ministries, and a broad representation of high- and low-ranking members of the SAPS are present, flooding the rows of the theatre with the dark blue of their uniforms.

Memorials are forms of public remembrance, and in these forms we can find certain historical discourses made tangible (Sturken 1991). Walking between the bronze plaques and granite features, I go through the endless names and dates, again reading the main plaque, then I sit down on the bottom step of the surrounding amphitheatre and take in the memorial's surroundings, I wonder what kind of narrative this memorial "wants" to tell. Have I invaded a space, which, although publicly accessible, is not really intended for "talking to the broader public" or even "talking to the nation" as its public location next to the government building initially seems to suggest?

It is after all 2004, more than ten years into South Africa's new constitutional democracy, yet here is a memorial which has been carried over from the early nineteen eighties and has been used continuously in the same way ever since its day of unveiling. In contrast, monuments and memorials in other so-called transforming countries have had very different fates. In East Germany, for example, stone statues of Lenin and Marx have been dismantled, chopped up and brought to depots where they crumble away and disintegrate under a cover of moss. Renaming streets and cities has been another form of obliterating the authority of the past. If not literally removed, memorials and monuments have frequently been neglected and not maintained, making it publicly clear that the heroes and disciples of past regimes no longer matter.

Something similar can be observed in South Africa. Streets, rivers, places and cities are being renamed, in an ongoing process. New parks and buildings are being inaugurated in honour of liberation struggle heroes. Here and there discredited white men

have been kicked off their pedestals. One memorial even went of its own accord, when, in central Pretoria, the sculpture of J.G. Strijdom, a former prime minister, fell off its elevated pedestal in the middle of the night (Voortrekker Monument Heritage Site 02/03/2003; Mining Weekly 13/07/2001).[32]

Not so for the police memorial. As an SAPS communication officer conveyed to me in his fax, "apart from the normal transformation" – and it sounded as if he was speaking of a negligible detail – "that has taken place within the SAPS the program is *more or less the same* [since 1985]…the purpose to commemorate members is *still* the same" (my emphasis) (Ngobeni 2005). As such, it appears that the police memorial purports to tell a narrative of continuity. Continuity is achieved by continued use and the annual ceremony, and it is inscribed in the memorial by the simplicity of the wording on the plaque: honouring those "who died while executing their duties to protect lives and property of others." It evokes the redeeming myth of a purely civil police culture which transcends any governmental or sectarian partisanship, and which is imbued with apparently neutral and universal values, such as the protection of citizen freedom and adherence to the rule of law. The ideals of duty and service are elevated to something worthy and honourable, as if police duty could transcend the political and violent tides of history. It conveys the message that honouring police officers who died on duty is a matter which deserves to be spared from moral and historical scrutiny. It is a message of loyalty: no life that has been lost in the line of duty will be disregarded. As such it creates a sense of continuity which overrides historical hiatuses. This message of continuity is powerfully assertive, especially considering the reality that the death of a police officer will very often have occurred in highly politically charged circumstances. When a police officer is killed on duty the nexus of the individual's life and the broader mission and function of a police organisation converge. It marks the point where the role of a police officer ceases to merely be a job and becomes a sacrifice. While the memorial might be intended to be seen as an act after the fact, as if the casualties on duty had never been foreseen, by its very existence the concept of dying on duty is institutionalised and established as integral to police work. It represents an acceptance from the outset that in

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[32] Contributing to the symbolism of the collapse, it happened on the fortieth anniversary of South Africa becoming a Republic (*Mining Weekly* 13/07/2001).

becoming police officers, individuals accept that they might have to give their lives. This message is confirmed by the memorial's empty wall space, yet to be plastered with bronze plaques, which will bear future names and dates in chronological order, leaving no doubt that not a year will pass that will not demand the sacrifice of police officers' lives.

Admittedly, the death of a police officer might not be as explicitly politically determined as that of a soldier who goes to war in defence of the nation – a notion even less tangible and more sweeping than "law and order". Nonetheless policing practice always involves some measure of differentiation by the police service, and by extension the individual officer, in relation to the society's normative expectations of behaviour. Whatever this interpretation is, it is always backed up by force, and ultimately the threat of violence. This begs the question of who is the criminal, and whose life and property is being protected against whom?[33] And if policing is not a relationship with the nation, or complicity in the social order, then it is at least a relationship of loyalty to an organisation, which inevitably will have its own particular cultural and political bias.[34]

In South Africa's history, and its history of policing, there has seldom been a time in which the question of police partisanship has been limited to issues of "organisational culture". Policing in South Africa has always been crucially instrumental in the social, cultural and political conflicts of the country. The willingness of the South African police officer to take the risk involved in policing so as to protect the social order is what makes him or her automatically complicit in the broader politics of policing in South Africa. Thus commemorating the dead also means commemorating – or at least evoking in a spectral form – what the police stood for and in whose service they stood when they died. In its explicit quality of constructing a police-specific version of history, as well in its spectral quality of holding the stories of the dead police officers in their historical

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[33] See also Chevigny (1995, cited in Huggins 1998:8) who, writing about policing in the USA and South America, states that "politics, in the most direct sense, has been part of the police as the police have been part of politics."

[34] In many (northern) countries it is not so much the broader police mandate which is under question, but the dynamics which attract particular conservative and even racist people to work for the police which lends police organisations a particular conservative and/or racist bias. This, combined with carrying out particular police tasks which demand the making of practical judgements about different members of the population, can manifest as organisational culture, which in turn can influence those who enter the police with less of a conservative and/or racist inclination (Reiner 1997).

embeddedness, the memorial serves as a narrative and interpretive device to recall the history of the police, which is the focus of this chapter. However, in highlighting the meta-narrative of the memorial – that is, the version of history that the police establishment would like it to bring across to its members – the memorial also provides an insight into how the police force presents itself to itself, and how this relates to a history of human rights. This will be explored towards the end of the chapter.

2.2   Partisan policing

2.2.1   The beginnings

The earliest death of a police officer mentioned on the bronze plaques is in the year 1913; the same year in which the South African Police (SAP) was founded. The coming into being of the SAP is inextricably intertwined with the formation of the Union of South Africa in 1910, and with the first Union government under Louis Botha asserting its central governance over the spatial and political fragmentation resulting from historical Afrikaner and British rule.

Under the Union, the various police forces from the four colonies – Cape Province, Natal, Transvaal and Orange Free State – were merged into one police force and centralised under the authority of a single Commissioner. Each of the four colonies had similar traditions of paramilitary rural police forces and metropolitan police forces. The Cape Mounted Police Riflemen and the Natal Mounted Police in the English-dominated colonies, and the South African Constabulary in the Transvaal, for example, carried out the classic colonial tasks of putting down internal and border conflicts mostly between white farmers/settlers and the black rural population. The city police forces dealt with the protection of property and the detection of common law crimes in cities such as Cape Town, Durban, Johannesburg and Bloemfontein, as well as in the smaller towns (Van Onselen 1960:29). However, even then, in the cities "the task of policing was perceived to be the protection of white suburbs from the threat, real or imagined, from black locations" (Chanock 2001:38). A range of other police forces oversaw infrastructures such as the railways (Railway Police) and harbours (Durban Port Police),

protected private assets such as mines, and served special government administrations (the magisterial police) (Shear 1998:259-261).

Not all of these forces were integrated into the SAP at once. Disagreement about terms meant that some places, such as Durban and Pietermaritzburg, at first kept their municipal police forces. The Railway police, and later the Railway and Harbour police, remained outside of the SAP structures until 1986 (Van der Spuy 1990:88). In addition, the pre-existing rural-urban split of police organisations was carried over into policing in the Union. The South African Mounted Riflemen (SAMR) force absorbed some of the paramilitary mounted police forces. They also functioned as a contingency force "in the event of uprising and strikes during which a force such as this would be necessary" (Van Onselen 1960:29),[35] and continued their work of military policing, imposing colonial rule on black subjects in rural areas which had been demarcated as "native reserves" (Brewer 1994:39-41).

2.2.2   Racial policing: consolidating the origins

The centralisation impulse of the Union government, and the new Police Commissioner's conviction that a centralised police force meant "modernisation and efficiency" (Brewer 1994), was overridden by the need to deal with racial issues. In that sense 1910 meant the consolidation of various administrations and policies so as to enforce segregation between the black and the white population. A whole set of laws and state practices were introduced which dealt exclusively with regulating the movements and the lives of black people, including policing the racial boundaries of the city. The Land Act of 1913 was the first in a string of legislations limiting the rights of black people as equal citizens, dividing the country into white-owned land and black reserves, and entrenching the principle of migrant labour. An important part of segregationist policy was the establishment of a dedicated police contingent to serve this cause. Until 1920, the Native Affairs Department (NAD) held authority over a separate mainly black

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[35]. The SAMR was finally abandoned in 1926, after the SAP had successively taken over the areas previously policed by them (Van Onselen 1960:30).

police force, administering and, through indirect rule, controlling the reserves[36]. Thus, racial policing was part of Union rule from its very beginning. The Union government sought to standardise an encompassing state control over black citizens – an aspect which would consistently increase over the years (Ross 1999:87).

2.2.3   Lines of partisanship: Boer or Brit; capital or (white) labour

Although these segregationist policies had a life-encompassing impact on the majority of the population, they were met with little protest because of the lack of a black franchise, because of the application of strategies of co-option (e.g. of chiefs), and because of the existence of only a small and self-restrained opposition. While racial policing was taken for granted, what was seen as the great challenge at that time regarding questions of police partisanship and complicity in governmental affairs was industrial conflict.[37] It was a period of rapid industrialisation and urbanisation, and the police soon became instrumental in putting down a number of industrial strikes. In 1913 and 1914, and then again during the Rand Revolt of 1922, the SAP was employed to put down strikes and riots by white mine workers, mostly under martial law and with little restraint in the application of brute force. During the Rand Revolt 150 people were killed. Here the police served a government which supported the interests of mine owners who were more interested in capitalist profitability than the protection of white labour (Cawthra 1994:9; Ross 1999:104-105). In a discussion of a genealogy of emergency power legislation and the SAP's latent repressive role, Shear (1998:98) argues that the SAP had inherited (from pre-Union times), and happily continued to use, emergency legislation which purported "…to manage the 'ordinary' under the guise of forestalling the 'extraordinary'….Especially after 1913, the managers of the newly formed South

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[36] By 1920 the SAMR and the SAP took over institutional control of the African policemen who had previously been under the control of the NAD's Native Commissioner (Shear 1998:245). From then on, black police officers were seconded to the NAD (Shear 1998:246).

[37] It has to be mentioned, however, that at the core of those industrial conflicts lay a racial issue: the protection of white, especially unskilled labour from cheap black labour. For more information on the Rand Revolt see http://sahistory.org.za/pages/specialprojects/randrevolt/rand-revolt.htm.

African Police developed an institutional interest in moving beyond the ascendant laissez-faire framework within which political and judicial notables approached issues of 'public safety'".

The other major issue which haunted the police force, not just in its early period but throughout its existence, was the increasingly politicised division of the white population along the lines of Boer and British. The two World Wars served to accentuate the latent ethnic and class tensions. These tensions would, in different forms, put pressure on the internal unity of the police. At its inception, the SAP was neatly divided: generally, the lower ranks were occupied by poor and poorly educated Afrikaners, and the officer ranks in the main comprised English-speakers. There were occasional complaints about the ill-treatment of Afrikaners by their English-speaking seniors, and issues of language aroused discontent.[38] Yet the Afrikaner rebellion, which was sparked off by the Union government's ready participation in World War I on the side of the British, only had slight repercussions within the police force. In fact, the police were in the forefront of the forceful quelling of the rebellion.[39] Police stations became targets of attack by anti-British Afrikaners, particularly because of the perceived "traitor role" of Afrikaner police officers (Brewer 1994:45, 57-59).[40]

Matters intensified at the time of South Africa's participation in World War II. This was a moment where the SAP's pro-government partisanship triggered a contestation of loyalty within the police force. By that time Afrikaner nationalism had already gained much more currency among lower-class Afrikaners, while at the same time Afrikaners had moved up into the high ranks of the police. The government again decided to take the side of Britain against Germany. Police loyalty towards the government was expected to go beyond basic policing duties, and police officers could sign up voluntarily for a special police battalion, or at least take the so-called *red oath*,

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[38] Van Onselen (1960:103) gives anecdotal evidence of this when he recounts in *A Rhapsody in Blue* how "on a medal parade, once a typically English officer was inspecting the men when he noticed that one of them was wearing a pair of pointed civilian boots. The officer walked up to this man and asked him why he was not wearing regulation boots. The constable himself not noted for his command of English replied: 'I wear them for my lit-thorns, Sir!' (corns - Afrikaans 'litdorings'). The officer, not wanting to show his ignorance, replied: 'Oh! Good show! Carry on!'"

[39] Some Afrikaners even deserted the police to join the military forces to fight in the war.

[40] It did however have the effect of repelling those Afrikaners who were ethnically more politically conscious from joining the police. In their eyes the SAP was a British imperialist tool.

which even if not called upon, declared willingness to participate in the war. Meanwhile, the Afrikaner nationalist movement had clearly pronounced its opposition to the government's decision to enter the war. Van Onselen (1960:118), in his at times quite nostalgic history of the early years of the SAP, describes the sentiments at the beginning of the war as follows:

> When the war came, an indefinable change came over the men in their dealings with each other. There was much dissatisfaction and controversy. Certain elements were against the declaration of the war, while others expressed their full support. Where there had been easy camaraderie, there was now tension even between friends. Some of the older men openly declared their hostility and around these gathered those who were like minded and who shared their sympathies. Men had worked together, lived together, without knowing where the political sympathies of each or the other lay. The declaration of war split the force asunder. Before much time had passed there were definitely two camps.

In addition, rebellious and paramilitary movements such as the *Ossewa Brandwag* and *Stormjaers* were carrying out acts of sabotage. Some members of the SAP were found to be secretly involved in these acts. For the police, this turned the war into a question of loyalties, and refusal to take the so-called red oath was treated as a blemish on the trustworthiness of a police officer. The Special Branch, which later became apartheid's elite intelligence division, was set up in 1944 to fight these rebellious movements. Refusal to take the oath was punished through revoking certain pension rights, delaying promotion and other career disadvantages.[41] However, once the National Party (NP) came into power in 1948 the "stigma turned into status" (Brewer 1994:186).

2.2.4   Apartheid policing: dim beginnings – forceful manifestation

Generally speaking, the changes that took place with the National Party's first election victory and its pronouncement of apartheid policy were at first merely

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[41] Giliomee (2003:488) states that "many Afrikaners felt victimized by the way in which war time measures were applied….Rumours were rife of Afrikaners who had been refused promotion merely on the say so of informers."

enforcements in degree (Brewer 1994:184). The groundwork for the Afrikanerisation of the police force (perhaps mainly due to the lack of willing English-speaking recruits), and the focus on policing race relation and oppressing opposition had already been well-established by the former United Party government under Jan Smuts.

However, this would prove to be only temporary. Giliomee (2003:496) points out that "the Afrikaner ruled state, which excluded a large and fast-growing majority from the vote in a rapidly democratising world, faced profound security dilemmas….It was an under-policed state that rested on the assumption that blacks would continue to submit passively to pervasive white domination. But such submissiveness could no longer be taken for granted" because global historical developments made the rule of white people over black people as colonial subjects morally and political increasingly untenable. In addition to these pressures, urbanisation had taken place at a rapid pace during the war, which had advanced economic and spatial racial integration and increased the claims and aspirations of the black population to equal treatment. Therefore, after the National Party had consolidated its continuity in office[42] and after it had restructured the police force through, for instance, ensuring loyalty by putting Afrikaner nationalists into leadership positions, it turned towards the tightening of racial policing necessary to the efficient working of the apartheid system.

The installation of apartheid policing meant firstly increased security legislation and an incremental increase of police powers. Police discretion was widened by legislation such as the 1950 Suppression of Communism Act, which was so broadly formulated that any opposition to the state could effectively be oppressed (Ross 1999:128). Then there was the 1955 Criminal Procedure and Evidence Amendment Act, which allowed for premises to be searched without a warrant and for 180 days' detention without regulation by the courts. The 1958 Police Act had a range of provisions to further enable the "preservation of the internal safety of the Union." Brewer (1994:215) argues that, as a clear sign of a security apparatus taking shape, "*systematic* inhuman treatment and torture for the first time happened in the '50s."

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[42] By the elections of 1953 the National Party had, through gerrymandering, managed to secure 59 per cent of the seats in the House of Assembly for an estimated 45 per cent of the vote (Christopher 1994:57).

Secondly, on the level of everyday policing, apartheid policing was instrumental in a systematic control over black life and labour, as well as the enforcement and creation of racial and ethnic boundaries among the non-white population. The 1950 Population Registration Act elevated ethnic differences into absolute and legal categories. The boundaries of these categories were safeguarded sexually by the 1949 Prohibition of Mixed Marriages Act and the 1950 Immorality Act; and spatially by the 1950 Group Areas Act (Ross 1999). This legislation allowed the police to enforce apartheid in the most intimate aspects of everyday life. Movement and labour would be regulated by new and stricter pass laws, which narrowed further the black man's – and from the late 1950s on, the black woman's – capacity to be legally in the city. These multiple and complementary laws entrenched apartheid policing practices firmly within the legislation, and allowed racially partisan policing to be presented as simply defending the law.

The mounting protest against the regulation of black urbanisation, which culminated in the bloody Sharpeville protest in 1960, was, as Posel (1997) documents, interpreted by the government and by the Bantu Administration Department not as a reason to loosen control but as an insufficiency of state control. The apartheid state believed that further tightening of state control would enable it to control the urbanised black population (Posel 1997:245). This required further policy shifts with regard to policing (Brewer 1994:225; Ross 1999:134). Influx regulations were legislatively strengthened and the policy of separate development and self-governing homelands was reformulated and pushed ahead.[43]

Previously, pass and labour laws had allowed for limited residential rights for black people, based on a distinction between "urbanised and detribalised Africans" who

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[43] The 1913 Native Land Act had already restricted black land ownership to demarcated African reserves. This was ideologically and politically consolidated and elevated into a far-reaching reality through the apartheid homeland (Bantustan) policies. Ross (1999:126) elaborates: "idealist visionaries of apartheid realised that total segregation in the cities required the building up of putatively viable economies and political units for their African population away from urban centres, which would now be for whites only. In addition they hoped that they could diffuse black South African nationalism by fostering loyalties to the tribal groups from which Africans were supposed to come." Reversing a history of "social fusion of Africans from all over the country, and from far beyond its boarders, in its great cities" (Ross 1999:126), the apartheid policy prescribed to each African an ethnicity and a historical belonging to a particular homeland. This meant that individuals could always be "deported" and dumped there even if they had never lived there. In return, so the deal went, a so-called independence of those homelands was offered, including homeland administration, elections, police and so forth. This independence, however, always remained farcical, since the homelands remained in the tight grip of the apartheid government for their security, budgets and the economy generally (Ross 1999:135-136).

were sociologically and pragmatically accepted as urban dwellers, and those who had a "tribal identity" and "strong ethnic links with the rural areas" who could be expected to be sent back to the rural areas. This distinction allowed "urbanised Africans" to remain in the urban areas even if they were unemployed. With the beginning of the 1960s – and H.F. Verwoerd, now prime minister, consolidating his power with the help of the *Broederbond* – this distinction was discarded. Instead *every* African was assigned an ethnic and tribal identity. This in turn authorized an attack on residential rights and an increase in deportations to the ethnically determined homelands, for all those classified as "non-productive" (Posel 1997:227-235).

On the security side, the experience of Sharpeville triggered the extension of security policing structures. The Bureau for State Security (abbreviated to BOSS by its opponents) was set up to co-ordinate police intelligence (the Special Branch) and military intelligence (Brewer 1994:253). State infiltration into the newly formed armed wings of the Pan African Congress (PAC) and African National Congress (ANC) soon annihilated the advances made by these opposition movements and forced many of their members and leaders into exile. In 1963 many of the leaders of the PAC and ANC, who had either stayed in the country or returned from exile, were captured and sentenced to life imprisonment. The government had succeeded in effectively erasing all organised black opposition in the country for many years to come (Ross 1999:131).

2.2.5 Escalation of security issues – military policing

The internal security role of the police would soon be complemented and intensified by an external security battle. The decolonising of bordering countries posed a threat to South Africa. In response, the police were given a new counter-insurgency role. The government, claiming it was holding off black communist movements and preventing communist infiltration into South Africa, embarked on an anti-guerrilla war in Rhodesia, deploying 2 000 policemen. Fighting began in 1975 in Angola (Giliomee 2003:571), later to be extended to Namibia and Mozambique.

In this period the police force increasingly developed its unique style of military policing. Military policing means a usurpation of regular policing by a military stance,

with military methods and equipment. Military policing also means that chains of command are centralised, resulting "in a top down system of control that cuts off political participation and dissent" (Huggins 1998:20). This means that those who are subject to policing become seen as enemies and can thus be easily dehumanised, which in turn permits excessive use of force. According to Huggins (1998:20), it produces the "bureaucratising, rationalising, and routinising [of] secrecy, violence, and terror, all under the guise of 'modernising' social control to protect internal security against communism."

In South Africa, military policing manifested itself in various ways. The Special Branch was reorganised; specialised units were introduced; specialised training was provided in counter-insurgency and crowd and riot control; new weapons and vehicles utilising new military technology were purchased; ranks were militarised; co-ordination was centralised; and there was a constant interchange of manpower between the military and the police (Brewer 1994: 250-251). As a result, regular members could apply for anti-terrorism training, which by 1970 "was the most popular in-service course at the Police College" (Brewer 1994:254). After 1976, "in a kind of call to arms", it "became policy for all personnel to undergo crowd control and counter-insurgency training" (Marks 2005:43), testifying to the fact that military policing was not just a limited specialisation but had pervaded everyday policing.

The government's relative success in quelling internal dissent during the 1960s and early 1970s came to an end. In the second half of the 1970s, South Africa experienced the beginning of a different kind of internal resistance as a consequence of the politicisation of industrial workers and of the youth. The Soweto uprising in June 1976 sparked the birth of a slow but steadily broadening mass movement. The politicisation of the youth provided the police with a new challenge, since the youth, compared to their parents' generation, were less susceptible to authority. In addition, prevailing unemployment and violence in the township meant this new generation had little to lose in a confrontation with the state and its police (Giliomee 2003: 580).

In defence of a white supremacy, which seemed to be threatened from inside and outside the country, P.W. Botha, the former defence minister who had succeeded Johannes Vorster as prime minister, employed his dual strategy. This entailed firstly what was called "total strategy" (Grundy 1988), a militarisation of politics, with a vigorous

attack on anything internal or external which could undermine the regime's stronghold. Secondly, Botha embarked on an operation termed the "winning of hearts and minds", which aimed to regain some legitimacy among the black population. By introducing reforms to soften the everyday effects of apartheid, the government aimed to co-opt the more middle class and conservative sectors among the black population. The most obvious aspects of this strategy were the abolition of so-called petty apartheid legislation and the passing of the 1982 Black Local Authorities Act. This Act was presented as self-governance for black people within black areas, and along with this nominal self-governance a so-called Municipal Police was given the task of serving these local authorities, although the Municipal Police remained under the control of the SAP. Thus, at the time that the apartheid government was embarking on its most brutally oppressive measures, on the surface it shed some of its most obvious and ideologically-conceived characteristics. With this dual strategy, the government remained confident that it could hold on to power.

2.2.6   The memorial at its inauguration – the dual strategy inscribed

The period of P.W. Botha's dual strategy coincides with the building and inauguration of the police memorial. In fact, the Prime Minister spoke at the memorial's inauguration in October 1984 saying: "we unveil a Police Memorial which serves as a symbol of the task of the South African Police and their sacrifices for our country" (P.W. Botha quoted in Dippenaar 1988:718). The use of the notion of sacrifice establishes a link between the memorial and the challenges the police faced in serving a government which saw itself as protecting white sovereignty against a "total onslaught". Confirming the police memorial's identification with the Afrikaner nationalism of its time, a loyal police historian remarks that "the growth from national history and faithfulness to the State are emphasised through the visual link with the Voortrekker Monument and the Union Building, together with which the memorial forms a triangle" (Dippenaar 1988:719). In this sense, just as various aspects of the total strategy were related to policing, the memorial might be considered to evoke these aspects directly or indirectly, simply by virtue of being built in that period.

One such aspect was that P.W. Botha substantially shifted the government's allegiances towards the military. As part of this he transferred to the military many of the international border surveillance duties which had previously been carried out by police.[44] In contrast to his predecessor Johannes Vorster, who had limited his counter-insurgency to pushing back guerrillas from the borders, Botha moved far beyond the country's borders, using not only the army but also police officers. In Angola he built up a buffer zone against the increasing presence of Cuban troops. In Mozambique (boosting RENAMO and bombing ANC bases) and in Namibia, he embarked on destabilisation missions. In Namibia, the Botha government used a special counter-insurgency unit, *Koevoet,* which operated as part of the police force. This unit was employed to carry out brutal attacks on members and supporters of the South West African People's Organisation (SWAPO). Consequently, from the late 1970s on, the number of deaths of policemen on border duty began to rise, with the extent of white fatalities becoming hard for the government to justify (Brewer 1994:255). It became expedient for the government to employ more black officers on border duties. Their ability to infiltrate black guerrilla movements was further reason to consider their inclusion in such operations.

Internal (national) policing duties were also increasingly militarised as the handling of security issues, buttressed by the 1982 Internal Security Act, became conflated with crime issues. By this stage it had become totally acceptable that the military would support the police force in its riot control function in townships (Cawthra 1994:26). Cawthra (1994) also mentions that in 1983 the police Security Branch was strengthened and the "police budget substantially increased", which can be read as the result of a sense of embattlement in the face of increasing local protest around issues of education, housing and the imposition of the Black Local Authorities Act. The growing merger of policing and military structures meant that the two forces were almost indistinguishable in their tasks and in their relations to the government. If there ever had been claims that the police force served a "purely civilian" role, and that its work was

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[44] P.W. Botha, having come from the ranks of the military, trusted the military more and saw its chain of command and strict organisation as an expedient tool for implementing his vision of a *cordon sanitaire* of countries along the South African boarder, securing it from infiltration.

non-partisan and independent of the state, by the end of the 1970s these claims had become impossible to uphold.[45]

By the late 1970s the underground structures of the ANC had stepped up the frequency of their sabotage acts. These included attacks on police stations: the first happened in 1977, followed by others in 1979 and 1980 (Brewer 1984:292). While, as Giliomee (2003:593) argues, those sabotage attacks had no real disruptive effect, their significance was mainly in the symbolic idea that the ANC had an active armed resistance wing, which encouraged and motivated young people to mobilise and fight against the government. On the part of the police, these attacks brought about a realisation of the precariousness of their lives as police officers, in the sense that they had now become attractive political targets.

However, it was not only the "total strategy" which had consequences for policing. It was also expected that police would carry out the counterpart "winning of hearts and minds" strategy. The Soweto uprising in 1976 had badly damaged the image of the police. Their brutal actions in putting down the protest (Jeffrey 1991; Marks 2005) – captured in the internationally publicised iconic photograph of the dead Hector Peterson – triggered global condemnation. In response, P.W. Botha introduced selective reform measures in an attempt to counter public perception of the police as brutal and partisan. To strengthen the impression that the police played a primarily civilian role, the motto of the police force was changed to *servamus et servimus*" (we serve and protect). In an extension of this perspective, the idea that fighting common law crime was the main duty of all police officers was promoted. Forms of community policing were introduced, although this applied primarily to those living in white areas. In addition, some internal accountability mechanisms were set up in order to restrict the use of force and to control police brutality (Brewer 1994:297). It was this motto – *servamus et servimus* – which was mounted in bronze letters on one of the granite walls of the Police Memorial, evoking explicitly the memorial's role in this public relations effort.

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[45] Ellis (1998:226) argues that the complicity of the police and later the military in the political affairs of the country was epitomised by the fact that the ministries of police and defence each provided a prime minister of the country. It seems that a successful political career in South Africa at that time was dependent on having good standing with one of these security forces.

A further aspect of the "winning hearts and minds" strategy was the loosening of petty apartheid legislation: the Immorality Act, the Mixed Marriages Act and even the pass laws were abolished. The police did not embrace this development with much enthusiasm. Their *raison d'être* was closely connected to upholding these laws, and their sense of authority was invested with the routines of enforcing them. The enforcement of the laws governing petty apartheid had given the police the means for instant displays of authority over nearly every black citizen (see also Giliomee 2003:626). This sense of erosion of their powers and authority was exacerbated by the perception that the black population, with its increasing protests, was getting more and more unruly and threatening.

These reforms were meant to impress the outside world as much as the South African population, and the general political strategy of co-opting black moderate forces was also applied within the police force. Most of the formalised discrimination between white and black police officers, which had existed ever since the founding of the SAP, was discarded in the early 1980s. It was officially announced that there would be no more differential treatment regarding payment, pensions, perks and living conditions for black and white police officers. This is reflected in the ciphers on the memorial's plaques. For commemorated police officers who died before 1982, the staff numbers are coded to reveal the person's racial group, whereas for those who died after 1982 these letters have disappeared (I will come back to this point in more detail below). Furthermore, after 1982, the names of black and white police officers are commemorated together on the Roll of Honour, which had not been common practice before.

The year of the unveiling of the memorial, 1984, was also the year of the formation of the United Democratic Front (UDF), an umbrella opposition organisation drawing together many anti-apartheid initiatives and groups within the country. The emergence of this powerful and co-ordinated opposition movement was a clear signal that the "winning of hearts and minds" strategy was not working out as hoped by Botha and his government.

2.2.7   Continued meaning of the memorial

Ironically, the importance of the memorial in honouring police officers' sacrifices and as a "message of comfort and encouragement" (Dippenaar 1988:685) increased as the civil unrest swelled. Townships literally became battlegrounds, and attacks on police were no longer isolated incidents. Police officers' houses in townships were looted and black police officers, long considered the ultimate betrayers of black people, were attacked and killed (Giliomee 2003:613). Many black police officers were thereafter moved out of their township homes and into barracks at police stations. The SAP also formed special guard units to protect dignitaries and key sites from guerrilla attacks (Brewer 1994:293). With South African troops (both police and defence force) still fighting against Cuban troops in Angola and still attacking SWAPO in Namibia, "between 1985 and 1988 the Afrikaner nightmare of simultaneously suppressing a continuing uprising and fighting a frontier war" came true (Giliomee 2003:615). Thus, some of the white population's and government's confidence, which had prevailed at the beginning of Botha's premiership, dissipated with the intensifying protest and the advances the ANC/UDF made in the townships. In response, Botha embarked on a drive to further politicise the police, and militarise politics. In June 1985 a State of Emergency was declared and the State Security Council, originally a cabinet subcommittee, became the central decision-making organ.[46]

From the State and Security Council also came the directives to tap into and exploit prevailing political, ethnic and generational grievances among the black population; certain fractions were to be trained and armed, in order to carry out an "anti-revolutionary" role. This included groups such as Inkatha, political groups in the Ciskei, local vigilante groups, and any desperate and willing recruits, often from the rural areas. The latter received a superficial, six-week policing crash course and became the infamous *kitskonstabels* (instant constables) (Ellis 1998:266-275).

Ellis (1998) argues that the idea was to fight fire with fire. The uprisings in the township were understood or interpreted by the government to be a guerrilla war fostered by the Communist-led insurgency movement. Thus the government intended to employ a

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[46] The State Security Council was a sub-committee of the Cabinet. As Ellis (1998:271) argues, "after it had acquired its own full time secretariat in 1979, [it] became more powerful than the cabinet itself." Its task was to oversee the so-called local Joint Management Committees which combined security and welfare departments, reflecting the double-bind strategy of social upliftment and the brutal crackdown on anti-apartheid activists.

kind of guerrilla movement of its own, using experienced personnel of units which had carried out atrocities in bordering countries to fight back against ANC/UDF advances in townships and provinces, and to instigate infighting there. During this period, many of the security units received a huge boost in staff, money and importance, which probably increased their ruthlessness and lack of answerability to any state authority.

At the same time, public-order police were being sent into townships on a regular basis in military fashion, in armoured vehicles called Casspirs with wide discretion to shoot to kill as a way of quelling unrest. Often, it was the unrest instigated by the apartheid security forces themselves which the public-order units had to confront, which they did in an equally ruthless manner (Marks 2005).

The brutality and the counter-insurgency tactics brought about temporary victories for the government. By 1988 the overall uprising had temporarily been quelled, with many activists dead, incarcerated and tortured; townships were disabled by being deeply embattled in faction fights. However, there was no promise of long-term stability (Giliomee 2003:589).

 F.W. de Klerk came to power in 1989, due to P.W. Botha's bad health, and negotiations started between the ANC and the National Party. State sponsored guerrilla tactics, especially the instigation of fighting between Inkatha and ANC supporters, violently erupted on the Witwatersrand and in Natal (now KwaZulu-Natal). Another form of destabilisation by secret government forces was the "launching of unprovoked and random attacks on blacks, particularly among the commuters on Johannesburg's railway network" (Ross 1999:187). The ANC took this as a reason to refuse to participate in negotiations. The ANC leaders argued that the Nationalist Party government was only committed to negotiations on the surface, while simultaneously using its security forces to run a destabilisation campaign. This campaign, said the ANC, was an attempt to discredit it; to make it look as if an ANC government would bring terror, as if the ANC was unable to protect the population. After the breakdown of negotiations the violence continued, culminating in the Boipatong massacre in 1992. The possibility of the whole country plunging into a state of violence was what finally brought the parties back to the negotiation table. This time, however, the ANC occupied the moral and strategic high

ground, with the consequence that any disproportionate statutory accommodation of ethnic minorities (such as the Afrikaners) in the future South Africa was ruled out.

The extent to which De Klerk's government knew about counter-insurgency and third-force tactics and the covert activities of the military and police has never been totally clarified. It appears that De Klerk elected to take a passive stand on the security forces, especially since he did not have the special relationship with them that his predecessors did (Ross 1999:187). The first two investigative Commissions (Harms and Khan), which were convened to investigate the nature and extent of "third force" involvement in unrest and violence, proved to be total farces, particularly the Harms Commission. Later, the independently-minded Goldstone Commission substantiated some of the suspicions that there was a government-instigated third force implicated in much of the unrest. De Klerk reacted by firing some individuals and reshuffling the management of the police and military. Mainly, however, he was in denial about the state-sponsored violence, preferring to concentrate on organisational reform processes. He wanted to shift the focus of the police away from political policing towards crime policing. It also emerged that some of the security units and even individual security agents, both within the police and the military, had not acted on direct commands from their superiors, but on their own broad interpretation of what the lack of political curbing of their activities meant; of what in their eyes the government's strategy *should* have been. Sometimes they acted out of personal interest; hence, among other things, the burgeoning of the weapons trade and smuggling (Ellis 1998).

Publicly, the police service and its management were abandoned by the National Party government, in the sense that the government refused to bear responsibility for police atrocities and denied that any of the apartheid governments had ordered extra-legal activities to be carried out. The police argued in their own defence that in carrying out the government's orders they had simply shown their loyalty to the government and should therefore be exempted from political responsibility for the government's deeds. Feeling betrayed, the police directed their focus towards pleasing the new rulers (the ANC), and embarked on a reform process in an attempt to pre-empt outside intervention.

Thus we see that throughout its existence and to the very end of the apartheid era, policing played an explicitly political role. Public order policing, everyday apartheid

policing of "statutory crimes peculiar to South African modes of control" (Chanock 2001:46) and the counter-insurgency role, absorbed and occupied the better part of the capacity of the police force, which had clearly submitted its function to serving the interests of the government of the day. This did not allow for much crime control (in the sense of what is generally accepted as common-law crime) in black townships and homelands (Rauch and Storey 1998:22). Civil duties and crime control received adequate attention only in white areas, so that the claim by the police force that it was performing a non-political civil function, was itself politically driven. Thus, not only was policing about politics, it was *all* about politics. Policing capacity was fully employed to safeguard, albeit in different forms, the security of the white population and the sovereignty of the apartheid state.

Perhaps, sensing that even the claim to civil policing is tainted, the police memorial represents something defensive, and can be seen as playing down the police force's tainted role. Maybe that is why it does not reach out to the broader public, but remains turned in on itself, ceremonially as well as architecturally. Maybe that is why it invites only police officers to its ceremonies, as well as a few others whose loyalty and receptiveness to this protective maintenance of continuity is assured.

2.3   Racial narrative

2.3.1   Hidden traces

There is another narrative that the memorial happens to tell, which is also played down by the assertion of continuity that the memorial suggests through its continued unaltered usage. Depending on where I stand, it becomes more or less palpable. As I move closer to the minute names and dates which are immortalised on the commemorative bronze plaques, it seems that I can hear whispering voices. The names and numbers stand out against the background through their polished shininess. It is as if those left behind have been here over and over again, touching the names and indeed keeping in touch with the dead. This helps to make the names and numbers easier to read. But letters do not just form names, and numbers do not just form dates. In front of every name there is an

administrative code, and it is the letters in some of the codes that strike me. The letter "S" accompanies African surnames and mostly the rank of constable. The letter "W" goes with Afrikaans and occasionally with British surnames, and sometimes with some of the highest ranks. Then there is the "A". It goes with Indian surnames and mostly a low rank. Then finally there is the letter "K" which accompanies white Afrikaner and coloured people's surnames, also going mainly with low ranks. S, W, A and K thus reveal themselves to be the demarcations of race within the police force denoting *Swart* (Black), *Wit* (White), *Asiaties* (Asian) and *Kleurling* (Coloured). However, the letters are only part of the administrative code from 1973 on, the year of the introduction of apartheid racial classification within the police; and they disappear again in 1983. Thus, the memorial bears the traces of apartheid racial classification and speaks of how apartheid played itself out within the police. And this cannot be separated, however, from the general idea of apartheid and the role of policing within apartheid. In addition, the absence of racial markers before 1952 and after 1983 begs the question about the role of race in those periods, the segregation in pre-apartheid policing and the official end to racial classification in the last years of apartheid. It is this history which I will discuss in the following section.

2.3.2   Segregation and apartheid within the police

Segregation, and later apartheid, played itself out in terms of racial discrimination in every aspect of policing in South Africa. From the beginning, the relationship between black and white police officers was structured in a way that made sure that although they served in the same organisation, no claim to equality for black officers would flow from it. Black police officers had to remain either in a subservient or in a separate position, not comparable to white police officers.

In the early days of the SAP, black police officers were mainly recruited from the rural areas. The recruitment would take place by way of recruitment tours into the rural areas, sometimes following arrangements with chiefs who would select and nominate recruits. A record of tribal discipline was seen as a good qualification, a guarantee that a black police officer would be willing to submit to the police hierarchy (Shear 1998:308-

312). Shear (1998:292) notes that in this vein W.E. Earle of the Natal Criminal Investigation Department argued in 1912 that "the better native is the kraal native."

By contrast, better-educated Africans from the city were always seen as a threat and challenge to the racial hierarchy within the police. They could cause embarrassment to the racial hierarchy by being better educated than some white police officers, many of whom had a very low educational standard (Chanock 2001:51); or they would make demands about conditions or complain about treatment. They were therefore considered "untrustworthy", "failures", and "prone to corruption and indiscipline" (Shear 1998: 292-293). Elements of this pattern continued right through to the late 1980s when *kitskonstabels* were employed in turbulent townships to destroy opposing community leadership. Their lack of skills and their rural background pitted them against urban blacks and exacerbated the excessive use of force (Cawthra 1994:62).

The pattern of poorly educated black police officers continued within the police by giving differential training to officers of different races. Black police officers received substandard training, or were simply expected to learn on the job. The underlying rationale was to keep to a minimum the advancement which training and skills inadvertently supported. This happened to the disadvantage of police professionalism, so that violence often was used to compensate for a lack of other policing skills. At the same time the education and the skills that better educated black police officers could offer were systematically ignored and under-utilised. For example, up to the mid 1930s, literate police officers would have to report statements orally, with a white police officer writing them down, neatly dividing "oral native tasks" from "white literate tasks". In this sense, "reporting procedures served to…enact subordination" (Shear 1998:346). If training was invested in black recruits, it tended to be with regard to drills such as "saluting, turning and simple marching movements" (Shear 1998:328). Only from 1947 on did black recruits receive a standardised training of eight to ten weeks (Shear 1998:329). Training continued to be segregated in four different training facilities until 1992, corresponding with the four apartheid-defined racial groups (white, black, coloured, Indian).

The carrying of guns and wearing of uniforms, as well as issues of promotion, housing subsidies and pensions, were all subject to further differential treatment. Besides individually approved exceptions under extraordinary circumstances, black police

officers were unarmed until the 1970s. They were only equipped with sticks, *sjamboks* and knobkerries to enforce highly unpopular and often violently resisted laws (Shear 2003).

Differential uniforms, such as shorts instead of long trousers, were used to further confer upon black police officers a status of emasculation, "incomplete adulthood" and inferiority, and to signal this status to the outside (Shear 2003). Black and white officers did not wear the same uniforms until 1976.

Until the 1930s, black police officers had very little prospect of being promoted beyond the lowest rank of constable. For years to come, if considered at all, their promotion depended on their number of years in the service, ignoring any skills they might have acquired or their record of success. Mostly, however, promotion depended on the arbitrariness of white superiors. In the early period of the SAP, only a transfer to the administrative and clerical work of the Native Affairs Department offered a slightly better opportunity for educated black police officers (Shear 1998:334).

Then from the late 1940s on, the shortage of white recruits, group areas policing and later, apartheid's homeland policy, made it necessary to promote black police officers beyond the level of sergeant. For this, however, new ranks were introduced, such as senior sergeant, in order to avoid the appearance of black police officers occupying higher positions than white non-commissioned officers (Brewer 1994:232). This is also reflected on the memorial where "*s/sers*", the abbreviated form of senior sergeant, is only to be found in connection with the letter "S" [*swart*/black] at the beginning of the staff number. It was only in 1978 that the first black police officer was promoted to major, and it would be three more years before black police officers were allowed to have authority over lower-ranking whites.

In addition, black policemen could easily be dismissed on entirely subjective and arbitrary grounds such as "bad character". The ease with which black officers were dismissed as a way of dealing with so-called "ill discipline" was made possible by the abundance of willing black recruits, and also because the investment in a black police officer did not pose much of an economic loss (Brewer 1994: 83).

2.3.3   Betrayal, survival, aspiration – recruitment of black police officers

Considering such conditions, it might seem surprising that there was never a shortage of willing black recruits.[47] Why would black people voluntarily submit to a system that systematically discriminated against them and which, in addition, made them complicit in the oppression of other black people? This question reveals certain assumptions about both the homogeneous experience of society from a black perspective and the prevalence of a particular political consciousness. It underestimates the importance of the opportunity and status that policing offered within a limited range of career and employment options. The literature about the different kinds of constraints facing black people and the motivation that made them join the police is limited, however, and only allows for partial reconstruction of an answer.

Shear (1998), looking at the early period of the SAP (up to 1935), provides an insight into the particularity of the social strata from which the SAP drew its black members and the dynamics that underlay such recruitment. As already discussed, tribal structures and patronage relationships with chiefs were used to recruit rural officers with low educational standards (Shear 1998:314). Generally, "black policemen's wages…were geared to a migrant workforce, and like migrant workers" black police officers were expected to live in compounds, without pensions and without family benefits in the case of their death (Shear 1998: 298). During this early period the salary was not suitable for urban blacks who aspired to a middle-class life; they could earn more in other sectors. In addition, the obligation to stay in barracks and to leave their families vulnerable because of their absence discouraged them from joining the police. The educated and Christian social background of urban blacks also clashed with the rural and traditional one of the majority of black recruits and further repelled urban black people from joining the police (Shear 1998: 297-299).

 In these conditions it is not surprising that many police officers came from the ranks of the very poor. Major agricultural restructuring following the 1913 Natives Land Act forced blacks off their land, barred black people from becoming individual

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[47] Such "surprise" has been expressed at one point or other in all the treatises on the police that were published at the end of apartheid and the beginning of the transformation period (Brewer 1994; Cawthra 1994; Brodgen and Shearing 1993). One could argue that these authors are informed by a time of high politicisation and united resistance against apartheid and therefore accentuate the notion of complicity. Nevertheless, they have not paid much attention to explaining the surplus of black recruits.

titleholders outside reserves, and banned the sharecropping system. The Natives Land Act, and the reserve and later the homeland system, has been widely viewed as the legislation which compelled the emergence of a black industrial and agricultural proletariat, as it forced people off the land to seek work at the mines or as farm labourers (Ross 1999:90; Van Onselen 1996). It also contributed to augmenting the pool of willing black recruits for the police.

Finally, as Shear points out, for some, becoming a police officer was motivated by what was to be gained by bypassing local structures of authority and loyalty. It becomes clear that from an early stage black recruitment thrived on tapping into and exploiting fissures due to local grievances between different social groups and ethnicities, as well as between rural and urban, and between mission-school educated and traditionalist.

The Police Inquiry Commission in 1937 and the Landsdown Commission in 1947 both recommended better pay to attract better-educated black police officers (Shear 1998:311). Although these recommendation were not fully implemented, in the late 1930s the improved pay meant that many, particularly those educated in rural mission schools, chose policing over teaching, as the pay was better (Shear 1998:314). The recommendation of the Landsdown Commission also led to the establishment of formal training for black police officers. With this came a demand for literacy and a minimum school education among black recruits (Brewer 1994:175). Later, when the apartheid ideology resulted in the establishment of homeland police and black-run police stations, the entry requirement was raised to Standard Five (now called Grade 7). This opened up the possibility of promotion to higher ranks, and offered perks and pensions. Thus, even for black people, policing became a career in so far as it offered the possibility for social mobility, if not for themselves then for their children.

Finally, becoming a police officer at an urban police station allowed black people to receive residence permits for urban areas. Especially in the 1960s when pass laws were being tightened, this proved extremely compelling to those who did not want to leave urban areas or to those who wanted to enter urban areas (Interview with police officers at Johannesburg Central). In a half-reportage and half-fictional form, the story of a police officer in the book *Deafening Silence* by John Miles (1996) allows us some insight into the recruitment patterns in the 1970s. It shows that the rural pattern, as well as tapping

into social fissures, continued to be the main lines along which recruitment took place. The main character is Tumelo John Moleko, who comes from a very poor rural background. His parents are impoverished farm labourers, but Moleko manages to leave school with a Standard Five certificate, which allows him to apply for and be admitted into the police. The huge discrepancy between his rural life and the better life which employment offers soon becomes apparent. Even his room at the police barracks seems luxuriant to him. When he gets married he first has to lodge with his wife at an aunt's place, but soon he gets promoted. With some extra income made on the side, he is able to buy a house and a second-hand car. He feels as if he has achieved everything he ever wanted in life.

Although only a secondary character, the story of Moleko's colleague Sithole provides a glimpse into recruitment in urban areas. Sithole's family is well-educated and politically very conscious. His brother, "who has for ever been the bright one" of the two, went into exile and became a medical doctor in Canada (Miles 1996:22). In contrast, Sithole feels neglected by his family. In a provocative gesture he joins the police, for which "his family apparently refused to forgive him" (1996:24). Having alienated his family through his decision, he fully embraces the police and later even becomes a security agent in the Special Branch. This shows what consequences recruitment from the black urban middle class could have and how, on the level of the family, recruitment exploited educational cleavages and grievances, pitting people against each other.

2.3.4   The need for black recruits

The inclusion of black people into the police force was always connected with a sense of uneasiness from the side of government since it meant transferring power to those who where supposed to be ruled (Shear 1998:229-230). However, apartheid and even pre-apartheid segregationist and colonial rule were continuously hampered by the ultimate lack of viability of a whites-only force, even in policing areas and policing units that exclusively served white areas. Not only the police force, but apartheid South Africa in general, was affected by conditions and forces which rendered apartheid ideology inconsistent and hypocritical. For example, actual state practice always allowed for and

accommodated the nexus between restricting urbanisation and the need for a cheap but functional labour force, even during the heyday of the homeland policy during the 1960s.[48]

For the police, the need for the increased recruitment of black police officers was exacerbated by the lack of suitable white recruits. In the early days of Union, (until the late 1920s) there was a huge turnover of white recruits and it took some time before policing came to be seen as an acceptable career for whites (Shear 1998:239). Even then, as Brewer (1994:109) remarks, "they were not necessarily those 'educated types' whom the police wanted to attract." Furthermore, for whites, policing was often a vehicle for social aspiration, but only if there was no other way to climb the social ladder. This meant that whenever there was a period of economic expansion – for example, such as after World War II, and particularly in the 1960s and 1970s – the SAP would struggle to find enough white recruits (Van Onselen 1960:159, Posel 1999). In addition, the partisanship of the police, before 1949 as pro-British/English-speaking and then from 1949 on as pro-Afrikaner, made it unattractive first for Afrikaners and then for English-speakers to join the police, which diminished the pool of white recruits even more. To make up for the consistent understaffing of white police officers, the SAP management turned actively towards the rural areas. They lowered the entry requirements with regard to age and educational standard for white recruits (Brewer 1994:190). This led to a compromised "professionalism" and a chronic lack of skills (Posel 1999).[49] Van Onselen (1960:159) vividly describes this development and expresses his worries about the decline of the standards:

> Desperate measures were, therefore, implemented to bring the force to strength
> to combat the ever-increasing crime of the post-war years. There is no question
> that the relaxing of the borderline cases had a universally bad effect on the
> character and the discipline of the force and men were admitted who would once
> not have been considered.

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[48] Industries would not have been able to function without cheap migrant labour or without a stable skilled, or at least semi-skilled, urban labour force.

[49] To at least partly counter the low education standard, the SAP introduced internal education. As an alternative to matric, white police officers could study for a Diploma in Police Science through the correspondence-based University of South Africa (UNISA).

The shortage of white male recruits was the main reason why the SAP admitted white women into the police force in 1972 (Shear 1998:228). Interestingly, women were required to have at least matric, which made the average white policewoman in the SAP better educated than the average white policeman.

The remaining lack of manpower had to be made up with black recruits. It was also a convenient economic solution, since the employment of black police officers was much cheaper than the employment of white police officers, since for blacks there was little investment in training, fewer perks and a lower salaries. Brewer argues, therefore, that the "own areas police" so central to apartheid policing ideology was not just an ideological move, but at least in part a solution to the problem that there would never be a white police force big enough to control the black population (Brewer 1994:191).

Black police officers also brought particular skills to the job which made them necessary for the SAP. They were instrumental in closing the gap of the white state's lack of knowledge of its black subjects. They could speak African languages,[50] understand certain social and cultural aspects, and move among other black people without being recognised. This situation institutionalised the role of black police officers within the SAPS as informers (Shear 1998: 319-323).

2.3.5   Apartheid policing – separate policing

While there always had been racially separate areas within South Africa, apartheid made this separation rigid, and attempted to weed out all possible racial grey zones and to stop racial integration. In addition, apartheid ideology and practice assigned every person to an ethnically defined group, dividing the non-white population into Asian, coloured and various ethnic African groups (Zulu, Xhosa, Venda, North Sotho, South Sotho, Tswana, Tsonga, Ndebele and Swazi). This classification provided the basis for further apartheid interventions and attempts at social engineering. Under the Group Areas Act, each of the four groups (whites, Asians, coloureds, and Africans) was assigned to a separate housing area, which would come to spatially structure every city,

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[50] There were far more black police officers who were at least bilingual than there were white police officers who could speak an African language.

town and village in the country. Apartheid was further entrenched by the introduction of "homelands" that were supposed to become (through deportation and restriction of movement to urban areas) independent territories for each of the African ethnic groups. However, the practice of only minimally interfering with white land ownership in those areas made sure that most homelands were not cohesive territories but rather a collection of patches (Ross 1999:135). The economic viability of the homelands was further rendered impossible by the fact that there was far too little land for far too many people, and by the absence of industries which could have absorbed the landless labour force (Giliomee 2003:515/6). Thus, homelands simply served to justify the restriction on urbanisation and to legitimise the denial of franchise to the black population. At the same time, by serving as labour pools, the policy supported the migrant labour system, which served urban industry and capital well.

Still, ideologically speaking, apartheid envisaged a total independence of each ethnic group, which in turn demanded separate policing of the different areas. This translated into the concept of homeland police forces and of police stations run by Indians, coloureds and Africans in their respective urban and peri-urban areas.

In 1976, the Transkei, the first homeland to be given "independence", was also given its own homeland police. The same moves were subsequently made in the case of Venda, Ciskei and Bophuthatswana. The other homelands, although not seen as independent, were still given their "own" police forces. KwaZulu, where so-called independence was resisted by the black political elite, nonetheless had its own police force, the KwaZulu Police (Cawthra 1994:63-66).

In the black urban and peri-urban areas attempts were made to establish black-run police stations. The first black station commander was appointed in 1951; he was responsible for a township in King Williams Town. This was followed by similar appointments elsewhere in the Eastern Cape and on the Witwatersrand (Brewer 1994:192). By 1978, accelerated through a so-called reform process – including the Bantu Administration Act, which aimed at increasing self-governance of black areas – 69 stations were staffed exclusively by black officers. Townships were also subjected to the so-called municipal police who were there to serve and protect the Black Local Authorities.

However, nowhere did this development lead to true autonomy, either of police stations in black townships or of the homeland police forces or of the municipal police forces. While white police officers disappeared from the immediate picture, accountability, training, decisions about resources and policy decisions were all kept firmly in the hands of the central white management of the SAP. The withdrawal of white, often better-trained, police officers from townships sometimes even caused a decline in policing. In addition, the lack of experienced leadership – due to sudden rapid promotion (Cawthra 1994:63) – and the lack of resources in staff and equipment meant that policing in black areas was bound to fail.

Most importantly, however, the mandate of these police forces was not so much the control of common crime, but first and foremost the enforcement and policing of racial boundaries and the suppression of dissent. Because of this, black police in black areas were never able to establish much legitimacy among the population.[51]

The lack of crime control went back as far as the emergence of townships (Kynoch 2005:7) and was firmly entrenched as a structural feature of apartheid policing. Because of this, "township policing encouraged both criminal gang activity and the emergence of vigilante organisations" (Kynoch 2005:4). Kynoch argues that the proliferation of gangs and the increase of violent crime in the 1950s was not matched by an increase of policing activity. Gangs quite happily boasted that they could go about their violent business without the police bothering them (Kynoch 2005:6). Such conditions produced the formation of civil guards and vigilante groups. These groups, however, were always a two-edged sword and characteristically blurred the lines of the law. While they aimed at protecting certain sections of the black population, they tended to use equally violent methods and brutal revenge to do so. They became decisive in the factional politics of townships as well as in fights along generational, ethnic, migrant-resident and gender lines (Kynoch 2005:7-9; Goodhew 1993:447-470). Local government and police often actively encouraged vigilantes, and sometimes even armed them, in order to control areas or to instigate township unrest and crush political opposition.

In the homelands, security legislation was even harsher than in the rest of the country, which allowed for even more brutal oppression of any dissent (Cawthra

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[51] Besides occasionally through patronage.

1994:663). In addition, partisan policing by the homeland forces helped to keep homeland leaders in favour with the apartheid government – it also allowed them to back up their local politics with a police force. Policing of crime was less important than these political functions (Marks 2005:50).

Another structural feature of policing of the black population was the use of violence. This went back as far as the beginnings of the SAP. Shear describes how in 1912 senior officers denied complaints of abusive behaviour towards black civilians by claiming that black policemen had no discretion to act independently of white policemen's orders. Shear (1998:355) concludes "that since such denial was hardly credible given the sheer number and consistency of complaints, one must infer that black policemen's harsh treatment of African civilians was a part of [the] structured function of the police institution." The fostering of fear of the police was seen as the easiest way to impose regulations on them (Shear 1998:355).

> The policing of pass and labour laws was hated by black people. There was tremendous resentment from black urban residents towards rurally recruited black police officers. This, combined with the disdain white police officers had for black people, meant that on many occasions the police abused their powers and used extra-legal force.[52] The policing of laws that criminalised everyday life, in combination with the lack of skills and the perceived lack of legitimacy of police officers, encouraged a policing that operated through fear and violence. In the 1960s, when influx control was at its peak and when the category of the urbanised African had been abandoned, the pass laws had become the prime tool of power over the black population in the form of legally sanctioned harassment.

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[52] Divisions within the black population because of the rural-urban divide as well as educational, religious and class differences provided fertile ground for confrontations between black urban city dwellers and black constables, who had mostly been recruited from the rural areas. Resentment on both sides, accusations of being traitors, the fear of the uncivilised, humiliation, and using police powers to harass women were some of the issues that played themselves out as part of these divisions (Shear 1998:363).

Later, as the townships became more unruly, the police increasingly concentrated on public order policing to control the unrest and on security policing to fight opposition. Already during the Sharpeville protest of 1960 (against the pass laws), and more so at the time of the Soweto riots of 1976, the brutality and the lack of preparedness for such situations had become visible (Marks 2005:42). SAP management half-heartedly tried to keep up through increased training and more equipment. However, the police remained understaffed and under-trained in non-violent methods. Janine Rauch (2004) argues that South Africa's isolation cut it off from new developments in crowd control techniques which meant that, even if training was provided, anti-escalation was never on the agenda. Chains of command regularly broke down, leaving low-ranking officers with their own fearful defensiveness (Jeffrey 1991). This translated into police techniques in which torture and brutality were the main tools for (criminal or political) investigations; public order policing became a matter of dispersing crowds, and there was easy recourse to lethal weapons (Marks 2005).

Also, the ideology of the time, especially after 1976, simply blamed the protests on the "total onslaught" and communist insurgency, which instigated the "unruly mob" and the "black peril". The demonising, de-individualising and dehumanising of the protesters contributed substantially to the heavy-handed attacks on protesters and at the same time provided an excuse for the abuse of force (Posel 2001).

Meanwhile, the law and judicial practice contributed substantially to rationalising the use of violence. The police could act out their brutality with impunity. The formal and statutory norms applicable, which allowed for the use of force under certain conditions in police practice, had been increasingly widened. Weitzer and Beattie (1994), in their analysis of police killings in the 1980s, explain that a broad range of legal devices were available to justify the use of (deadly) force. The Criminal Procedure Act "stipulates that a police officer may use deadly force to make an arrest when a person is reasonably suspected of having committed an offence punishable by more than six months in prison or resists or flees and arrest" (Weitzer and Beattie 1994:102). Being attacked and acting in obedience to orders were commonly acceptable as justifiable circumstance for the use of force, even of lethal force. Emergency regulations and security legislation legalised the

application of force and discretion over detention even further, and placed the burden of proof for extra-legal activity on the victims (Weitzer and Beattie 1994).

Many complaints against the police never reached the courts. The state paid huge sums of money for compensation for complainants, thus preventing complaints from becoming a public and political matter. Other cases were averted by intimidating complainants and frustrating their attempts to lay a complaint. When cases did reach the courts as criminal cases, judges and prosecutors proved to have a broad understanding of the use of the force by police, rationalising it as part of their jobs and part of the climate of siege at the time. They also accepted that use of force was making up for the lack of police skills.

Apartheid policing in the end was a messy system. The brutality with which political dissent was treated, and the military appearance and performance of the police in the townships, has often been mistaken for a sign of strength. However, while some elite police and security officers were highly skilled, particularly in the Special Branch and some security units, apartheid policing in general was always dependent on its own contradictions and to a large extent substituted violence for control. It wanted to maintain a white police force as a sign of white sovereignty, but for that it had to lower its standards. To stay in control it needed black police officers as informers and as manpower to bridge the gaps between the state and its subjects. It announced the independence of black homelands, but it always kept ultimate control. The authority given to black police in certain areas was always undermined by providing substandard training and equipment. The use of force compensated for the lack of legitimacy, lack of skills and equipment, and lack of manpower and co-ordination. Thus in many ways brutality was a deficiency made into strategy. The law and the legal system legitimised and therefore in many ways normalised this brutality. Lenient sentences and excusing of brutal behaviour inscribed brutality as a necessary part of police work.

This brings us back to the police memorial, where the shadows of apartheid policing are inscribed through the marking of race. Interestingly, the memorial does display names of black police officers from the very beginning of the SAP. Honouring black and white officers together was a gesture deliberately made at the occasion of the opening of the memorial, symbolic of P.W. Botha's "winning hearts and minds" and

"total strategy". In fact, however, the death of black police officers was only actually honoured from the mid 1960s on, when for the first time "a wreath would be supplied at state expense for the funeral of Black policemen who had lost their lives in the course of duty" (Brewer 1994:238). Thus the memorial's commemoration of black police officers going back to 1913 was clearly a manipulation of history. The retrospective honouring of black and white police officers *together* – something that would never have been possible at the time of their deaths – had the effect of erasing, or attempting to erase, the differential treatment which had been the order of the day for so many years.

Furthermore, through the continued practice of inscribing the names of police officers into the memorial (done today without racial classification), the memorial powerfully connects the present with the past. It builds a bridge of continuity, playing down racial divisions. However, through the irrevocable engraving of apartheid racial classification into the administrative codification of the staff numbers, the history of apartheid policing slips through the assertion of the memorial's meta-narrative which presumes that black and white police officers had always been on an equal footing. Like a scar, which fades but which never really disappears and always embodies the moment of the infliction of the wound, those administrative numbers remain.

2.4   The self-referential discourse of the police

 2.4.1 Continuous modernisation

One might wonder why and how it is that the police force, in the light of its partisan and racially determined policing, has been able to maintain its claim to an apolitical notion of policing from the time when the SAP was founded in 1913, to its renaming as the South African Police Services (SAPS) after 1994, until today. Is it pure police *fiction,* as Elrena van der Spuy suggests (Van der Spuy 1990:103)? Or is it perhaps a different version of history, characterised by a specific selection of "facts" accepted as truth by a police constituency?

Van der Spuy's (1990) analysis of Dippenaar's (1988) *History of the South African Police 1913-1988* provides us with an insight into how the police force portrays itself. It is a history of the police written as a commemorative volume for the seventy-fifth anniversary of the police, and therefore, as Van der Spuy (1990:86) argues, it can be best described as a "*police* history of the police." It is in the description of its long-term development that the police preoccupation with presenting itself as having evolved as a modern police force becomes obvious. Issues such as technological advancement, institutional and bureaucratic differentiation and professionalisation are elaborated in great detail in the book. The acquisition of high-tech weaponry, modes of transport, and advanced forensic capability; the establishment of specialised branches and task forces; and the lifting of the educational standard and the supposed introduction of an academic ethos (through offering study opportunities through correspondence at UNISA), are all taken as indications of how "professional" the SAP has become, evoking similar developments in the emergence of international modern policing.[53]

In a similar way, the Police Service's Police Museum exhibits the force's technical evolution. This comes to stand for the continued evolution of the police, which overshadows the issues of partisanship and political complicity. The part of the museum, which in the past held a range of exhibits that proudly highlighted the ideological role of the police during apartheid, has been closed. Jean and John Comaroff (2004b) read this seemingly indefinite closure as indicative of the trouble the SAPS has in finding a new way of representing itself – both in terms of its history and its contemporary self-image – without betraying either its loyalty towards its members and its need to please public visitors. What has been opened in part of the museum is a so-called transport museum, which displays, among others, old bicycles, the first Mercedes Benz sedan purchased by the SAP, and a 1940 Harley Davidson. The museum appears here to have diverted attention from the actual activity of the police force and found a way to demonstrate an innocuous and interesting sense of progression through technological advances in modes

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[53] Van der Spuy's analysis is primarily interested in the way Dippenaar represents and justifies the brutal employment of force in crowd control (obviously the most immediate concern at the time of the publication of the book). However, for the sake of my analysis I am more interested in some of the long-term imaginings that have some structural substance and that are more tainted because of selective representation; the direct contribution of the Afrikaner nationalist state ideology of the 1980s is of lesser importance in this regard.

of transport. Perhaps in this way the police force has found another way to iron out the frictions of history and corroborate its narrative of continuity (Hornberger: forthcoming).

3.4.2   The rule of law

Another aspect of policing that the police force can invoke in order to stress its continuity, and particularly its continuity in terms of integrity, is the aspect of "serving the law". As Brewer (1994:11) suggests, "in presenting their public image, the police themselves draw on the liberal tradition of policing." What Omar (1990:17) calls the "lawlessness of law", Giliomee (2003:626) casts in the following terms:

> Apartheid showed a gross disrespect for human rights and international law, but it was never lawless. The state had developed a strong tradition of legalism. Afrikaner rule was characterised by an obsession with imposing restrictions through proper legislation and with due process in executing these laws. Opponents of the National Party government were regularly appointed as judges. The government did not attempt to cover up deaths in detention, despite a torrent of unfavourable publicity. Although political opponents were at the mercy of their interrogators in prison, both the policeman and the prisoner knew that neither was outside the law – as Jews were in Nazi Germany. If there could not be survival in justice, survival at least had to observe properly drafted and promulgated laws and regulations

In a less defensive and less contentious way, Ross (1999:440) argues as follows:

> Moreover, the apartheid state had to maintain the formalities of the law at least enough to make plausible to those who looked kindly on it that it was a bulwark of Christian civilization against communist barbarity.

Ross (1999:440) immediately balances the impression of legitimacy and decency that lawfulness might convey by adding:

…this though, is much more outbalanced by the uncontrolled brutality with which agents of the state attempted to maintain order. These included the army, a whole variety of shadowy, mutually competitive and lethal security bodies and the police.

Still, the two authors' comments highlight the apartheid government's obsession with law, and the desire to present itself as a democracy. It is against this background that we have to understand what the police force makes of the fact that its own members have themselves, at times, been tried in the courts of law. In this respect, the outcome of many court cases against the police bolstered the police's sense that they were almost by definition indemnified for many of their acts, because the law allowed for very broad discretion in the use of force, including lethal force. The practice of the law – meaning cases heard and adjudicated by prosecutors, magistrates and judges – frequently applied extenuating circumstances that had the effect of favouring police practice. Nevertheless, the fact remained that police officers were tried at times for charges of abuse of (lethal) force, and that those trials received a great deal of publicity (Weitzer and Beattie 1994:99-117).

Moreover, apartheid legislation in general, and the State of Emergency and security legislation in particular, had rendered illegal certain activities of (black) people, such as demonstrations, gatherings, and work migration. Such illegality was not only invoked by the police, it was still emphasised, for instance, in 1991 by the researcher Anthea Jeffrey of the South African Institute of Race Relations – an institute critical of the apartheid government on the one hand, but strongly committed to the basic idea of the "rule of law" on the other. Jeffrey (1991) clearly defends the aim (although not the means) of the police to quell protest marches. Such liberal and compliant sentiments could be invoked by the police to support their claim that at all times they have been accountable to the law, and to refute the allegations that they had been a law unto themselves.

2.4.3   On their own initiative

There is another line of argument which the police use when they react to being told that they can only become democratic through a radical incision and outside intervention (see below on the human rights narrative). This argument emphasises the fact that many of the reforms which have been attributed to the post-1994 period, were actually implemented long before 1994, or even before 1991. Some of these reforms were only rhetorical; others were more substantial. Some of them do indeed go back to the 1980s, to P.W. Botha and his strategy of "winning hearts and minds"; others were initiated in the early negotiation period by F.W. de Klerk to show goodwill in the face of "third force" allegations; still others arose from the 1991 Peace Accord. These measures include the introduction of community policing; shifts away from politics towards "real crime"; the Strategic Plan for the SAP, which acknowledged for the first time "the necessity of a representative, depoliticised, demilitarised, service oriented police" (Marks 2005:57); an increased policing budget in order to provide better policing; and the integration of surrogate police, such as *kitkonstabels* (Brewer 1994:321-322).

It has been argued that the police management introduced some of these reforms in order to be able to keep management discretion in its own hands and to avoid provoking interference from outside (Shaw 2002). Even later, towards 1994, the police took the lead in certain decisions, since the ANC did not have its own "party line" on the police. The ANC did not have its own police force, and as a result the chief negotiator on behalf of the ANC was less politically dogmatic on the subject of the police (Rauch 2004:14). The idea of a centrally managed police force (instead of a more federal governance model) suited both police management and ANC alike, and the police were thus quite willing to diverge from the National Party negotiation line of favouring a more provincial model (Rauch 2004:14). In these circumstances it was relatively easy for the police to present any proposed changes as if they emanated directly from themselves, and therefore as if they had been self-imposed rather than externally enforced. Janine Rauch (2004) further shows that the policy recommendations, which were made at the conclusion of the Truth and Reconciliation (TRC) report, had by that time already been implemented.[54] The police could, therefore, present the reforms as gradual ones, and

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[54] Not all those reforms can be credited to the police management. Several of the reforms were initiated by the Police Board, which was made up of activists, experts and lawyers – outsiders with roots in the anti-

position themselves as continuously and progressively working towards the realisation of civil policing.

2.4.4   Unanimity between black and white police officers

Such a position, which stresses continuity, tends to give the impression that issues of racism within the police force were not as antagonistic or pronounced as racism was in the society as a whole. The line between "outside the police" and "inside the police" is sometimes made out to be decisive. To some extent, the South African Police's "cop culture" assimilated black people and, within limits, created some sense of unity and at times solidarity between white and black police officers (Brewer 1994). Also, in the 1980s, when protest in the townships increased, black police officers often became targets. Being singled out as police officers and rejected by the wider community, was a contributing factor in black police officers' shifting their loyalty to the police force as the only support base and community left for them. In such an environment, racism and racial hierarchies within the police force were often played down or accepted as part of the job by black police officers. Such dynamics and experiences could be used to refute outright claims of racism.

2.4.5   Not responsible

Finally, what proved to be decisive, in terms of the ability of the police to reject accusations that they were solely responsible for the evil deeds they had carried out under apartheid, was how the National Party (NP) dealt with its own responsibility for the atrocities. The party flatly denied having given direct orders for atrocities to be carried out. For their part, the police claimed that they had been obeying orders and could therefore not be held responsible for the brutality. Without doubt, the police felt betrayed by the National Party's stance. Their disappointment coincided with the growth in influence of the anti-apartheid and liberal establishment and its followers, who wanted

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apartheid struggle. The point here, however, is that in terms of these recommendations the police for once did not have problems with the TRC, which generally had been seen by them as painful, frightening and humiliating public scrutiny.

key NP government leaders to take responsibility for many of the killings. In this, the police found some common ground with the new government, from whom they received some support for their claim that they were not solely responsible for their actions.

It is aspects such as these that support the narrative of civil policing and its claim to historical continuity. The self-referential history presented by the police cites several factors to substantiate continuity – gradual rather than radical change; internally motivated and self-designed change, instead of change merely imposed by the ANC and the post-apartheid establishment; simple adherence to the rule of law and accountability towards the law; and carrying out orders rather than accepting responsibility for atrocities. It is a narrative which allows for the expression of loyalty towards its members beyond the winds of political change and the tides of history; or as mentioned in Dippenaar's (1988:718) police history: "…the Force never forgets its members. Each policeman is a special person and is seen as that wherever he is and whatever he has done."

However, this is a very fragile discourse, if not a discredited one. It has little currency outside the self-referential space of the police memorial and its guests. It has to shield itself from contestation because it could so easily be contradicted by a more powerful narrative that carries much more credibility with the broader public, the national government, civil society and international bodies.

2.5   Making the cut or just another myth? – The human rights' version of events

What does the memorial shield itself from, and why is it so self-referential in its assertion of continuity? Beyond the boundaries of its amphitheatre, where it can perform its own version of history, a different narrative about the police prevails. This other narrative does not make allowances for any of the continuity or the gradual changes over time. Rather, it is a narrative which stresses the before and after of history – apartheid and post-apartheid, apartheid and democracy, arbitrariness and rule of law. It elevates 1994 to a seminal date that turned everything upside down, that marked the end of one history

and heralded the beginning of another. It is a narrative of change, a story whose heroes are human rights and democratic accountability, and which uses the evils of the past to legitimise the measure of today as good (Wilson 2001). There is much evidence to make this narrative a credible one. The narrative goes as follows:

In 1994, eleven former police forces were merged into one centralised police force. As agreed by police management and ANC negotiators, policing would remain a national function with limited provincial control. Military ranks in the police were abolished and replaced with civil ones. To mark its newness and its reorientation, the South African Police (SAP) was renamed the South African Police Service (SAP*S*). The addition of 'Service' to its name was meant to reflect the police's change of philosophy towards service delivery and a civil approach to policing. The old emblem with its two springboks and a coat of arms was discarded and a new one was introduced, with an aloe plant at its centre. The aloe symbolises "resilience and steadfastness": according to a police brochure, it leaves its "old dry leaves behind at the bottom of the stem while creating better and stronger leaves high up on the stem" (SAPS 2005:14). New uniforms and insignia for the various ranks were introduced. The change of name and symbolic paraphernalia were inaugurated with much ceremonial splendour and public announcements.

Institutional mechanisms reflective of the international policy consensus on police transformation (see introduction), through which a human rights based approach to policing was to be implemented, were then introduced. The most prominent were the Independent Complaints Directorate (ICD) and the advancement of community policing in the form of Community Policing Forums (CPFs). These two instruments of accountability were statutorily defined and made obligatory by the Interim Constitution.[55] The ICD was established to investigate deaths in custody and other complaints of police misconduct. Although community policing had its forerunners, the idea now was to infuse the whole organisation with the idea of community policing instead of just nominating single officers to serve as liaison officers. Furthermore, Community Policing Forums were to give communities a way of influencing policing in their areas. The

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[55] Later the provisions were considered too detailed to feature in the Constitution. They were removed from the Constitution and included in the 1995 Police Act.

predominance that these mechanisms occupied on the transformation agenda is reflected in the fact that civil society, in the form of (local) non-governmental organisations (NGOs), began concentrating their research on evaluating the implementation of these mechanisms (see for example Rakgoadi 1995; Mistry 1996, 1998; Shearing 1998; Melville 1999; Dixon 2000; Palmer 2004).

The idea of accountability for the police was further entrenched through the relatively broad influence granted to the Minister over day-to-day policing matters, and through the parliamentary standing committee on Safety and Security (Rauch 2004:16-17). From 1995 on an Annual Police Plan had to be tabled and discussed in Parliament. Very prominent as well, at least until 1998, was the Civilian Secretariat for Safety and Security: staffed with civilian (former activist) academics and lawyers, its institutional hierarchy and status positioned it on a level equal to and parallel to the police commissioner. Its function was to advise the Minister on policy developments, to provide civilian oversight over the SAPS and to monitor police performance (Shaw 2002:32).

Equally important, and presented as watershed initiatives, were the legal changes grounded in the Constitution and based on human rights. The Constitution acted as a safeguard that government would never become a rule unto itself again, and constitutional principles informed all laws in the country. This compelled a whole range of legal and policy initiatives. Legal changes ranged from the statutory provisions for the ICD and CPFs, to revisions to legislation and the introduction of new legislation (including the design of an entirely new Police Act). Legislative reform included reworking the Domestic Violence Act and amendments to the Criminal Procedure Act (CPA), especially with regard to the use of force and bail procedures. This was further complemented by the "creation of numerous 'watchdog' oversight bodies to monitor human rights standards and investigate violations" (Rauch 2004:18). The mandates of the Human Rights Commission and the Gender Commission were not exclusively to monitor the police, but they subsumed this role under their broader scope. Finally, a framework was established for how to deal with demonstrations and how to regulate gatherings; this drew heavily, and attempted to reverse, the experiences of the 1980s and its escalatory form of "crowd control" (Shaw 2002, Marks 2005).

Some of these legal changes demanded and informed policy changes internal to the police. Central to the institutional change was the introduction of affirmative action, which was intended to correct the racial imbalance of ranks and undo the historical disadvantage of black police officers. More related to policing practice was the revision of standing orders governing day-to-day police conduct, the introduction of a rigorous selection system for new staff, the introduction of various Codes of Conduct, the redrafting of basic training curricula, the development of anti-torture regulations and policies governing the use of force (especially lethal force but also with regard to non-lethal weaponry), and the design of a human rights training course (Rauch 2004:19).

The Truth and Reconciliation Commission, set up to enable a peaceful transition, was a symbolic high point among the range of political and judicial events which inaugurated the beginning of the "new South Africa".[56] For the police force, the TRC was relevant in various ways. Firstly, it brought to light police involvement in the violence from 1960 on. As Janine Rauch (2004:34) comments:

> The intense media coverage of the TRC proceedings revealed to many ordinary
> South African [and even to many police officers] the extent of police
> involvement in apartheid atrocities. Much of the detail was revealed in the
> 'victim hearings' convened by the HRV [Human Rights Violations] Committee
> which gave victims of apartheid violations an opportunity to tell their stories.

About 250 police officers applied for amnesty; meaning that 6% of security police officers were willing to disclose their involvement in atrocities in exchange for amnesty (Rauch 2004:39). Those disclosures, of which the most prominent was by Eugene de Kok about the workings of the Vlaakplas Commando (see also Pauw 1997), put on record the nature of former security policing and the atrocities committed by the SAP. In addition, the TRC's stress on truth and reconciliation, often in the form of cleansing and spiritual healing, advanced the idea of a new beginning.

The TRC was also significant for the police because it enabled the "sunset clause" arrangement, which protected civil servants from retrenchment and indemnified security

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[56] The Promotion of National Unity and Reconciliation Act, the Act formalising the procedure and exact mandate of the TRC, was only passed in June 1995 and the TRC only began to operate in early 1996. However, the idea of an Amnesty Commission of some form was mooted in 1990, and the plans were given their final shape in 1994, just before the first democratic elections.

forces from prosecution in exchange for full disclosure. This meant that, in principle, the personnel of the SAP would remain very much the same. This clearly challenged the narrative of change. However, a range of interventions was envisioned which would safeguard the narrative of historical incision, completeness of change and a new beginning.

> The incoming ANC Minister of Justice saw the change of police officers as happening by "infusing them with new, humane and democratic values…" (quoted in Shaw 2002:27). In a similar vein, in 1993, at a time when the members of SAP management played along quite convincingly and took on the idea of changing themselves, the police journal *Servamus* published an article detailing what the changes would be and what it would mean for individual police officers:

> Wanneer ons onsself dus objektief en eerlik met die gevolge (konsekwensies) van die onderhandelingsproses konfronteer, is dit duidelik dat ons in die nuwe Suid Afrika nog steeds polisiemanne kan wees, *in der waarheid beter polisiemanne*. Die oomblik as ons dit besef en aanvaar maak ons 'n *psigologiese sprong van die verlede* na die toekoms, en kry die dagelikse gebeur en veranderinge om ons nuwe betekenis. Diegene wat die *sprong* maak verkry 'n bevrydende perspektief op die gebeure en verloor in 'n groot mate daardie benouende vrees en angs oor die toekoms (*Servamus* October 1993:VT 30).[57]

This paragraph describes the type of attitudinal, mainly psychological, mind switch that police officers had to undergo. It puts the onus on individuals to decide for themselves how they should act, abstracted from organisational and structural factors. Interventions were thus declared necessary in order to make sure that those individuals were to be exposed to a range of training that would compel them and support them to "change their attitude". In this way, it was believed, the change towards a policing approach based on liberal democracy and human rights would be complete. This human

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[57] Translation: If we are going to be objective and honest with ourselves in confronting the consequences of the negotiation process, it is clear that we can still be policemen in the new South Africa, in fact better policemen. The moment we realise and accept this we actually make a psychological leap from the past to the future, and the daily events and changes surrounding us get a new meaning. Those who can make the leap will be able to gain a liberating new perspective on the events and to a large degree will loose the suffocating fear and anxiety about the future.

rights training would be designed with the funding, expertise and driving force of international donors and local human rights NGOs.

2.6   Conclusion

The history of the police force in South Africa shows that, since its inception in 1913, it has always played a partisan role in the major conflicts and political battles of the country. It has shaped and been shaped by various political and social orders which were marked by inequality and exclusion – from colonial policing, to policing conflicts between labour and capital, between Boer and Brit, to apartheid policing. The challenges of this kind of policing, with its ideological constellations and demands, its policies with regard to recruitment and training, and the means it applied to hold onto and increase control, have substantially shaped the police. These factors have produced a police force which has always struggled to have enough manpower and to attract sufficient skills. It has had to rely on policing by fear, excessive use of force, and the exploitation of societal fault lines. Policing of common law crime was underdeveloped in favour of control of society and the enforcement of laws which systematically criminalised large sections of society.

Despite this loaded history, and despite public displays of new democratic beginnings, in moments of loyalty towards its members – in which it reveals a less public identity and sense of self – the police service continues to reveal an investment in an historical narrative attesting to the prevalence of civil and non-partisan policing with a continuity between the past and the present. A range of arguments are drawn on to substantiate these claims; such as the claim to a continuous evolution of modern policing in South Africa, and the claim that current changes in the police force are simply another step in an ongoing range of developments. The crimes and biases of the past, according to this narrative, are negligible episodes in a bigger process of institutional and technological advancement. This sense of evolution is further substantiated by the claim that current changes have been initiated primarily by the police themselves rather than having being imposed from outside. Allegations of racism are played down by insisting on the historical and ongoing existence of an *esprit de corps* which cuts across the racial

divide. Further, the police claim adherence to the rule of law and to the orders of political superiors in order to redeem themselves in the light of the atrocities of the past.

This self-referential narrative stands in stark contrast to the kind of human rights narrative underlying the broader historical discourse of South Africa's liberation and democracy, as it has been advanced internationally and nationally by the new government, civil society and media. This narrative emphasises the division of history into "before" and "after" dualisms – apartheid and post apartheid, apartheid and democracy, evil and good. With regard to the police, the narrative of human rights democracy highlights all the measures, institutional changes and policies which have been newly put into place. Here, the introduction of institutional and legal accountability mechanisms, such as the Independent Complaints Directorate (ICD), legal amendments with regard to use of force and guaranteeing a fair trial, and the introduction of community policing are treated as a cornerstones that will ensure that the new SAPS will be fundamentally different from the old SAP, and potentially truly democratic. With regard to (the majority of) individual police officers who served under the old regime but remain in service, the human rights narrative spells out a turn around or a '*sprong'* (jump or quantum leap) in attitude from the past to the present. Here, direct interventions such as human rights training are to play the key role and make sure that the historical pledge of the human rights narrative about the watershed of liberal democracy can be publicly upheld.

These two narratives, although hugely contradictory, somehow manage to exist side by side. The one seems to be more of a public performance put up for an official, non-police audience, while the other is clearly a self-referential and inward looking performance, with the police themselves as the audience. As we will see, this type of split performance exists not only in versions of history but in many forms and crosscutting relationships within the South African Police Service and its practice.

2.7   Moving on: Between the grand narratives is the everyday

I am still sitting on the steps of the police memorial and thinking about how these competing narratives about policing in post-apartheid South Africa are fighting it out

among each other. I'm thinking about how each narrative assumes a certain claim over police officers, and submits them to a certain philosophy and mission. I remember a comment about "dying on duty" which had a different nature from that advanced by the memorial. It was a comment made by a police officer whom I got to know quite well in the course of my research. One day, as we were taking a lunch break over burgers and extra-large Cokes, Sergeant Legodi shared with me a moment of contemplation. He had been working for the police service since the early 1980s. In fact he had been part of the township youth – half activist, half rudderless – when he decided to join the police. He came from an urban township not far from Johannesburg and he began working in the tourist protection unit in Johannesburg, operating from the Carlton Centre. From the early stages of his career, he was well acquainted with Johannesburg's inner city and had witnessed its rapid transformation. Now he was responsible for the detection of serious crime in the inner city. The inner city was his territory, not just in his job but in his everyday life. He occupied a flat there, and he socialised in its bars and clubs on evenings and weekends. The inner city was a field which he could harvest. Connections there contributed to his livelihood, benefiting from his influence as a police officer and receiving other goods in return. One might call it corrupt, but it is probably more complicated than that. His thoughts about dying were as follows:

> Do you know that I am thinking about what I will be wearing when I die? In fact I think about it every day in the morning, because it can happen every day, so I make sure I am dressed well. I like good shirts. And I used to wear my watch and a ring, but I stopped doing this. It might be your last day and you want to look good when you die. I mean...you do not want to die in your pyjamas, do you? At least you want to look good. [Some silence] Sometimes I see myself getting old. I see myself settling down, getting rested, and then I am telling my grandchildren the story of my life. And I could tell a lot; I remember so much. If I were a writer I could write a book like that [and he shows with his hands how very thick the book would be], at least 2 000 pages. Because I remember so much from my early age on.…But the way I live and seeing how life is in Joburg, how fast it is, I don't think I will

> ever be that old. It can happen any time, any day, a shot in the back –
>
> over.

His preoccupation with dying in style reverberates with the expression "a good-looking corpse", which means to live wild and die young. The expression was coined in the 1950s, and was emblematic of the gangland of Sophiatown (Nicol 1991) but clearly continues to be meaningful.

It strikes me how little relevance this comment about dying has to any of the official narratives. It is not even remotely about preserving democracy nor is it about protecting anybody's life or property. It does not even try to make sense of dying as a police officer. Rather, it declares a sense of total randomness and the banality of dying. The sense of dying is pervasive but it is not a challenge which asks for heroic deeds. Death will come in its most insidious form, suddenly and in the back, giving the police officer no chance to stand up to it and fight. As such, it seems to be totally removed from any of the official narratives about policing. The only way it might relate to these narratives is in an indirect way, referring more to the *consequences* of democracy.

The inner city of Johannesburg has become a "fast city" for black people only, since the advent of democracy. It is one of the places in South Africa that has undergone a rapid transformation, with white residents moving out and black residents – South Africans and immigrants from all over Africa – moving in. It has maintained its reputation for a buzzing nightlife and prostitution and drugs, although with a changed profile of clients and providers. It has become a vital marketplace for formal and informal, legal and illegal trade goods. Fastness here refers to the opportunities and risks and freedom and fear which the place offers.

It is a space which only allows for the here and now, a space of pure contemporaneousness. In a nearly poetic way Inspector Legodi evokes the absence of present and past in this place. He lingers for a moment with a vision of becoming old, of settling down and remembering, of bringing the past to life; and of passing on stories and wisdom to the younger generation, even of writing a book (securing a presence beyond

death). But then he pulls himself away from it, remembering the futility of such fantasies, as if they are pure indulgence and it would be pointless to think about the past and the future. Grand narratives, in contrast, always rely on pulling together the past and the future.

There is no political story to his fantasised killing. Crime has become random. It is not cast in terms of grand politics or even of local politics, which is a messy affair but still provides discernible lines – gangs and factions, competing parties and strong men – along which to imagine the appearance of death. He does not even mention his role as a police officer. It doesn't matter if you just live in the city or if you work there; the lines between the official and non-official have no relevance in light of the insidious death and the fastness of the place.

This comment is a powerful reminder that there is a different reality of being a police officer, one which cannot be deduced from the official narratives. It is the story of everyday policing, which goes beyond but which cannot fully evade those narratives.

This is the realm where my participant observational research is mainly located and from which the discussion of everyday police practices in the shadow of accountability will proceed. But before starting that discussion (in Chapter Four) I will first describe, in the next chapter, how an internationally initiated initiative to compel the "change of attitude" or "*sprong*" of police officers has taken root within the police organisation.