

**HORIZON SCANNING IN SOUTH AFRICA:
CRIME AND VIOLENCE: GOVERNANCE,
CITIZENSHIP AND SOCIAL COHESION**

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Executive summary

Violent crime in South Africa is amongst the highest in the world. Violence most affects black South Africans who live in mega-townships (which are mostly poverty stricken) in a society with one of the highest rates of inequality and unemployment in the world. How we respond to this violence will determine whether South Africa becomes a society, like Brazil, where the poor live in self-governing, isolated ghettos and the rich live in fear in gated communities, or whether it becomes a society where citizens feel safe and secure as equitable beneficiaries of citizenship.

Violence impacts on South African society at physical, psychological and structural levels. The forms of social cohesion it creates show signs of being at odds with the forms of social cohesion envisioned by the national government. Whilst there are positive community formations to manage risk, poor communities are also showing signs of cohering around marginalisation, social exclusion, xenophobia and susceptibility to gender and sexual violence. Black working-class communities are increasingly mobilising around structural violence-improvements to their basic conditions of living: housing, land and 'service delivery'. By May 2007, according to a study by the Freedom of Expression Institute, "6,000 protests were officially recorded during the 2004/05 financial year of which almost 1,000 were banned... 15 protests are being held *per day* somewhere in South Africa – besides the number of unrecorded protests" (Delaney, 2007). The study went on to note that, "police officers are often ignorant of the Gatherings Act or, more worryingly, abuse the Act to prevent people from protesting and marching in public" (Delaney, 2007).

Violence, as experienced by middle-class communities increasingly pessimistic about the state's capacity to provide safety, shows signs of creating enclave communities with privatised security. These zones are connected by road and transport systems that favour the wealthy, creating an interlinked 'fortified network' which could eventually 'disembed' the city, as in some Latin American cities. The trend towards malls, highways and transport systems like the Gautrain project, which favours the middle classes, may be indications of this trend in South Africa.

If social cohesion continues in these fragmented and mutually exclusive areas of living, working and consuming, then social polarisation would continue to create racially separate and mutually distrustful 'publics'. An emphasis only on policing to create safer communities will criminalise the poor, confining them to their areas of living. Declining forms of associational life, reduced to an isolated locale, enable criminal networks and gangs to establish order and control. Feelings of animosity can manifest themselves internally to those different or weaker: other gangs, foreigners, women and children.

Violence, seen as a threat to both the fundamental right to life and as a process of social suffering which violates the citizen's socio-economic right to a life free of insecurity, can be dealt with in an integrated manner – as both a policing and a governance problem. Where this is done, the long-term prospects of a socially cohesive national citizenship seem more likely.

1 Context

Violent crime in South Africa is amongst the highest in the world. Violence most affects black South Africans who live in mega-townships (which are mostly poverty stricken) in a society with one of the highest rates of inequality and unemployment in the world. How we respond to this violence will determine whether South Africa becomes a society, like Brazil, where the poor live in self-governing, isolated ghettos and the rich live in fear in gated communities, or whether it becomes a society where citizens feel safe and secure as equitable beneficiaries of citizenship.

Two categories of serious crimes have shown an increase in recent statistics. Both relate to bodily safety and therefore have important implications for how safe we feel as citizens. These two categories fall within what are called 'contact crimes'. Two of the eight categories of contact crime have increased in incidence: aggravated robbery and murder increased by 4.6% and 2.4%, respectively. With regards to property crimes, car hijackings and house robberies, which are sub-categories of aggravated robbery, increased by 6.0% and 25.4%, respectively (SAPS, 2007). Coupled with these increases are low levels of convictions and under-reporting. Out of an estimated 2,115,946 serious and violent crimes committed in South Africa in 2004/05, there were only 62,717 convictions – a conviction rate of 2.96%. Only 1,100,292 (52%) were reported to and/or recorded by the South African Police Service (see www.csir.co.za).

Based on studies of dockets, the geographical locations of crime and analysis of the time frames within which crimes occur, the South African police note that contact crime like murder and assault are likely to occur amongst people who know each other and are friends, relatives or acquaintances. Based on docket analysis, an alarming 89% of assault to do grievous bodily harm and common assault, 82% of murders and 76% of rape cases involve people who know each other. In the category of attempted murder, 59% of cases showed a similar pattern (SAPS, 2007).

The contact crimes committed showed strong patterns of involving alcohol or other substance abuse. Based on these trends, the Minister of Safety and Security concluded that, in relation to serious violent crime, "the social conditions people live under have an impact on the incidence of crime in South Africa; poorer communities experience more violent crime than wealthier ones" (Nqaqula, 2007). Social conditions impact on violent crime and responses to both social conditions and violent crime will determine the forms of community we live in.

2 State responses to violence

Two main strategies shape current approaches to violence: improve policing and create socially cohesive communities. The post-*apartheid* security services and the South African Police understood the challenge: from serving the interests of an authoritarian and racist regime which protected the welfare of a racial minority, the police had to become an institution which now served the interests of the majority of South Africans. It had to become the custodian of security rather than an agent of insecurity. The force was renamed, and a new ethic of policing that upheld human rights practices was adopted. Prosecutions would be based on detection and accumulation of evidence rather than on torture and confession, and a stated objective to serve ‘the community’ adopted (Shaw, 2002).

The National Crime Prevention Strategy advocated a multi-pronged approach which emphasised a range of interventions, including community partnerships, public education and reshaping social values, and changes in environmental design. As Clifford Shearing and Mark Shaw noted, “what was remarkable about the document was that it challenged the conventional wisdom about policing being fundamentally police business... It argues that post-*apartheid* policing strategy should be developed to create new systems for mobilising resources to reduce the risk of crime across the society” (see <http://www.iss.co.za/Pubs/ASR/7No3/ShawAndShearing.html>).

In practice however, the policing focus has been on improving capacity to arrest and prosecute, shifting away from the broader approach (see www.iss.co.za/Pubs/ASR/7No3/ShawAndShearing.html). A number of factors are driving the current approach:

First, there is public and political pressure ‘to do something’. In particular, public pressure was initially driven by white South Africans who had a historical sense of entitlement to feeling safe^a, felt empowered to articulate their views in newspapers in English and previously benefited from a police force dedicated to their safety under *apartheid*. Another key driver of the public discourse around crime has been the business community, which has emphasised the need for a safe environment in order to be effective producers and retailers of goods, and to create an enabling environment for long-term investment.

Creating a ‘socially cohesive’ society requires drawing on the social capital of communities to create more socially harmonious relations, and where rights and obligations are practised which are consistent with the laws that govern the country. Key institutional agents of socialisation, such as the family and the public education system, are important sites of intervention through which to transform relations amongst citizens.

^a It is worth bearing in mind that in 1996, more than 74% of police stations were located in formerly white areas.

The successful implementation of policies and programmes, based on this realisation, would be an important goal if we were to build safer and secure communities not based on fear and suspicion but trust and solidarity. Fear would create forms of community that work against shared social cohesion. If South Africa is to address violent crime and increased property crime, security will have to be understood and addressed in terms broader than punishment, deterrence and incarceration.

The aim of building social cohesion must take into account that, given the history of racism and colonialism in South Africa, the normative value of the law is not shared across communities. Legal morality and social morality still show divergences (cf. Ekeh, 1973). Secondly, significant forms of social organisation which expressed grass-roots political demands were demobilised with the inauguration of a democratic government in 1994^b. The expectation was and continues to be that the new state will deliver, and that communities would be the recipients of development rather than proactive agents. Thirdly, the widening wealth gap and the effects on black communities of the post-*apartheid* government's economic policies must be considered: "In spite of the pro-poor policies, South Africa still remains one of the highest in the world in terms of income inequality" (World Bank Report, 2006). More than 50% of the population live below the poverty line and unemployment in the broad sense is around 40%. Relative deprivation between rich and poor encourages feelings of envy, aggression and animosity, largely still racialised and strongly gendered.

'Community' could increasingly form around identities of marginalisation and social exclusion for victims of a lack of delivery, poor local government representation and service and police repression. If this trend continues, the law will continue to be experienced as a source of insecurity rather than security, undermining long-term efforts to build trust between the state and citizens.

While black townships build community around marginalisation, middle-class, mostly white, areas are building community around victimhood and fear. More than 50% of black South Africans are victims of violent crime in their residential areas, while more than 80% of white South Africans are victims of similar crimes away from their residential areas (Omar, 2004). A decline in conviction rates encourages the perception of the ineffectiveness of the South African Police Service as the ultimate provider of safety and security. This has led to the growth of various community initiatives, which have taken different forms depending on the resources which communities can mobilise. The increased investment in residential fortification and private security to both ensure safety and feel safer may, paradoxically, in the long run create further social fragmentation and insecurity. Lemansky observes that "enclaves do not just respond to difference and fear, but actually deepen segregation and reinforce fear by excluding difference and limiting social mixing, thus increasing paranoia and mistrust between groups" (Lemanski, 2004).

Positive forms of community partnerships, like the *Proudly Manenberg Campaign* in the Western Cape, have successfully reduced levels of violence from gangsterism. The

^b Everatt and Jennings found that in 1992, over 78% of youth declared affiliation to an organisation or association, like a political group, a church or a sport group. In 2000 the figure had dropped to 43%.

formation of community police forums and neighbourhood watches has had varying degrees of success and has brought communities together. Negatively, vigilante groups have emerged across the country (Buur, 2005). There have also been sporadic violent outbursts of community action against criminals or those suspected of having committed crimes. Local communities are also uniting against foreign Africans, seen to be sources of crime or threats to economic opportunity. Where trust is eroded and risk appears uncontrollable, threats, jealousy and curses circulate invisibly. The growth of occult practices to protect health and reduce susceptibility to the bad intentions of others is widespread and often unacknowledged. Gangs are likely to attract more disaffected youth and foster sexual violence, which would contribute to the HIV and AIDS pandemic.

3 Uncertainties and implications

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