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My Police - Your Police

The Informal Privatisation

To Alsana's mind the real difference between people was not colour. Nor did it lie in the gender or faith.... The real difference was much more fundamental. ... You could divide the whole of humanity into two distinct camps, as far as she was concerned, simply by asking them to complete a very simple questionnaire: ... Is the ground you walk on likely to tremble or split? ...Because if the answer is yes, then the life you lead is a midnight thing, always a hair's breadth from the witching hour; it is volatile, it is threadbare; it is carefree in the true sense of that term; it is light, losable like a keyring or a hairclip. (Smith 2000)

5.1 Introduction: Down Bree Street with the police

It was a few days before Christmas and the urge to work seemed to be at an annual low among the detectives of the General Investigation Unit at Johannesburg Central Police Station. Some of them silently expressed their contempt, doing their work extremely slowly, knowing that they had to be working over the festive season. Most were "winding down" since their holidays were close, and thinking that what had not yet been finished could as well wait for the next year. Others had already locked up their offices and left for vacations or family visits.

Sergeant Kloppers had only recently been transferred from the station's Serious Crime Unit to the General Investigation Unit. We had planned for her to show me one of the "worst places" in the inner city – the Old Drill Hall – in which people were squatting under the most horrible conditions. She had warned me the day before, gazing with pity at my dainty summer sandals, that we could only enter such a den of iniquity if I wore gum-boots. We never got that far, however. Nor did I get to see the

Drill Hall before it burned down a couple of weeks later after a woman allegedly threw petrol at her lover during a domestic fight. Our plan changed when a former colleague from the Serious Crime Unit came to see Sergeant Kloppers. His name was Inspector Swanepoel, and he had left the police station to join a special police unit in Pretoria. He and Sergeant Kloppers had worked closely together in the past and a strong bond of friendship between them was immediately apparent. They had agreed that she could use his police car while he was on leave and so she needed to drop him off at his home, which of course took priority over showing me the dark underbelly of the city.

Sergeant Kloppers went off to talk to the unit commander. As I sat sipping coffee and chatting with Inspector Swanepoel about his move to Pretoria, a black woman passed by the office with her baby on her back. She returned and asked shyly if we knew where she could find Detective Marais. I had to disappoint her with the news that he was on leave and would only return in mid-January. She was already turning around to leave when Inspector Swanepoel asked if he could help her. The woman, named Peggy, explained that she had a "pointing out note" for a man who was living in her flat, a man against whom she had opened a case after he had threatened her with a firearm.⁹⁵ This man was now in her flat and she was hoping that Sergeant Marais would finally arrest him. Somewhat to my surprise, Inspector Swanepoel decided that he and Sergeant Kloppers would pursue the case and arrest the man. When Sergeant Kloppers returned, Inspector Swanepoel proposed that they should help Peggy and arrest the suspect. Sergeant Kloppers was also surprised but instantly agreed, seemingly wanting to show him that she was still a dedicated police officer even though she did not work for the Serious Crime Unit any more. Soon thereafter Peggy was sitting in the back of an unmarked police car giving directions to her flat on Bree Street, where the most densely populated section of the inner city began. The high-rise apartment building we entered was untended and dilapidated. Since the lift did not work, we had to climb the stairs up to the tenth floor.

Upon our breathless arrival, we found ourselves in a two-roomed apartment which had been turned into a number of sleeping and living quarters, partly hidden from view by large pieces of cloth subdividing the rooms. We were interrupting the morning routines of several women and children who were getting dressed and cleaning up.

⁹⁵ A pointing out note is a paper of authorisation that a complainant can receive from the investigating officer. In principal this note can be shown to any police officer, and should prompt and authorise him or her to go and arrest the suspect pointed out by the complainant.

Peggy, full of determination, led the two detectives straight to the alleged suspect, Sam Dhlamini, whom they found still in bed. Inspector Swanepoel arrested him in a straightforward and authoritative manner, reading him his rights while handcuffing him and leaving the suspect no room for negotiation. Once Sam had been pulled out of bed to change into his trousers, Sergeant Kloppers lifted the mattress and found a loaded gun underneath. The detectives directed a host of questions at Sam: Why did he have a loaded gun lying around? Didn't he know that he should keep his gun in a safe place, especially when children were around? Didn't he know this was enough to send him to jail and to cancel his firearm license, if he even had one?

While this exchange demanded the detectives' full attention, I noticed a different scene playing itself out in the background between Peggy and the suspect's girlfriend. More outraged than intimidated by the police arresting Sam, the girlfriend started a fight with Peggy, whom she identified as the main culprit for the arrest. She began in an indigenous African language and then suddenly switched to English. I heard her shout at Peggy:

"Fine so, you damn bitch, you called *your police* to help you to throw us out of this house, but this is our place and you will regret this, because I will now call *my police*! You will see what comes from this. Don't you think that we don't have our *own police*."

Peggy kept quiet, lifted her shoulders in a gesture of dismissal and tried to ignore the girlfriend. It appeared that she felt no need to defend herself since she had two determined police officers helping her. They were doing exactly what she had hoped for when she went to the police station. She seemed to consider it wiser to keep quiet, shrug off the insults and let the police do their work. My attention switched back to Inspector Swanepoel and Sergeant Kloppers who were pushing the handcuffed suspect ahead of them. We left the satisfied Peggy and the shouting girlfriend behind. The latter's reference to "your police – my police" was still ringing in my ears, leaving me curious as to its meaning.

5.2 Inner city imaginary

An exploration of what the girlfriend meant by “your police – my police” is the aim of the remainder of this chapter. I will argue that it represents a particular imaginary of people living in the inner city of Johannesburg, one that allows them to make sense of their everyday experience of the police. By the term “imaginary”, I understand an enabling and generating symbolic matrix through which people make sense of and create the world around them and which shapes their practice. The symbolic matrix does not need to be fully explicable or articulated; it is located somewhere between basic practical knowledge and explicit ideology.⁹⁶ In this case the imaginary of “your police – my police” serves as a matrix of ideas that directs and enables people’s relationship with the inner city’s police service.

Through this imaginary, a particular policeman or policewoman (“your police”) is used by someone else—the someone else can be either hypothetical or concrete. This imaginary is especially evident when the police intervention works against one’s own advantage or when the police officer appears as a threat – as is often the case for people whose socioeconomic situation compels them to the margins of society. If a person happens to successfully “capture” a police officer through some relationship of familiarity, friendship or indebtedness, or the concurrence of particular interests, then that officer can become “my police” – a private police officer providing protection for the particular individual through what is considered to be a personalised relationship.

The term “your police – my police” must not be understood as a fixed expression in common use by inner-city police or residents. Police officers would probably vehemently refute the notion of being owned, even if one should hint at their particular relationship with certain individuals. Rather, the utterance reveals a particular approach towards the police from the side of the policed. The meaning associated with the utterance and the symbolic realm to which the imaginary belongs is therefore used in this chapter as an analytical device. The expression, originally drawn from a concrete situation, is used as a metaphor and an analytical category capturing particular practices

⁹⁶ The imaginary definitely reflects wider historical processes, but only as far as it is relevant for the imagining actors in their experience of everyday life. This understanding of the concept of imaginaries has been inspired by Gaonkar’s (2002) “Towards new imaginaries: An introduction.” However, the concern in Gaonkar’s article is with social imaginaries, which are more encompassing, shared by large groups of people or whole societies. In contrast, my interest lies rather with a microscopic imaginary which is specific to the interaction with the particular institution of the police in a specific place, and with people who live under specific conditions.

of, attitudes towards, and ideas about the police. It presents the crystallisation of a certain practice, and is used here as a starting point from which to explore the particular relationship between police and inner-city residents. If it emerges to the advantage of a particular person, it can be marked by possessive qualities, and that can ultimately be described as an informal privatisation of the police.

“Your police – my police” evokes an image of the state police as private police. It ignores the normative claim that the police force should be a public, modern institution with an unemotional and unbiased relationship with the public. The international policy consensus about the transformation of the police asserts that democracy relies on the development of a modern police force. As discussed in the Introduction, this will emerge through forms of accountability which will allow the people to impress their will and needs onto the police, which in turn will grant the police legitimacy with the people. Providing equal access to the police – access to security being a basic human right – is considered as one of the obvious outcomes of accountability mechanisms and key for gaining broad legitimacy.

The South African government and the top echelons of the South African Police Service (SAPS) maintain that they are working towards a coherent and unified public institution. The goal is a police force that is transparent, accessible and responsible for effective crime reduction. They claim that they are making good progress. In these assertions and proclamations the idea of the police as a modern, public institution is often invoked through a normative process, through a conflation of what is with what ought to be. Even in frequent commentary on the incompleteness of the transformation project, critics, including the media, evoke a reified notion of the police as part of the modern state.

A dominant language has emerged which aims to describe the relationship between police and citizen; this language only knows the ideal and its inverse form. As such, it leaves no space for the complexity of the state-citizen encounter, which takes place in a moment of radical contemporaneity and in the context of marginalisation. Here the imagined, idealised future – a vision of social engineering and so-called institutional change of the state which has yet to be realised – becomes meaningless. “Your police – my police” is a poignant expression of the negotiation of the state (in the

form of the police) going on at its boundary with society. It challenges the idea of the dichotomy of the ideal and its aberration, and in fact provides a new image of the state as it is transformed and emerges at this boundary.

The precarious conditions that have developed under the radical reconfiguration of the post-apartheid inner city,⁹⁷ together with the incoherence of police intervention, provide the particular conditions for the emergence of an imaginary of the state police as "private police." The following discussion of inner-city housing in predominantly dilapidated high-rise flats lays out how the particular living environment of the inner city contributes to the expediency of the imaginary of "your police – my police." This will be followed by an extensive discussion of inner-city dwellers' experience of the police as decisively fragmented, unpredictable and always potentially threatening. This partly refers to the previous chapter, where the police practice – which is based on the continuous application of violent authority and the re-inscription of a marginal status onto people – was discussed. It also foreshadows the following chapter, which deals with the practice of corruption and extortion.

Both sections will be interlaced and elaborated on the basis of the ethnographic material on the unfolding of the case between Peggy, Sam and Sergeant Kloppers. From this I will draw some conceptual conclusion about the nature of the encounter between police and city dwellers. This allows us to understand how the state makes its presence felt in a realm which seems to be rather removed from formal governance.

⁹⁷ I am not trying to argue that this imaginary can only develop in inner-city conditions. However, it is the conditions which are conducive to the imaginary that are coming together in the inner city – flexibility, insecurity, opportunity, industriousness, flux, danger, informality, lack of official governance, etc.. I am also not arguing that this imaginary is exclusive to post-apartheid times. Nevertheless, it is the juxtaposition of (a) the post-apartheid government's attempt to gain legitimacy through the transformation of its police into a democratic police, with (b) the imaginary of the state police as private police, that gives it special relevance.

Thus this chapter tries to capture a form of encounter between police and marginal subjects which takes place very much against the background of a police force which maintains its investment in and employment of backstage authority. It also highlights the context of marginality, which produces its own notions of expediency in the light of the shortage and informality of survival resources. This chapter develops a conceptual background for Chapters Six and Seven, in which I will discuss how human rights are being renegotiated in police-citizen encounters which take place under similar conditions of context and temporality as the one being discussed here. As such this chapter begins to sketch out the kind of dynamics which take place at – and shape – the level of accountability towards the population.

5.3 Johannesburg's inner city: Place of dreams and dangers

Johannesburg's inner city underwent a radical reconfiguration in the late 1980s and early 1990s. In a few short years it became the global African city, drawing immigrants from all over the continent and beyond, who now make up the majority of inner-city inhabitants (Leggett 2003). Transformed from a "whites only" area to an almost exclusively black one, the inner city's economic make-up has changed as well (Bremner 2000, Simone 2002). Major businesses associated with white capital have moved out, and there has been a proliferation of informal market culture overflowing from shops onto the city's pavements. A major centre for retail, small business,

narcotics and informal trading, the inner city is characterised by a degree of invisibility for illegal and informal living as well as for entrepreneurship (Simone and Gotz 2003). There has been a great flux of people coming and going, from different origins and with different destinations, some just passing through, others remaining for much longer than they envisaged.

This has created a “vacuum of belonging” as Gotz and Simone (2003:129) call it. There is no appreciable history of settlement of the new inner city inhabitants, and there is an absence of stable social institutions and sense of social cohesion (Gotz and Simone 2003). Where there is co-operation, it is with a great sense of competition and insecurity, and the “very act of counting upon others becomes a practice that leaves individuals vulnerable for further difficulties” (Gotz and Simone 2003:130). Because of its crime rate and the informal trade, the inner city has become a no-go zone for many of the (lower) middle-class whites and (lower) middle-class blacks (see below) who used to occupy its space (Leggett 2003). For the new city dwellers, notwithstanding the high level of insecurity and danger, and the unpredictable living and trading conditions, it remains the destination for realising dreams of a better, freer, more modern life. The abundance of commodities and a vibrant, constantly expanding nightlife are just two of the aspects which have made the inner city attractive. The resulting influx from the rest of the country and continent, combined with danger and the scramble for economic opportunity, has dominated social relations. Because of the economic possibilities, no matter how precarious they are, housing space in Johannesburg is a highly sought-after and limited commodity. The subtext of the conflict between Sam and Peggy is about housing and living space.

5.4 Whose space is it? Housing in the inner city

The history of the high-rise apartments of the inner city is one of gradual decay and constant contestation. The deterioration that opened the door to informalisation had set in long before the official end of apartheid, the result of the desire of many inner-city landlords and property owners for short-term profits. Morris (1996) describes how this process began and the cost it now exacts. Owners deliberately neglected the maintenance of their properties in order to force out white tenants living under rent-control legislation. Once these tenants were gone, it became economically attractive to lease accommodation to black, coloured or Indian tenants. Apartheid laws were still in place, but people moved in anyway.⁹⁸ Black people were so desperate for centrally located housing that they were willing to pay prices that most whites would have refused or reported to the authorities.

The first black people who came to live in the inner city were social pioneers who took a risk by circumventing racial segregation. Service jobs in the centre of the city, however, allowed them to pay the high rents. Their social and economic profile was not unlike that of the white people living in the area, but many white tenants or individual flat owners saw the influx

⁹⁸ The inner city was demarcated as a "whites only" area under the Group Areas Act. However, through special arrangements – for example, if a white person signed the lease for a black person – landlords were more than willing to let black people rent their property.

of black people as a reason to move out. It was interpreted as decline of the area, seen as the advent of crime and disorder. In short, there was a racist reaction to the unfamiliarity of the contact. Many white landowners sold their property or followed the trend of providing the bare minimum of maintenance. With the end of apartheid, inner-city decay accelerated, and even those in the black middle class moved to better suburbs, as white residents had done before them. This exacerbated the downward trend of property prices and increased property owners' eagerness to maximise their rental income. They allowed as many people as possible to move into the flats. In addition, abandoned office buildings were offered as housing space by so-called slumlords, although with a total lack of adequate sanitary provisions. Many of the new tenants were foreign or rural immigrants who did not feel at home in the townships and who were looking for any economic possibilities that informal trade might offer.

Increasingly, flats were rented out, sub-rented, sub-sub-rented and sub-rented again, until the responsibility for payment of rent, electricity and water was intelligible only to serious insiders, certainly not to the landlords. With accumulated water and electricity debts higher than the value of the buildings, many apartment buildings were left to their own fate.⁹⁹ In addition, banks refused to issue mortgages for the buildings,

⁹⁹ The amount of money owed to the city council for water and electricity soon exceeded the income that could be extracted from rent. In the face of such accumulating debts, giving up and abandoning the apartment building was often seen as the only viable option for property owners.

which made it impossible to sell them or to invest in maintenance. According to an architect on the city council, many flats were totally abandoned by their owners, some of whom had left the country.¹⁰⁰ Other apartment blocks were run by ruthless caretakers who extorted rent, often violently. Still others were taken over by residents. The city council and the Johannesburg Development Agency (JDA) are constantly trying to reverse this development, but with only partial and often unsustainable success. Politically unpopular and problematic evictions compound the problems. In addition, alternative accommodation must by law be provided, and that is not always a readily available or affordable option for local government. The city council and the JDA have resorted to the tedious politics of dialogue between landlords and tenants, with little success or, at best, long delays.

Another issue facing developers who are trying to turn the tide of inner-city informalisation is the issue of crime.¹⁰¹ According to the plans of the JDA, a “safer city environment” will be created by means of private security efforts, camera surveillance, the Johannesburg Metropolitan Police (JMP)¹⁰² and

¹⁰⁰This interview took place during a city walk organised by the city council, which served to identify areas of high concern and high priority for council intervention.

¹⁰¹ Under the heading of “getting the basics right”, the Johannesburg Development Agency (JDA 2001:20) states that “ensuring a safer Inner City is a priority for urban regeneration.” The fear of being hijacked while driving to and from work, the possibility of being mugged while walking the streets and because of this, the urge to leave the inner city before night falls – all this has convinced many businesses to leave the inner city and to look for greener pastures for their personnel and their clients in the city’s second economic centre of Sandton. For many of the lower-middle-class white and black residents, who made up the population of the inner city in the early transition period (Morris 1999), the perceived and real danger of increasing crime was one of the reason residents left and moved to “safer” suburbs.

¹⁰² Established in 2001, the Johannesburg Metropolitan Police are responsible for the enforcement of traffic laws and council by-laws as well as crime prevention (http://www.joburg.org.za/metro_police/index.stm).

the SAPS. These security efforts, however, have “a strong economic bent” (De Bruyn 2002:97). They concentrate on making the streets safer for shopping, banking and public services in the inner city. Closed-circuit television (CCTV) cameras provide surveillance of the open streets, the JMP concentrates on traffic and council by-laws attempting to organise the pavements and hawker business, and private security guards, only accountable to private enterprises, stand outside businesses that can afford them. These are not the instruments which reach beyond the obvious public space of the street.¹⁰³ They fall short where life moves on into the dense and closed, often informal and private spaces of the inner city. As Leggett (2003:21-22) states, “in the inner city context in particular, preventing crime through street surveillance would be limited in its potential, as most of the population at any given time is situated vertically in high-rise apartments and office blocks.” Not even the SAPS uniformed patrols move regularly into the vertical spaces, since they patrol in their cars. However, it is in those closed spaces, hidden from the public eye – the private homes, the passages and staircases of the high-rise apartments, the bars and nightclubs, and, more importantly, between people who know each other – that a lot of the violence

¹⁰³ I am using public space here in a quite uproblematised form. I am, of course, aware that public space is a rare commodity in South Africa, and that it is highly racialised and gendered. Partly it can be said that public space in the sense of broad accessibility has been lost, or perhaps was never available in South Africa. The efforts of the JDA and the city council are in fact directly aimed at (re)creating public space. Having said that, the reader should be aware that I am using public space – existing or planned – in contrast to the clearly non-public spaces which are houses, bars, shops and apartments.

of the inner city takes place (Leggett 2003:80).¹⁰⁴ It is this that makes the city a place of danger, insecurity and unpredictability for those who dwell in it and who try to make a living from it.

Consequently, spaces have emerged in the inner city where few reliable formal rules remain to govern its social life in general, and the distribution and regulation of renting and sub-renting in particular. The impotence of the urban government and private landlords in regulating such spaces seems to position the space outside the state domain. People living there are to a great extent left to their own devices to create their own rules about renting and paying. Conditions inside these spaces are, moreover, unstable and erratic. Few residents have a regular income; most survive on meagre and informal earnings and so payment for occupied space is inconsistent. Residents are under constant threat of losing their housing space. If that happens they have to move on and find new space. Together with the constant influx of new national and international migrants, this establishes housing as a prime context for conflict, and such conflict is often violent.

The conflict between Peggy and Sam emerges out of this housing situation. Peggy migrated from Zimbabwe to Johannesburg. She began to work as a hawker, and succeeded in renting an apartment in the inner city, sub-letting rooms to two other women. When it became clear that her daily income was insufficient to pay her rent, she moved out of her room in the apartment and sub-let it to Sam Dhlamini. When her financial situation improved, she wanted to move back again. She urged Sam Dhlamini to relinquish the room. He insisted, however, that she had lost her claim to the apartment, as she had been unable to pay for it for a few months. He tried to persuade the floor committee and other apartment tenants to take his side. When that failed he allegedly threatened her with a gun to stop her from making any further claims on the apartment.

5.5 Redirecting state power

¹⁰⁴ In 53% of all cases of assault in the inner city the perpetrator was known to the victim prior to the assault (Leggett 2003:80). However, the survey does not make clear how many of these assaults do not take place on the street. Nevertheless, it can be said that it is at least 32% (Leggett 2003:79). The number of assaults recorded in the survey is described as high compared to national and regional statistics. It is even mentioned that the number excludes less violent assaults and that therefore it has to be assumed that the cases of violence and threat far exceed the numbers given in the survey.

Housing can thus be described on the one hand as isolated, invisible and excluded from formal and official regulation and, on the other hand, as a scarce and highly contested resource. Simone and Hecht (1994) use concepts such as “invisible governance”, “micro governance” and even “art of micro politics” to describe the particular endurance and production of everyday life in the post-colonial African state. What they mean by these terms becomes clear through evocative writing rather than definition.

Outside the walls of government, the sprawling shanties manufacture hope with the raw material of irony. Here both the horror and creativity of contemporary African life is most apparent. Markets, buses, compounds, offices, and roadways are full of arguments, challenges, bickering. Of course, people protect their interest, strive to gain advantage and pull the wool over another's eyes. But the incessant conflict of words and material, obligations and privileges often creates a provisional equanimity – a default that forms the informal framework for justice, morality and social balance. In this way, an urban life which acts as if it is veering out of control uses the impending chaos as a last ditch stand against it. Herein lies an invisible governance, a frame of elliptical efforts, that maintains competing agendas and aspirations in some kind of functional and parallel existence ... (Simone and Hecht 1994:13).

Through terms such as “governance” and “politics”, Simone and Hecht make conceptual sense of what might seem from the outside to be only “chaos”, “out of bounds”, or the “ungovernability of the informal.” The urban situation has its own rationale that is meaningful in the context of scarcity, conflict over limited resources and the absence of official regulatory mechanisms. “Functionality”, “provisional equanimity” and productive improvisations can be perceived within those conditions.

One can argue that the imaginary of “your police – my police” is a form of micro-governance. The police are drawn into a conflict in order for the actor to gain an advantage, an instance of the strategic use of whatever is available to improve a bargaining position when contesting valuable resources. This strategy can take various forms: the special relations that Sam Dhlamini maintained with the police (as will be

discussed in Chapter Six), or calling for assistance by opening a case (as Peggy did) in order to intimidate or remove him from the accommodation. The case Peggy opened, or the way her story had been classified, was a charge of intimidation based mainly on the threat with the firearm. Meanwhile, her interest was at least partly, if not primarily, in reclaiming her apartment. Officially and formally this would have required a civil process – a procedure highly inaccessible, unintelligible and unaffordable (in terms of sustaining the costs of a lawyer) from the realm which Peggy inhabited. The criminal charge therefore comes to serve as a pretext with which to mobilise the police to intervene in a case in which they would otherwise refuse to intervene.

The imaginary of “your police – my police” precisely expressed such possibilities for appropriation. Police intervention is seen in a particular light and given a particular meaning that makes sense from the perspective of the marginal realm of flexible, improvised and contested rules. This is a realm where formal dichotomies of criminal and lawful, or private and public, have blurred and no longer hold. Instead multiple and competing moralities are applied. The police are just one form of strengthening and backing up one’s claims, the gun is another, and so is the house committee. Police are imagined as a source of power that can remove and arrest, and use or threaten to use force. Police officers are imagined as brokers who can provide the access to these means of power, who can be captured through special relations, and who can be employed to determine a momentary outcome in the ever-shifting hierarchies of competing (moral) claims. A competition emerges to gain the best access to this source of power. City dwellers try to pull in the police on their terms and to shape the outcome of police involvement in any particular conflict.

The imaginary of “your police – my police” then becomes an entitling and mobilising matrix that determines the appropriating attitude and action towards the police. What this also means is that spaces which are considered to be “outside the walls of government” – that is, those which are only informally governed and which are considered marginal in relation to the state – nevertheless show a form of state presence. Through a particular re-imagining of state intervention, state power is redirected into a realm which would otherwise be neglected by the state. The state is reread and transformed in order to fit the social manoeuvring at the margin. It finds its presence in the persona of the “privatised”

police officer. This is not so much a less complete articulation of the state, as it is an articulation of the state which is made momentarily tangible, useful and accessible.

5.6 Inner city police intervention

Given that police generally prefer not to get mixed up in housing disputes,¹⁰⁵ one could have expected Sergeant Kloppers to abandon the case or to hand it back to Sergeant Marais. Yet she continued to play along, even after it became clear that Peggy wanted to get rid of Sam primarily to reoccupy her apartment. In fact, Sergeant Kloppers became even more vigilant about the case and would not let it rest. However, this had less to do with her compassion for Peggy or with her sense of professionalism in handling the intimidation case than with what happened once she began interrogating Sam at the police station.

Back in her office, Sergeant Kloppers searched Sam's wallet and found three gun licences. Only two were in his name and only one corresponded to the gun that had been found under the mattress. Sergeant Kloppers suddenly became interested in solving a possible murder case. She hoped to find Sam's second gun and possibly link it to an open murder case through ballistic analysis. It seemed that Sergeant Kloppers felt nostalgic about having once worked in the Serious Crime Unit which was responsible for the investigation of murder cases, and that she was much more excited by the prospect of hunting down a murderer than dealing with the hundreds of petty crime cases she dealt with as a detective of the General Investigation Unit. While the interrogation was taking place, Sam's girlfriend arrived at the police station and stormed into the office, shouting that she wanted to open a case against Peggy. With sarcasm in her voice, Sergeant Kloppers referred her to the charge office downstairs.

As Sergeant Kloppers and Inspector Swanepoel left the office to look for the docket that contained Sam's case, one of the other detectives of the General Investigation Unit,

¹⁰⁵ Chapter 4 discusses how police despise getting drawn into what they call "petty cases" which play themselves out within families or among neighbours. Their sense was that it was frequently impossible to find out who was guilty and who was innocent, since such conflicts often had a long history of mutual infliction of harm by both parties. They felt that their intervention inevitably was seen as biased and unjust. Trying to understand the conflict also meant getting mixed up in very close family affairs, and meant a transgression of a boundary which was held up to guarantee social distance.

Sergeant Radebe, passed by and glanced into the office. Sam recognised him immediately and called out to him, but Sergeant Radebe only grudgingly acknowledged knowing him. While Sam was pleading with him to do something to release him from the clutches of the two determined detectives, Sergeant Radebe remained in the doorway, said he could not do anything for him, and then turned around to go to his own office. I was surprised that they knew each other. Later it appeared that Sergeant Radebe had a few cases that had been opened against Sam Dhlamini, but had never arrested him for them. Further, after promising that he would hand over these dockets to Sergeant Kloppers, Sergeant Radebe avoided doing so by evading her and claiming the dockets were already in court. Sergeant Kloppers did not pursue the matter further, clearly wanting to avoid interfering in the work of someone else from the same unit.

Sergeant Kloppers' interest was aroused when she and Inspector Swanepoel found the docket for Peggy's case against Sam in a pile of closed dockets in Sergeant Marais' office. They pulled a face, and said more to each other than to me: "... now we dig into shit ...!" The docket had been closed as unsolved, implying that Sam Dhlamini could not be found by Sergeant Marais. To Sergeant Kloppers and Inspector Swanepoel, it was immediately clear that the Sergeant Marais had never made any serious attempt to look for the suspect, since they had just found him living at the exact address that Peggy had given. Scrutinising the docket further, it appeared that the head of the unit had noted down orders for Sergeant Marais to apprehend the suspect and at least to get statements from witnesses.¹⁰⁶ Sergeant Marais had carried out none of these orders, issuing a pointing-out note instead. Sergeant Kloppers and Inspector Swanepoel concluded that Sergeant Marais must have approached Captain Ndlovu who had willingly closed the docket for him.¹⁰⁷

¹⁰⁶ Cases are normally opened at the charge office. From there they passed to the head of a detective unit, who then distributes them to the various detectives of his unit. Normally there is a 24-hour inspection, which means that the docket of the case is handed back after one day to the head of the unit; he or she looks at the investigative steps that the detective has undertaken (noted down in the docket diary, which is part of the docket). If the unit head is not satisfied, he adds his instructions about how the detective should proceed. There are other docket inspections at a later stage, where again the head of the unit writes down his instructions and checks to see if the earlier instructions have been carried out.

¹⁰⁷ Captain Ndlovu had originally served in the uniform branch, but under the pressure of affirmative action and a great shortage of black senior officers in the detective branch he had been selected to take over one of the detective units. In accordance with the policy, he was to be fast-tracked. That is, he would get an intensive introduction to the work of the detectives, to prepare him for his new position. In practice, this meant that he was to go from unit to unit over a period of some months to assist and get an insight into the tasks and routines of each of the detective units. At the time of the arrest, he was assisting the captain of the

A day later I heard that on the day of the interrogation Sergeant Kloppers and one of her white colleagues had instructed Sam to show them where he was hiding his second gun. They returned empty-handed since Sam led them around the countryside on a wild goose chase. They returned home at two o'clock in the morning without having gotten a step further. Sergeant Kloppers was deeply provoked and angered by Sam's ability to trick them. In addition, Sam managed to get out on bail the next day, paying R1000. Sergeant Kloppers told me what happened after he was released from custody.

"Him and his girlfriend, they went straight ahead and intimidated Peggy again. And then, as Peggy told me, the girlfriend even came with two or three uniform policemen to arrest her on the case that the girlfriend had opened against Peggy. But Peggy told them that she had opened a case in the first place, and then those policemen asked her who the investigating officer was, and she mentioned me, and they decided that they would rather not arrest her and they just left. Now I am also in charge of the case that has been opened by the girlfriend against Peggy."

The satisfaction in Sergeant Kloppers' voice indicated clearly that she saw the uniform policemen's backing down as a proof of her status at the station. Rather than showing indignation at her colleagues lending their service to her suspect, she seemed to take such activity for granted. In fact, it seemed that she considered such antagonistic activities among staff of the same police station part of the process. She had not yet finished her story, however.

"And then there was another thing that happened which I think I will tell you. I went with Kobus (another white police officer with whom she works closely) to re-arrest the Dhlamini guy for again intimidating Peggy. When we arrived at the apartment this time, the girlfriend said she would call her lawyer. But I think she called a policeman from the uniform branch, because when we came down with them, one uniform police officer was on his way up the stairs to see them. When he saw me, he turned around and it seemed as if he could not get away fast enough, but I still saw him. You know, you wonder what was he doing there? I am pretty sure that this is one of the guys they have their own connection with."

Then she went off to get Sam Dhlamini from the station's cells. Back in the office she asked him if he knew the policeman who had been on his way upstairs and then ran

General Investigation Unit. Inspector Swanepoel, in a cynical comment about affirmative action, suggested that it was easy for Sergeant Marais to make Captain Ndlovu sign the docket as closed, since the Captain did not have much idea of how things worked at the detective unit.

away. Sam responded, trying now to deny any association with the policeman: "He hangs out there a lot!" He finally admitted, however, that he knew him when Sergeant Kloppers confronted him with the fact that the policeman's telephone number was on his cell phone. Sam came up with the following story: "I went to talk to him much before I was arrested. I told him about the troubles we had in the flats, just to put it on record with him, so he can testify when something happens, and I tell you" – he said aggressively – "I want him to appear in court to testify for me as a witness."

Unmoved by this defence, Sergeant Kloppers continued: "But why did you have his cell phone number?" He said: "For when I forget his name" Before he could finish, she completed the sentence for him in a half-questioning, half-stating tone: "... So he gave you his cell phone number so you could call him when they would come and arrest you, and when there are problems!?" He was silent for a moment, sulking, but then began trying to defend himself again. He seemed distressed that he had been rearrested after he had managed to avoid arrest on other charges. Until then, it seemed, he had succeeded well in playing the police to his own advantage. He said: "What is it that you have against me, that you are doing all this work?" He clearly suspected some other motive behind Sergeant Kloppers' determination to solve the case. The belief that he could only imagine a police officer going to such lengths on his or her own behalf, or for someone else's interest, but not out of a sense of impersonal duty clearly reverberated in this statement.

Meanwhile, Sergeant Kloppers was determined to find the gun, which had already cost her a whole night and some loss of respect. Now it was not simply a matter of solving a possible murder case anymore, but also about setting things straight with Sam, who had managed to mislead her so badly. To save face, she needed to recover the gun by whatever means necessary.

She arranged with a former colleague of the Serious Crime Unit to take Sam for another ride. I was explicitly excluded from the trip because, as she said, "there are ways and means to get this gun, but maybe it is better if you don't witness them." As vague as this sounded, the explicit refusal to take me along led me to suspect that they were considering using force, or at least the threat of it, to make sure that Sam did not dare to mislead them again. "Ways and means" was a popular euphemism among those police officers I had talked to when they wanted to denote unequivocally, but cryptically, the use of illegal force.

The gun was recovered and the second bail application was turned down. Sam Dhlamini had to remain in custody, at least until the days of his trial, while Peggy could move back into her flat.

As the case unfolded it became clear how the imaginary of “your police – my police” informed the practice and experience of Sam and his girlfriend. Given the other case against Sam, for which he had never been arrested and which had been closed as unsolved, it becomes obvious why he had thought of himself as having an operational “my police”: he had established some sort of relationship with Sergeant Radebe, or else Sergeant Radebe was connected to policemen at the uniform branch who intervened on behalf of Sam and his girlfriend. However, the police officers who Peggy managed to mobilise to her advantage – “her police” – suddenly seemed to be more powerful than “his police.” The girlfriend, in turn, attempted to re-mobilise “their police.” Since “their police” were not doing enough, she tried to mobilise a uniformed police officer to arrest Peggy by opening a counter-charge, giving them additional grounds on which to intervene. However, when “her police” came to the flat to arrest Peggy on the counter-charge and heard who Peggy’s police were, they refrained from arresting her.

5.7 Disjunction and concurrence: making sense of the incoherence of the police intervention

5.7.1 Distortion or interpretation

Through the imaginary of “your police – my police”, local actors proactively appropriate and try to determine the terms of intervention of the police. The question is: are we dealing with a naïve distortion by local people of how police operate, or is the imaginary of “your police – my police” actually a faithful interpretation of the realities of policing as they present themselves to people removed from the realm of formal governance? Is it not the unequal and incoherent intervention of the police that forms city dwellers’ everyday experience of policing?

Examining the various police officers' actions in the case above, we see a variety of police interventions based on friction and disunity within the organisation itself – various racial fault lines, differences in interest, loyalties, and organisational and individual rationales. It is this extreme disunity and the divided, often antagonistic and contradictory involvement of the police, that allows the various social actors in the conflict to develop and assume alliances with various police officers. In addition, although alliances are formed between police and civilian actors, some represent the product of default and coincidental concurrence rather than an overlap of interest. From the perspectives of Peggy and Sam and the girlfriend, Peggy's police can be seen as powerful agents in the conflict over entitlement to housing space. Sergeant Kloppers, by contrast, is not particularly interested in helping Peggy to get access to her apartment or in protecting Peggy; she has become Peggy's ally and power broker unintentionally. Meanwhile, her own interest developed in quite a different direction: finding the firearm and setting things straight with the suspect for his "cheekiness." Nevertheless, the suspect was scrutinised and the case investigated with a vigour that worked to Peggy's advantage.

5.7.2 Sergeant Kloppers' sense of mission

One might be tempted to see nothing exceptional in Sergeant Kloppers' fervour with regard to the case. In a way, she did what is generally accepted as being part of "police culture", as it has been described in the canonical sociological literature on policing, mainly focused on Britain and the United States.¹⁰⁸ She simply followed a strong personal sense of her mission (Reiner 1985:88-91) and the urge to confirm her authority (Skolnick 1975:54-58), which are both part and parcel of police culture and without which, so the literature argues, policing could not take place. However, I am arguing here that she greatly personalises this sense of mission. She went to such an

¹⁰⁸ The literature mentions that vigilance as well as the need to reinforce authority lead to the breaking of rules. The subject of the tension between what police officers should be doing according to the law and what certain police realities 'demand' from them underlies most of those studies (see for example Skolnick and Fyfe 1993; 23-42; 89-98). However, as I argue at the end of this section, the impact of the 'breaking of rules' with regard to damaging the image of the police as a public institution very much depends on the overall credibility of such an image.

extent to reconfirm her authority, partly by making use of backstage authority, that it cannot simply be absorbed into the bigger picture of a unified, unbiased police force.

Sergeant Kloppers' sense of mission was closely connected to the idea of fighting "real crime" rather than solving a minor intimidation case, or an even less prestigious petty feud between two neighbours. She saw her transfer from the Serious Crime Unit to the General Investigation Unit more as a personal defeat than a career advancement. Her personal situation as a single mother with two children had made it difficult to endure the emotional and work pressures of the serious crime unit. The move to the General Investigation Unit offered her some organisational advancement in the sense that she would be assisting the head of the unit in his administrative tasks, and the desk tasks would allow her some more control over her life. However, it barred her from the respect of her former colleagues and the prestige connected to solving "real crime." The opportunity offered by Sam's case to deal with a murder case, despite being in the General Investigation Unit, provided her with a way to show that she was still very much part of the Serious Crime Unit.

Her holding on to and reinforcing her relationship with the Serious Crime Unit must also be seen in the historical context of the role of detective units within the South African police force and the trajectories of transformation. As discussed in Chapter One, the South African police force's history is one in which the detective units, especially those that dealt with serious property crimes, robbery and murder, were seen as elite units. For many years, it was the privilege of whites (and a very few black police officers) to become part of these detective units. Because of the generally low educational standard among white police officers (see Chapter Two), this meant that there was a marked differentiation between those who made it into the detective units and those in other units. It produced a strong consciousness of supremacy among those who made it into the detective service (Redpath 2002). Today there is still a disproportionate percentage of white staff within the detective units. Even as new special investigative units are set up, they recruit many white detectives, despite transformation policies. This is reflective of a dynamic where rare outstanding skills and experience can override the disadvantage of being white in terms of promotions to senior positions. Inspector Swanepoel, who had just been recruited to a special unit in Pretoria, and Sergeant Kloppers' current boyfriend,

who was employed in another special investigative unit, were examples of such career advancements that defied the general sense that equity employment policies were making promotion for white males impossible. All three of them were part of a network, helping each other with information received from informers and enabling access to records necessary for investigations. This network of white investigating officers tended to occupy detective positions in crime intelligence or serious crime units stretched across stations. I witnessed how this network worked when they tried to solve a case in which a white Serious Crime Unit detective had been shot in what they suspected to be a set-up. The trust and the willingness to share confidential information were indicative of the sense of an insider group.

This co-operation enabled them to share a sense that they still kept a hold over the organisation. This was based less on being part of the police force as a whole and of its role within the new South Africa, and more on being part of the police that carried out, in a stalwart fashion, the "real" and "significant" investigative work. This sectarian sense was further strengthened by the members of this "group" setting themselves apart from and ignoring the rest of the station, such as less-qualified detectives and especially the uniform branch, which was composed of mainly black police officers. The latter were often considered as not well-qualified.

These selective attitudes demonstrated themselves to me when Sergeant Kloppers continuously spoke about Area Commissioner du Ploy – clearly an Afrikaner male – and how she would get special permission from him for certain investigative stunts since he "highly valued" her, and "we have come a long way." Initially, this confused me, since I knew that at that time the Area Commissioner was a man of Indian descent with an Indian name. When I asked her about this, she insisted that I must have gotten it wrong. Later, I realised that Commissioner du Ploy was the Deputy Area Commissioner; however, in Sergeant Kloppers' pantheon of police chiefs, he occupied the area's top position. She clearly had a mental map of organisational hierarchies which put certain (white) individuals into the picture and excluded others. This must have been based on the people with whom she usually interacted and her sense of who carried the decisive authority.

Belonging to this network was vital for Kloppers' self-respect. Although she had Inspector Swanepoel and her boyfriend on her side on a personal level, she clearly felt, especially after her move away from the "significant work" at the Serious Crime Unit, that she needed to prove herself as part of the network in order to safeguard her identification with the "real" police. This sectarian qualification of her personal mission stresses its personal aspect. She simply ignored Sergeant Radebe's involvement in the case and spoke about the involvement of the uniformed police officer who appeared at Peggy's flat as if they were from a different company and not from the same police station.

Furthermore, Sergeant Kloppers' authority was seriously challenged by the recalcitrant and deceptive behaviour of the suspect, and could only be reaffirmed by solving the case and impressing on the suspect a hierarchy in which he was at her mercy. For this, she had to remind the suspect that police authority is built upon and backed by the potential use of force. Thus, the second incident of intimidation was a welcome excuse for Sergeant Kloppers to get Sam back into the station's cells, her territory, and to solve matters with recourse to the backstage authority rooted in a more unbridled use of violence. From there she could take him on a journey to locate his gun and to re-inscribe her authority onto their relationship. The possibility that she and her colleague resorted to brutality confirms that her motivation was no longer to solve the conflict between Peggy and Sam, or to protect Peggy, since for a mere intimidation case it would hardly be worth her while taking the risk of applying force in the course of investigation. Something more urgent, and in which she was more personally invested, was needed to go to such lengths.

Thus, what might appear at first as the action of a dutiful police officer is enmeshed in particular interests and personal agendas, and can only be understood by taking these factors into consideration. In a context in which the myth of the impersonal police has some currency, such as in the context from which the sociological literature empirically emerged (see above), the sense of the personalised mission might be easily outbalanced by the prevalence of that myth. However, this presupposes that the divergence between the personal mission and the idea of a coherent institution does not reach the point where they would appear incongruous. Meanwhile, in a context in which the myth of a coherent and unbiased police service has never meant much, and is more

proclamation than collectively shared experiences, such mystification is unlikely to happen. In contrast, it is the context of unintelligibility of the police, as it is coming to the fore here, that demystifies the normative proclamations. It emphasises and makes central the personal interest and motivation of the police officer, and accentuates the power of the police as a private power.

5.7.3 Non-intervention as intervention

The story also illustrates how the rationale of the “docket culture” (see Chapter Four) plays itself out. It contributes to even greater inconsistency in people’s experiences of inner city policing. Peggy’s initial case was closed because Sergeant Marais, who was in charge of the case before Sergeant Kloppers, wanted to reduce his docket pile. To manage his workload and to avoid work, he simply closed the docket as unsolved, and to cover himself he issued a “pointing out note.” This fits neatly into what other detectives had explained to me as the “tricks of the trade” – the range of tactics applied to reduce the insurmountable pile of dockets by cutting short the effort of investigation. One example would be to pretend to be looking for the suspect, falsely noting so in the docket diary, and then closing it after a while as unsolved. The pointing out note was officially meant as a tool of last resort in the investigation process. In cases where the suspect could not be found, it would allow the complainant, who suddenly found out about the whereabouts of the suspect, to approach any police officer for arrest. The onus was shifted back to the complainant, or at best to some other police officer.

From the perspective of suspects, this had the unintended effect of encouraging them to believe that they had nothing to fear in terms of prosecution. For Sam Dhlamini, it added to his sense of entitlement to the apartment and of his ability to defend his claim (through threatening Peggy). It could even be read as if his relationship with certain police officers was working to his advantage.

As discussed before, many detectives struggled to manage the case load they carried. In the General Investigation Unit a detective would carry an average of 80 dockets, a situation which breeds its own work economics. This substantially contributed to a situation in which many cases that were opened remained unattended, were treated

with a minimum of investigative effort, or were closed by fabricating an investigation record. In a survey carried out among victims of crime in the inner city, "it does appear that reporting crime does not guarantee that an investigation will follow" (Leggett 2003:69). With regard to robbery, respondents said detectives made contact with them in only 33% of the cases where the crime was reported (Leggett 2003: 69). This kind of experience serves as a general backdrop in which, at worst, the non-intervention of detectives after a case is reported is simply normal or, at best, an intervention is seen as arbitrary or even warrants a special explanation.

5.7.4 Corrupt relationships

Finally there was the relationship between Sam Dhlamini, Sergeant Radebe and some police officers from the uniform branch. Sam had access to the phone number of a uniformed police officer who would come upon his call. He also managed to get uniformed police officers to intervene promptly on the case that the girlfriend had opened. Finally, he seemed to be under the impression that Sergeant Radebe could act on his behalf. It is such personalised relationships which allowed Sam and his girlfriend to consider themselves protected by "their police." In this particular case, however, I did not have the chance to get a better understanding of what had led to these relationships and what their nature was.

It would be tempting to abridge the analysis of this case and simply label it as corruption. However, as I will develop in the next chapter, this would miss the point of the complexity of such "corrupt" relationships between city dwellers and police officers, especially where they know each other. In Chapter Six, I will use other cases to show how easily the line between police work and private work becomes blurred in the inner city.

While the accusation of police corruption is a common complaint among city dwellers, it often serves to strengthen their respective claims against police intervention and is indicative of the arbitrary threat posed by police. More important, it does not morally prevent or inhibit them from forming a personal relationship with a police officer if the opportunity presents itself. It would be described as "knowing a police officer" or –

if we apply the analytical device of “your police – my police” – as “my police.” However, the limitations of even those relationships were eventually revealed when the police officers involved were forced to acknowledge their own limits in terms of influence – again pointing to some rationales internal to the police – along with the desire to guard their own interests, both probably unknown to the inner city dweller. Thus while the fashioning of private bonds between police and city dwellers is a common practice, it is clearly a practice which is equally ridden by uncertainty, insecurity and at times unintelligibility.

This parallel existence of different realms of interest and practices shows the disjuncture between actual policing practice and a form of normatively prescribed official policing. However, these different trajectories of practice and interest also highlight the disjuncture between the different actors – both among police officers and between police officers and their clients/friends/connections. The official, formal world of policing must appear as a mere fiction, a distant noise, to local residents. What we have seen are police officers who entertain particularistic relationships, police officers who try to manage their workload, and police officers whose actions are led by an overriding, deeply imbedded individualised, even racialised, sense of what police work is about. Moreover, in their everyday practice, it becomes obvious that police officers do not always imagine themselves to be operating from the same organisation, not even the same station in this case, with a shared organisational rationale. These diverging interests and practices of the police come together in this case. The internal rationales are most often unintelligible to the outside, but are nevertheless determinant and central to whether they intervene.

Thus, there is no official, unbiased, coherent policing to be reinterpreted and made sense of by the city dwellers. They see only the immediate practice of local police officers – the already distorted forms of official policing and the trajectories of the internal working rationales. Because of this disunity and incoherence, there is a great deal of unpredictability related to police intervention. This can translate into danger and threat as police act on their own behalf or on behalf of someone else in the city. The police become seen as inherently and fundamentally divided and threatening, and police intervention as largely unintelligible. This view is partly absorbed and made sense of by the competing demands for police interventions along the lines of “your police – my

police.” For it is only by appropriating a police officer, turning him or her into a private police officer, that some of the unpredictability and unintelligibility of such a divided and threatening police service can be reduced, and that one is able to gain some protection. The imaginary of “your police – my police” provides a way to make sense of this volatile inconsistency and to enable some kind of meaningful and efficacious action.

In this context, Simone and Hecht’s (1994) notion of micro-governance may be misleading, as it implies too much functionality within the “chaos.” In an effort to demonstrate the rationale of the informal, it implies that ambiguity and unpredictability can be erased in certain situations. While micro-governance might be enabling, it conceals the fact that it is not always possible to transcend the circumstances of the inner city. In fact, only by incorporating the conditions of insecurity and unpredictability can an expedient imaginary be established. Mbembe and Roitman (1995:332) have argued that in everyday life “the crisis”, as characterised by a situation of existential insecurity and unpredictability, “loses its exceptional character and as a normal, ordinary and banal phenomenon becomes imperative to consciousness.” In this way the unintelligibility and the unpredictability of the condition of crisis become part of the imaginary itself. From there flows “the attempt to articulate new forms of rationality based on the emergent understanding of efficacious action which often issue from ambiguous and contradictory situations” (Mbembe and Roitman 1995:339). It is this notion of efficacious action in the context of unpredictability and insecurity that is taken seriously in the understanding of the working of the imaginary of “your police – my police.” Instead of capitulation in the face of insecurity and incoherence, the imaginary makes provisional sense of the situation and allows some possible horizon for action.

Living on the margin is not just an external circumstance which is wrapped around the person or which can be transcended. Rather, it is a sense of being in the world, which, in this case, alters and influences the meaning of interaction with and the appearance of the police. As much as the normative needs the certainty of the future, we can find a different sense of temporality, a sense of radical contemporaneousness, in the imaginary of “my police – your police.” The police officer can only be meaningfully understood as a person who has the ability to represent the state, but is at the same time

recognised for the ability to move beyond the state and to apply state force in a particularistic, personalised fashion.

5.8 Conclusion

In this chapter I begin to discuss the issue of police accountability towards the population. A vital determinant here is the nature of the interface between police and people and what is happening at this interface. My starting point is that the basic principle of increased police accountability towards the population is premised on the existence of a permeable interface between police and people, in which the police are more exposed and dependent on the involvement of people than they were in the past. At the same time the people have more scope to impress their idea of policing onto the police than before. The standard rationale underlying this form of accountability is that it will provide the channel through which the population can impress their demand for a form of policing which respects human rights.

This chapter delineates other conceptual perspectives through which to read the police-citizen encounter as it takes place in the context of the social margin. The social margin limits the possibility for police accountability towards the population, because in that context an accountability that pushes policing towards human rights is foremost a normative ideal. Such an ideal must compete with long-ingrained, structurally reproduced patterns of interaction and perception between police and people. In the context of the margin, there is a shortage of the basic means of survival, such as housing and protection. In this context formal governance seems to have been removed; the state, in the form of the normative ideal of police providing unbiased protection, is absent. This means that the rules governing this space are primarily informal, and are constantly challenged as marginal groups of people make use of the few resources that are available and which can provide an advantage in the struggle for living and security.

If the police appear, it is mainly as a threat, or else the reason for their presence is fundamentally unintelligible. This is caused by, as described in the previous chapter, a reality in which the police continue to apply an authority based on inscribing a marginal

status onto people, while assuming state power as a form of violent personal power, through which they can achieve their aims without official authorisation. Adding to this operational context, this chapter further differentiates the social picture of the police force by suggesting that police divisions along broad societal fault lines such as race, or along the lines of particular policing task divisions (for example, serious crime investigation) reflect into the margins. Furthermore, the motivations that drive police officers to pursue a case can translate into a level of vigilance which leaves the mission of the organisation behind and becomes a self-appointed or sectarian mission. The chapter also foreshadows the degree of susceptibility of police officers to corruption, which adds a further dimension of threat and unpredictability for people who occupy marginal spaces.

Nevertheless, despite the high degree of insecurity and intelligibility to which the police contribute, this does not mean that people have totally surrendered themselves to such insecurity. Rather, the reading of the police by those on the societal margin, and the making of the police at the margin, happens within a different space/time reality. This reality of temporality disentangles and demystifies the conflation of "what should be" with "what is", which places the normative proclamation of the formal state – which depends on the idea of a teleological future - at a different explanatory level. Instead it allows for taking cognisance of the turmoil and tribulation within a particular space without losing the ability to create meaning, even if this meaning means incorporating the insecurities.

Meaning is created by people through an understanding of police powers as a potential (if sometimes dangerous) resource which can be applied in informal situations of micro-governance in the inner city. This use of the police happens without regard for the formal delimitation of police tasks. Formal observance of police tasks would require that clarity of role delimitation is part of everyday life. In these forms of micro-governance, by contrast, the state power represented by the police officer is recognised as being administered in a particular and private form. The police officer who becomes engaged in these forms of micro-governance is seen simultaneously as part of the state and beyond the state. Through this re-inscription of state power into the informal realm, new social manoeuvres within an otherwise shaky, under-resourced and insecure realm are being created.

Meaning within this marginal space is also created by accepting that security is not a service which is publicly available, but that people need some form of personal connection to the police to gain protection from them. The idea of “your police” or “their police” allows people to explain why the police don’t intervene, or seem to work against them, or seem to be protecting or creating an advantage for others rather than for them. Within a context where such explanations prevail, the rationale for building up personal relationships with police officers if such an opportunity offers itself, is clear. If one gains access to a relationship with a police officer, through whatever means, it is more realistic to consider them as personal police – “our police” – instead of public servants. It remains specific and non-conferrable as general experience. As such, “your police – my police” provides a working conceptualisation which does not erase the unintelligibility of the police, but which does away with the deceptive claims of an unbiased police. It adjusts people’s practice and approach towards police officers in the context of the margin, with its experience of tribulations and crisis. This of course also implies that some people are better equipped than others to forge such bonds with police officers – something which will be discussed in the next chapter.

Although the notion of the crisis as developed by Mbembe and Roitman (1995) provides useful understandings for the context of the margin, I would like to add that the notion is not fully able to describe the intervention of the police in Johannesburg’s inner-city environment. Their use of the term ‘crisis’ refers to a situation of acute economic depression, a chain of upheavals and tribulations, instabilities, fluctuations and ruptures of all sorts – “wars, genocides, large scale movements of people ... coercion and constraints” (Mbembe and Roitman 1995:338). In the case of Cameroon, which provided the empirical backdrop for their article, this meant a total collapse of both post-colonial prosperity and any possibility of imagining the future in terms of progress. It meant decay of the urban environment and the erosion of formerly secure realities such a pay cheque at the end of the month. This kind of crisis inscribed itself into the urban structure as well as into social interactions, and created a “society knocked about and mistreated by a succession of instabilities, shortages, constraints, and blockages” (Mbembe and Roitman 1995:338).

By contrast, Johannesburg's inner city has become a destination for immigrants, both national and international, to escape exactly such situations of crisis and to seek better opportunities. As such, the inner city is still being treated by its inhabitants as a place of opportunity and of speculative but better futures. Also, in this particular historic moment in South Africa the police take seriously, at least on the partial and representational level, and with reference to human rights, the requirements of a non-racial and non-partisan police. And we have to take seriously the reality that close encounters with the police might not fully account for the imagining of the state. Different state institutions, or the state at a spatial or temporal (normative, future) distance, might be considered as more impartial (see, for example, Gupta 1995) and as more true to certain humanising attempts.

Therefore, having made the conceptual shift with regard to the interface between the police and people away from the idealised nature of this interface as it is underlying the idea of human rights accountability, I now would like to return in the next chapter to the issue of human rights. I will look at the kind of human rights talk that is produced in the process of accountability at the interface between police and people and how, in turn, human rights talk alters the encounter between police and people living in the margins. I will also deal with the notion of the "corrupt relationship", which has only been dealt with here on a superficial level. Thus, while I will extend the horizon of imagining the state towards the future and human rights, I will also go deeper into the micro-politics and social manoeuvring of the police-citizen encounter.