

**MAPPING GRAHAMSTOWN'S SECURITY  
GOVERNANCE NETWORK:  
PROSPECTS AND PROBLEMS FOR DEMOCRATIC  
POLICING**

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## ABSTRACT

The security of its citizens is often regarded as the democratic state's primary *raison d'être*. However, with increasing crime and perceptions of insecurity among citizens, along with actual and perceived state policing inadequacies, citizens around the world have sought to make alternative arrangements for their security. The explosion of private alternatives to state policing has resulted in the need for the replacement of former static definitions of policing by more fluid understandings of what policing entails. Policing is no longer an activity undertaken exclusively by the 'state police.' Policing needs to be understood within a framework which recognises the existence of a variety of state, commercial, community groups and individuals which exist within loose and sometimes informal, sometimes formal, networks to provide for the security of citizens.

Preceding the country's transition to democracy in 1994 'state' policing in South Africa was aimed at monitoring and suppressing the black population and as a result it conducted itself in a largely militaristic way. When the government of national unity assumed power in 1994 it was indisputable that the South African Police had to undergo major reform if it was to play an effective, co-operative and accountable role in a democratic South Africa. While state policing has unquestionably undergone enormous changes since the advent of democracy in 1994, so too has non-state policing. It is widely accepted that the dividing line between state and non-state policing in South Africa is increasingly blurred.

Policing, by its very nature, holds the potential to threaten democracy. Consequently it is important that policing is democratically controlled. According to the Law Commission of Canada four values and principles – justice, equality, accountability, and efficiency – should support policing in a democracy.

This thesis is a case study of policing in Grahamstown, a small city in South Africa's Eastern Cape province. It will be shown that the policing problem that currently plagues Grahamstown, and by extension South Africa, is not simply the result of a shortage of providers but rather a problem of co-coordinating and monitoring security governance to ensure that the city does not further develop into a society where the wealthy have greater access to security than the poor.

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## CHAPTER 1

### POLICING AND DEMOCRACY: A CONCEPTUAL INTRODUCTION

The security of its citizens is often regarded as the democratic state's primary *raison d'être*. According to Charles Tilly 'early in the state-making process many parties shared the right to use violence' (1985: 511) but as state forces became more 'unified and permanent' (ibid: 512) so governments came to control the monopoly on the legitimate use of force. However, while public policing may have been the dominant form of policing in developed nations during the industrial era, the situation today is fundamentally different. Since the 1960s the 'trend towards absolute state control of the criminal justice sphere has undergone a reversal in a number of developed capitalist states' (Schonteich, 1999:2).

With increasing crime and perceptions of insecurity among citizens, along with actual and perceived state policing inadequacies, citizens around the world have sought to make alternative arrangements for their security. As Karina Landman and Martin Schonteich highlight, 'one of the consequences of the state's inability to protect the life and property of its citizens – especially in developing countries – is the formation of private alternatives to crime prevention and control' (Landman & Schonteich, 2002:71). So, while the state police remain an important player in the provision of security they have ceased to be the only (or in some cases even the principal) actor (see for example Loader and Walker, 2001:10).

The explosion of private alternatives to state policing has resulted in the need for the replacement of former static definitions of policing by more fluid understandings of what policing entails. Policing is no longer an activity undertaken exclusively by the 'state police.' As David Bayley wrote 'Policing has become a responsibility explicitly shared between government and its citizens' (Bayley, 1996:1), it now 'belongs to everybody – in activity, in responsibility and in oversight' (ibid: 5).

## Policing in Contemporary South Africa

In 1999 the then National Police Commissioner, Jackie Selebi and the Minister of Safety and Security, Steve Tshwete promised South Africans that serious crime would drop within four months and that Johannesburg would no longer be the world's crime capital (Louw and Schonteich, 2001:41). However, this did not materialize and South Africans were left wondering why it was that the newly democratic state was unable to provide them with the protection they had been promised in the Bill of Rights.<sup>1</sup>

Today South Africa is 'plagued by a crime wave that many see as a threat to the stability of [the] new democracy and a deterrent to international investment' (Carrier 1999:5). While we know a great deal about the social conditions which are contributing to the high crime levels, there is a serious dearth of research into existing and potential policing practices. As a result it is not surprising that Ted Legget argues that not only does South Africa have a crime problem but that it has a policing problem (2005:168), and that Altbeker queries whether we have the tools to address it (2001:39).

It will be shown that the policing problem that currently plagues South Africa is not the result of a shortage of providers but rather a problem of co-coordinating security governance. As Shearing and Kempa (2000:205) observe, when governments have focused on democratizing policing they have focused on the reform of the state police. While the importance of such reform is indisputable it is inadequate in light of the fact that, as it will be shown, state policing initiatives are only one in a myriad of responses to crime and insecurity.

In 2004 Baker wrote that there was 'a dearth of data and analysis concerning the nature of contemporary policing in Africa, the effect of fragmentation of policing on justice, accountability, and quality of service, and the actions of governments to control and hold accountable all forms of policing' (2004a:183). This thesis is an attempt to engage with these problems on a local level.

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<sup>1</sup> Everyone is equal before the law and has the right to equal protection and benefit of the law (Section 9 (1) of the Constitution of the Republic of South Africa, Act 108 of 1996).

Although for academic purposes discussing policing in terms of a dichotomy between state and non-state policing may seem appealing, Baker points out that 'the dichotomising of public and private security oversimplifies what is in reality a complex world of overlapping and cooperative patterns of security' (2004:167; see also Dupont, Grabosky and Shearing, 2003:333). It is increasingly apparent that the majority of academic literature which assumes this dichotomy between public and private or state and non-state policing (especially in South Africa) fails to see that not only do policing initiatives overlap, but that the relationships between the different nodes are often irregular and thus indistinct. As Irish asserts, 'the boundaries between public and private security are becoming increasingly blurred' (Irish, 1999: 10).

Policing needs to be understood, then, within a framework which recognises the existence of a variety of state, commercial, community groups and individuals which exist within loose and sometimes informal, sometimes formal, networks to provide for the security of citizens. The relationship of the state to these non-state security provision measures with regard to authority and control, moreover, is highly variable. Additionally, not only is the form that policing provision takes variable, but so is its perceived and actual function ranging from punishment for offenders to problem-solving to risk management to remedial or restorative approaches (Baker, 2004:169). Thus, for the purposes of this study, policing is understood as 'any organized activity that seeks to ensure the maintenance of communal order, security and peace through elements of prevention, deterrence, investigation of breaches and punishment' (Baker 2004: 165). As Ryan Carrier has stated, policing is no longer viewed as 'something that the police own' (Carrier, 1999: 2).

The different forms and functions of non-state policing that transpire in any given community are highly related to the context in which they emerge. Les Johnston (1992:71) suggests that we can distinguish at least three categories of non-state policing, namely:

1. Autonomous citizen responses
2. Responsible citizen responses
3. The registered private security industry

### Autonomous citizen responses

According to Johnston (1992) autonomous citizen responses are 'reactions to crime and disorder, or to fear of crime and disorder [which] involve citizens in autonomous forms of self-policing: those which are undertaken, in the main, without the cooperation or involvement of public police organizations' (Johnston 1992:159). The aforementioned reactions by individuals or groups of individuals are often referred to as 'vigilante activity.' According to Johnston (1996 in Sekhonyane & Louw, 2002:11) six elements characterize vigilante activity. These are:

1. Minimal planning, preparation or premeditation;
2. Private agents acting in a voluntary capacity;
3. Activity undertaken without the states authority and support;
4. Force is either used or threatened;
5. A reaction to the real or perceived transgression of institutionalized norms;
6. Aims to offer people the assurance that established order will prevail.

Johnston contends that modern vigilantism occurs as a result of two conditions. Firstly the belief within a community that crime and social disorder is a threat to public stability and secondly that the criminal justice system is contemporaneously unable to deal with the apparent crisis: either due to a dearth of resources, or as a result of inefficiency and the erroneous use of resources (1992:159). As Baker says, such activity today is 'largely a response of frustration by citizens who regard the state police as being unable, through lack of resources and training, to provide security, or who in extreme cases actually collaborate with criminals' (2001:4).

### Responsible citizen responses

The privatization of policing functions does not necessarily preclude state involvement. Privatization of policing functions 'can also be brought about when private citizens take over some of the responsibility for public security from police organizations' (Johnston 1992:137). Responsible citizen approaches are carried out with the consent or support of the state police. The main objective of such approaches is to create partnerships between state

institutions and the public in order to combat crime in local areas. As a result, advocates of responsible citizen approaches invariably 'place considerable emphasis on the alleged virtues of community policing and multi-agency approaches to crime prevention' (Johnston 1992:137).

### Private Security Industry

The private security industry operates, for the most part, within the bounds of the law and ideally in cooperation with the state police. According to Johnston, (1992:71) the industry can be divided into three categories.

1. Physical mechanical: i.e. the provision of locks, safes, strong rooms, grilles, shutters, security glass, anti-bandit screens, vehicle security etching, cash bags, boarding-up services, etc.
2. Electrical/electronic: i.e. manufacturers, surveyors and installers of alarms, detectors, control panels, CCTV, signaling apparatus, video motion detection, access control and electronic locking systems, security cameras, cash handling aids (e.g. smoke and dye canisters), etc.
3. Manned (and womanned) services: static or patrol guarding services, cash transportation (bank collection, wage packeting), key holding and responding to alarms, alarm monitoring, CCTV; and audio surveillance remote monitoring, etc.

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Research suggests that while reliance on *both* state and non-state policing appears inevitable and ubiquitous in the contemporary context, the blurred and complex mix of state and non-state policing provision can raise serious questions from the point of view of new democracies (Baker, 2004; Irish 2000). South Africa's democratic transition is one decade old and with the purported policing crisis in the country, democratic control over policing has become increasingly important.

### Democratic Control of Policing

South Africa's transition to democracy in 1994 led to the establishment of many of the 'institutions and mechanisms associated with a fully fledged liberal democracy' (Lodge, 2002:153). An array of political parties emerged for which all South Africans over the age of majority were allowed to vote. A constitution and a Bill of Rights were drafted, guaranteeing South Africans freedoms. Commissions were established to protect these rights, and freedom of the press was not only permitted but encouraged to keep the newly elected government accountable. Although these achievements have been hailed as little short of miraculous, it would be imprudent to think that the transition was complete. As Tom Lodge (2002: 153) observes, democracies are not created overnight. 'Competitive and reasonably well managed elections as well as legally codified civil rights define a formal or electoral democracy but fairly elected governments and humane constitutions are insufficient to make a system effectively democratic' (Lodge, 2002:153).

Whether or not states meet the requirements for democracy, they all have some form of policing arrangement. The difference is that democratic states have official mechanisms in place designed to control the state police (and increasingly private policing initiatives) and to ensure that they remain just and accountable. This is extremely important because policing, by its very nature, holds the potential to threaten democracy. In their daily activities police personnel work to provide for the security of the state's citizens, reducing crime, fear of crime and victimization by enforcing the law. The consequences of such a mandate result in a situation where many police endeavours take place in potentially challenging and often problematic circumstances, and with potentially dangerous and often difficult individuals (Skogan and Meares 2004:67). According to Skogan and Meares, because the police 'work outside the public eye, they routinely have opportunities to engage in a laundry list of corrupt activities' (2004:66). It is not surprising that Rachel Neild (1999:1) argues that public security problems directly affect the stability of new democracies. As a result it is extremely important that policing is democratically controlled. Policing's compliance with the law is a central feature of democratic society (Skogan and Meares, 2004: 66).

Jones, Newburn and Smith (1996) draw attention to the fact that although there is widespread agreement about the importance and desirability of democratic policing, there is equally

widespread 'disagreement about what exactly this would constitute' (1996:6). Democracy is a complex concept despite the tendency to use the term as if its meaning were self evident (Jones, Newburn and Smith, 1996:1).

According to Jones, Newburn and Smith (1996) democratic theorists are divided in their understandings of what democracy entails. The first understanding of democracy, as the existence of a set of political institutions is resoundingly Schumpeterian. Schumpeter (1961:269) defines democracy as 'that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of competitive struggle for the people's vote' (Schumpeter cited in Sorensen, 1993: 10). The second understanding of democracy is held by those who view democracy as a series of social ideals, and it is this understanding of democracy that will be utilized in the thesis. The argument maintains that instead of narrowly focusing on the institutions that purportedly signify the existence of democracy that 'a more helpful approach to examining the meaning of democracy is to analyze the range of values underpinning those institutions and processes' (Jones, Newburn and Smith, 1996:4). South Africa's new constitutional order is widely acknowledged as being one of the most advanced and comprehensive in the world. As a result one could argue, in terms of Schumpeter's understandings of democracy, that South Africa's transition is 'technically' complete. A perfunctory examination of the current state of South African policing indicates however that this is not the case. As a result, it is the contention of this thesis that an analysis of the values (or lack of values) underpinning South Africa's 'democratic' institutions is vital.

Democratic governance makes particular demands of policing, most specifically that the form that policing takes must be 'accountable, consistent and humane' (Baker, 2002:30). As a result a number of criteria must be outlined (in this case in relation to policing) which can then be used both as a measure of current policing practices and as a guideline for conducting democratic policing. Here a useful schema is provided by the Law Commission of Canada (2002) which contends that four values and principles – justice, equality, accountability, and efficiency – should support policing in a democracy (The Law Commission of Canada report, 2002:23).

## Equality

Equality is the most important characteristic of democratic policing, because in 'principle all other elements derive from it' (Jones, Newburn and Smith, 1996:8). According to the Law Commission of Canada, two aspects of equality need to be present for policing to be said genuinely to respect the value of equality. Firstly there must be equality of service and secondly 'policing must be inclusive of all members of society' (The Law Commission of Canada report, 2002:23). These characteristics of equality can be encompassed within the notion of the fair distribution of police services, which entails distributing police resources and personnel fairly so that all members of society have equal access to equal levels of service.

One of the reasons cited by various theorists for the growth in the private security industry is the fact that policing has failed to be implemented equally. If policing initiatives fail to safeguard each and every member of the communities that they represent, their accomplishments in terms of democratic policing become debateable.

## Accountability

Accountability is vital to democratic policing. Accountability entails being held responsible for one's actions. In other words, for the policing to be accountable to the public it must be subject to review. It is the contention of numerous theorists (see for example; Stone and Ward, 2000; Bayley, 1997; Bruce & Neild, 2005) that remaining accountable to various structures at various levels is what distinguishes democratic policing bodies from their non-democratic counterparts (Ward and Stone, 2000: 11).

In accordance, the thesis argues that no individual mechanism of accountability is adequate. If it is to be deemed democratic, policing necessitates accountability mechanisms at three levels of control:

1. State or governmental control (external)
2. Internal or departmental control
3. Social control or control by civil society

(Ward and Stone, 2000: 11).

### *External Control*

According to Bruce and Neild (2005:22), for policing to be accountable and transparent an autonomous and efficient supervisory apparatus must exist to guarantee that grievances against the police are investigated.

### *Internal control*

The police agency must have an accessible and operational arrangement for receiving grievances and an efficient internal arrangement which ensures that all investigations against its members are carried out in an appropriate and prompt fashion (Bruce & Neild, 2005:38).

### *Community level control*

Civilian oversight is increasingly accepted to be an important accountability mechanism particularly when, as Rachel Neild (1999) observes, the quality of internal accountability measures are somewhat dubious. Dixon (2000:77) refers to community level control measures as 'organic mechanisms.' According to Dixon this type of accountability is non-institutional and 'depends on the intimacy that programmes of visible policing are intended to foster between police personnel on permanent assignment to small managerial areas' (Dixon, 2000:77). According to the Pattern Commission,<sup>2</sup> this type of accountability can be enhanced by allowing 'lay visitors' to inspect policing practices (Recommendations 64 and 148 in the *Report of the independent Commission on policing for Northern Ireland*).

There is no universally accepted method when it comes to establishing or reinforcing accountability. However, for genuine accountability to develop, it is vital that innovative ways of monitoring policing *as* it takes place, rather than *after* it takes place, must be investigated (Jones, Newburn and Smith, 1996:12).

### Justice

According to Rawls, the 'fundamental idea in the concept of justice, is fairness' (Rawls, 1967:132). As a result very few people would question the fact that justice is a crucial attribute of democracy. Due to their conviction that 'doing justice means that individuals ought to be treated fairly and that decisions about their lives should not be based on narrow

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<sup>2</sup> Independent Commission on Policing for Northern Ireland

instrumental concerns but rather appeal to greater universal freedoms' (The Law Commission of Canada report, 2002:23), the Law Commission of Canada argue that policing must be carried out in such a way that both individual integrity and the peace of the community are guaranteed (The Law Commission of Canada report, 2002:23).

### Efficiency

While efficiency or effectiveness is not itself part of the specific edifice of democratic policing, in other words it is not a prerequisite for democracy that policing be effective, it is an important value. Bruce and Neild (2005:31) remind us that democracy is 'not only "by" the people, but "for" the people.' Policing is an important service provided to reduce 'crime, disorder and fear and promote public safety' (ibid). Citizens around the world demand high levels of service from policing initiatives. As a result, in their attempts to provide "for" the people, police services must be cost effective and efficient (The Law Commission of Canada report, 2002:27). Among other factors this entails responding promptly to emergency calls (Bruce & Neild, 2005:61). It is important to note that attempts to create efficient policing practices must not work against the aforementioned values of justice and equality (The Law Commission of Canada report, 2002:27).

The Law Commission of Canada, in a section titled 'Discussion Points,' queries whether in fact these four values are the only prerequisites for democratic policing and asks whether other principles should be reflected in democratic policing. I argue, like Diana Gordon (2001), that consolidation of democracy must move beyond procedural guarantees and adherence to the principles of democracy outlined above by including 'operational expectations that citizens will be able to influence government and exercise individual rights and that government will give citizens at least some of what they want' (Gordon, 2001:125). Citizens' involvement in governance, the importance of which was previously discussed, depends on what Dhal (1971) terms the 'responsiveness' of government. He argues that 'responsiveness' necessitates that citizens are given opportunities to:

1. Formulate their preferences
2. Signify their preferences to their fellow citizens and the governments by individual and collective action
3. Have their preferences weighed equally in the conduct of government

(Dhal in Sorensen, 1993: 12)

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Johnston and Shearing (2000), argue that understanding how any particular area is 'policed' involves empirical research into the web of initiatives in a locality which seek to guarantee that public order, security and peace are upheld. Research suggests that, what Bayley (2001:36) refers to as 'cookie cutter attempts at reform,' do not work. As a result police reform 'cannot be left to police experts, but must involve area specialists, social scientists and historians' (Bayley, 2001:36). Thus if one wants to improve how a particular area is policed, in terms of both effectiveness and democratic reform, one needs to understand how and why policing unfolds as it does in that specific locality. This thesis is a preliminary attempt to understand, shed light on and assess policing practices in Grahamstown. As Marenin observes, any effort to democratize policing 'requires a profound understanding of the practices, cultures and politics of policing' (2005:111) in the locality in question.

The research was conducted using primary and secondary qualitative methods. Prior to the commencement of primary research a detailed review of the wide available local and international literature on non-state policing and security governance was conducted. This research was followed by in-depth interviews with key informants - members of the SAPS and non-state policing initiatives - with the view to mapping and describing the varied mechanisms that citizens employ to secure themselves.

Primary interviewees/informants, men and women who were 'particularly information-rich or enlightening' (Kelly, in Terre Blanche & Durrheim 1999: 382), were approached at the outset of the research process. These informants included the owners of the two local private security companies and two SAPS Captains. Additional informants were located by what can be described as a 'snowballing' process. In other words, the four primary informants pointed

to other useful informants who in turn pointed to further informants. The complete research process included discussions with:

- Various members of the SAPS, including:
  - 3 SAPS inspectors (Inspector's X, Y, and Z)
  - 3 SAPS captains (Captain's X, Y, and Z)
  - 1 senior superintendent. (Senior Superintendent X)
- Members of a local Armed response Team (8 men were interviewed in total)
- Local Farmers
- Members of the community involved in street committees

The interview technique was an informal one, modeled on a dialogue rather than a strict question and answer exchange, which enhanced the probability of accessing detailed descriptions and understandings of policing. Interviews were tape-recorded so as to retain more information than would have been possible by depending on memory alone. The data analysis involved 'identifying themes and developing concepts and propositions' (Taylor and Bogdan, 1998:140). However, rather than happening at the end of the data collection process, analysis occurred throughout.

This thesis is an attempt to engage with the problems of security governance in Grahamstown, a small city in South Africa's Eastern Cape province populated by 120 000 and situated approximately 130 kilometres North of Port Elizabeth. By providing a detailed description and explanation of Grahamstown's dynamic security governance network, and assessing it from the standpoint of democracy, this thesis has several objectives. Firstly, it is an attempt to gain a deeper understanding of the prospects and problems for democratic policing in Grahamstown and by implication, in many respects, South Africa at large. Secondly this thesis aims to highlight some of the potential benefits – in terms of both effectiveness and the advancement of democracy – of formalizing the policing partnerships that already exist in an ad hoc manner, and finally to suggest how government needs to start thinking about reconfiguring the governance of security in South Africa if we are to succeed in meeting the twin challenges of combating an unacceptably high crime rate and inculcating democratic policing.

## CHAPTER 2

### A HISTORICAL OVERVIEW OF POLICING IN SOUTH AFRICA

The post-independence African state's record of democratic policing has not been promising with public police widely perceived as indifferent, inept, inefficient and corrupt (see for example, Adu-Mireku, 2002; Chukwuma, 2000; Shaw 2002) or, for the poor, simply absent (see for example Pelsner, Louw and Ntuli 2000).

Preceding South Africa's transition to democracy in 1994 state policing in South Africa could be described as rules-based. According to Duxita Mistry (1997:40) 'police behaviour, responsibilities and duties were determined by rules, regulations and hierarchies rather than initiative, discretion and consultation.' Due to the fact that the South African Police (SAP) was created to monitor and suppress South Africa's black population it conducted itself in a largely militaristic way. In 1948 with the formal implementation of the apartheid regime, the SAP became little more than the enforcement wing of a government intent on suppressing the majority of its population. As a result of this, policing, in the real sense of the word, deteriorated rapidly.

Between 1948 and 1994, policing was plagued by a myriad of problems. In the first instance, it was incident driven, aimed at resolving contemporaneous situations rather than creating the conditions for preventing similar problems in the future. This inability effectively to deal with crime was accompanied by a lack of transparency and a persistent association with human rights abuses. These factors contributed to the SAP's acute lack of credibility by the 1990s. As van der Spuy (2000) points out, by the 'time that the political transition to democracy began in 1990, the SAP had become totally committed to the fight against those organisations and people who were committed to ending apartheid...it was an inefficient and ineffective police force, which had lost the confidence of the South African Public' (cited in Brogden and Nijhar 2005: 136).

When the government of national unity assumed power in 1994 it was indisputable that the SAP had to undergo major reform if it was to play an effective, co-operative and accountable role in a democratic South Africa. South Africa's transformation resulted in the demise of the SAP and the emergence of the South African Police Service (SAPS). According to Ted

Leggett 'the transformation of the state's response to crime after the democratic election has been remarkable' (2005:145). 'Taking what had been, essentially, an army of occupation and turning it into a democratic police service was no mean feat' (Leggett, 2005:156).

From its inception the SAPS were charged with two connected but separate endeavours: to undergo reform (in other words to become a democratic police service) and to stay crime. According to Ted Leggett, 'police reform is about making the SAPS more effective, efficient and equitable as a democratic, law-enforcing body...[while]...crime prevention is about addressing the causes of crime via a wide range of interventions, many of which lie outside the expertise of the police' (Leggett, 2005:145). As a consequence of this resolve the notion of 'community policing was introduced almost simultaneously with democratic rule in 1994' (Brogden and Nijhar, 2005: 138). Community policing is based on the conviction that by creating credible links with local communities policing has the potential to play a major political role in the country's democratic transformation. Community policing which, as Brogden and Nijhar (2005) point out, comes in all shapes and sizes is extremely difficult to define.

Whatever the intent of local structures – from Police Community Forums to *ad hoc* campaigns like Crime Stoppers, from beat patrols to the optimism of Neighborhood Watch Schemes and to the specifics of sector policing, it appears to be most generally defined by its negative. It is not military-style policing with a central bureaucracy obedient to directive legislation which minimizes discretion. It is not policing that is autonomous of public consent and accountability. It is not policing that is committed primarily to reactive crime-fighting strategies. It is not policing that is measured by output in terms of professional efficiency. Rather it is policing which is determined by strategies, tactics and outcomes based on community consent.

(Brogden and Nijhar, 2005:1)

The first official step towards community policing, which was outlined in the country's Interim Constitution, was the establishment of 'Community Police Forums' (CPFs) at all the police stations. The South African Police Service Act of 1995 made 'station commissioners responsible for convening CPFs in their precincts ...firstly to allow local communities an opportunity to express their priorities about crime interventions... and secondly to become

active partners in crime prevention projects' (Scharf, Saban & Hauck, 2001: 66). However it soon became apparent that the successful establishment of Community Police Forums at most police stations across South Africa could not be used as a measure of community policing's success. It was almost immediately evident that not only was there little consensus regarding what the partnerships between the community police forums and the police were meant to achieve (see for example Brogden and Nijhar, 2005: 145), but that they had become little more than a medium through which South Africans could voice their complaints. By the close of the century a number of factors had contributed to the demise of community policing in South Africa. According to Scharf (2000) these include:

- In many cases, apart from instructions as regards to the centrality of CPF meetings and the importance of responding to community requests there was little or no guidance offered to station commissioners relating to how to carry out community policing.
- There was an inability to foster understanding of the ideology behind community policing amongst police officials.
- The lack of training in community policing was a major problem. Community policing was ultimately little more than a public relations strategy due to the fact that only a small percentage of the SAPS were properly trained in community policing by the end of 1998.
- The nature of South Africa's transformation was that of a negotiated settlement. This meant that all of the former SAP personnel were permitted to be part of the reformed SAPS. The SAPS was thus made up of a great deal of untrained and illiterate personnel from the homelands, and many disinterested and unmotivated personnel from the former SAP.

- The SAPS had initially understood community policing as a 'communications and liaison' strategy only. As a result, the only individuals who felt bound by the policy of community policing was the station commissioner and community policing officer. Most other SAPS branches continued to work with little concern for the notion of community policing.
- In many instances the Community Police Forums only involved the police and local communities. In other words there was a failure to involve all of the necessary stakeholders.
- Regular and meaningful state support was largely lacking.

Community Police Forums were however only one of a host of other structures that were established to police the new South Africa. Anti-crime forums and anti-crime committees<sup>3</sup> as well as residents' liaison committees, disciplinary committees, vigilantes and many other structures were established to deal with crime in South Africa post 1994. According to Scharf, Saban and Hauck (2001:66) the post 1994 explosion of community initiatives against crime was so plentiful and diverse because the state was 'unable (some might say unwilling) to live up to peoples' expectations to protect them against criminals.' Many South Africans believed that with democratisation in 1994, would come a slow but steady decline in crime due to a gradual improvement in service delivery. In the first few years after South Africa's transition to democracy, recorded crime arguably stabilized. However, post 1997 figures indicate that crime levels have increased by more than five per cent a year. Between 1994 and 2000 violent crime increased by 34 per cent, property crime by 23 per cent, and commercial crime by nine per cent (Landman & Schonteich, 2002:75). Recent research also indicates a rising sense of insecurity among South Africans. According to surveys done by the Human Science Research Council (HSRC), the percentage of people who felt unsafe in South Africa rose from 16 per cent in 1994 to 45 per cent by 2000 (HSRC cited in Landman & Schonteich, 2002:75).

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<sup>3</sup> An anti-crime committee is a campaign committee against crime but operating under the auspices of the civic. Its weapon against crime is education and training of residents (CICI Series No.1 December 1993).

It cannot be denied that under the government of the first democratic president Nelson Mandela police reform was, to cite Leggett, (2005) 'remarkable.' However it had not been completed by the 1999 elections. Between 1998 and 2001, fear of perceived crime escalated as a result of a number of factors, most noticeably the spate of bomb attacks in the Western Cape, which had resulted in over 100 injuries by the close of 2000 (*Mail and Guardian*, 09/09/2000) and the increase in farm attacks (Leggett, 2005). During 2000 there were 902 separate attacks on South African farms and smallholdings involving 142 murders (Kane-Berman, 2001:102). According to Leggett, these 'incidents changed the orientation of the government toward democratic policing and shifted the emphasis from reform (in the form of partnership and community policing previously discussed) to crime combating' (Leggett, 2005:155). Mandela's successor President Thabo Mbeki, then Minister of Safety and Security Steve Tshwete and National Police Commissioner Jackie Selebi adopted a 'get tough' approach to policing which 'had more in common with the practices of the apartheid era than the progressive talk of the early democracy' (Leggett, 2005:155).

The operational strategy under which the SAPS are currently operating – the National Crime Combating Strategy (NCCS) – is somewhat distressing. Although this nine year plan to 'reduce crime and reform local level policing' (Steinberg, 2004:22) is posited as an outshoot of the 1996 National Crime Prevention Strategy (NCPS), the NCCS in reality offers a radical departure from the earlier approach. The NCCS document was produced by the SAPS, and not made accessible to the public, which instantly raised concerns about the advancement of police reform and the promotion of a transparent and accountable police service.

The NCCS is a two phase strategy. Phase 1, the stabilisation phase, ran from 2000 – 2003. It was implemented to 'emphasise the one form of policing the organisation knows it can do well [nationally co-ordinated, high density policing campaigns] ...in order to create the breathing space in which station level policing could be rebuilt' (Steinberg, 2005:23). The second phase, the normalisation phase, began in 2004 and is envisaged to run through to 2009.

The first phase was described as a 'multi-disciplinary approach' that focuses all of its resources on 'hot spot' areas where crime rates exceed what is deemed normal (National Treasury 2001 in Leggett, 2005:161). The strategy is about controlling crime statistics

through 'resorting to traditional, albeit targeted, authoritarian policing' (Leggett, 2005:165). As Leggett (ibid: 161) wrote:

The police and military show up in force. They make themselves visible. They wake everyone up at three a.m. and search their sugar bowls, without specific probable cause. They arrest people who arouse suspicions if they cannot provide the appropriate identification documents or paperwork. They seize lots of undocumented people and guns as well as drugs and suspected stolen property. They add any incidental arrests to their statistics. They throw up roadblocks and cordon-and-search operations to accomplish the same things on the roads and the sidewalks. What year is this again?

Apart from the more palpable democratic concerns such policing practices raise, a moratorium was placed on crime statistics in June 2000. Although this was lifted with regards to general statistics by the end of 2001 'station level statistics remain a state secret' (Leggett, 2005:166). If the public is denied access to this vital information it certainly can not be argued that policing in South Africa is transparent and accountable. In fact, this 'paternalistic' tack (Leggett 2005), based on the notion that what you do not know can not hurt you, is according to Leggett 'antithetical to democratic policing' (Leggett, 2005:166). Numerous bodies, from the Institute for Security Studies (ISS) and the Open Democracy Advice Centre (Odac) to Independent Newspapers, condemn the moratorium on crime statistics and indicate their contention that such action is unconstitutional (*Mail & Guardian Online*: 06/04/2001).

The second phase of the NCCS is according to Steinberg, 'at first glance any rate, a project to overcome the inherited weaknesses and rebuild grassroots policing' (Steinberg, 2004:23). Phase two is centred on the notion of sector policing.<sup>4</sup>

Sector Policing has been described as a more practical form of community policing. It is 'an approach to policing whereby a service area is divided into smaller manageable geographical areas known as sectors' (*SAPS Journal*: Vol. 01 Issue 01, 2002:13). This more decentralised

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<sup>4</sup> Because sector policing is now *officially* a state strategy, I argue that the responsible citizen responses (in the form of street/neighborhood committees) classified by Baker as types of non state policing, are now being absorbed by state policing initiatives. They can thus no longer be spoken of as categorically "non state" programmes.

approach to policing attempts to create a situation in which democratic policing is advanced through the community's increasingly active role.

Sector policing comprises of the following four phases:

- |         |   |   |
|---------|---|---|
| Phase 1 | - | The boundaries of the sector are determined |
| Phase 2 | - | A sector commander is appointed             |
| Phase 3 | - | A sector profile is drawn up                |
| Phase 4 | - | A Sector Crime Forum <sup>5</sup>           |

*(Annual Report of the SAPS Grahamstown: April 2002 – March 2003:13)*

Once these four phases have been completed a final phase is entered into in which the Sector Crime Forum 'embarks on the necessary activities and holds monthly meetings' (*Annual Report of the SAPS Grahamstown: April 2002 – March 2003:13*).

According to Millicent Maroga (2004:4) sector policing, if successful, can be seen to result in a number of benefits, which include:

- Improving the means of identifying 'hot spots' at local levels
- More efficient use of policing resources according to a particular sectors needs
- Improving the visibility of the SAPS
- The division of precincts into smaller areas will allow for greater manageability, which will lead to more effective and efficient responses to the community
- increased cooperation between the SAPS and local communities.

Sector policing theoretically began in South Africa in 2004. But the commencement of this second phase has been far from uniform. Not only has its implementation been uneven across the country but it has been irregularly executed within policing districts.

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<sup>5</sup> A structure where the community and the local police discuss the safety and security needs of that sector. (*Annual Report of the SAPS Grahamstown: April 2002 – March 2003:13*)

The idea of sector policing was outlined in the Draft National Instruction on Sector Policing. However instead of this document shedding light on exactly how sector policing should unfold, it is somewhat vague and certainly open to interpretation. As Steinberg wrote:

A station that interprets the Instruction leanly might for instance, hive off the sector commander and his or her work into a discrete, parallel sphere leaving the substance of everyday policing unchanged... [Whereas] ...alternatively, a creative and generous interpretation of the Instruction could aim to instil a new philosophy throughout the station-level organisation, replete with substantive changes in day to day policing.

(Steinberg, 2005:23)

Questions of approach aside, an important failure of policing in the democratic era has been the unevenness of its application. The SAPS still falls short in its provision of a uniform service to citizens. While some South Africans feel that on average the SAPS are reliable others feel largely deserted. According to Pelsner, Louw and Ntuli, (2000) in the deep rural environment various factors act as constraints to effective policing so that only 22.9 percent of respondents in their study of crime and policing in South Africa's rural areas felt that the police were effectively dealing with crime. These include: geographic and topographic constraints as well as infrastructural and resource constraints.

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While state policing has unquestionably undergone enormous changes since the advent of democracy in 1994, so too has non-state policing. As a result of increasing crime and perceptions of insecurity amongst South Africans, along with actual and perceived inadequacies within the SAPS, citizens have made alternative arrangements for their security. The remainder of this chapter is devoted to contextualizing the emergence and evolution of non-state policing in South Africa.

### Autonomous citizen responses

Vigilantism is not a new phenomenon in South Africa. According to Sekhonyane & Louw, (2002) although vigilantism became more prominent in the eighties and nineties it was certainly not unknown earlier than that. During apartheid, vigilantes groups in the 'homelands' were created and supported by the government, both financially and with the provision of arms, in an attempt to deflect attention from growing political resistance to apartheid. During the 1980s vigilantism signified 'the violent, organized groups which, although they received no official recognition, acted to neutralize and destroy groupings opposed to the apartheid state and its institutions' (Sekhonyane & Louw, 2002: 2). As a form of resistance to these vigilante groups, black communities across South Africa set up 'street committees' as a means of alerting members of the community to potential attacks and thus offering a means of protection. In addition to the establishment of street committees, communities across South Africa established 'people's courts' (also known as kangaroo courts) to 'try alleged police informers, criminal elements within the liberation movement and common criminals' (Sekhonyane & Louw, 2002: 5). In the mid 1990s a new criminal, rather than politically focused, vigilantism began to appear throughout South Africa. According to Sekhonyane & Louw (2002), the reemergence of vigilantism, which was most noticeable in the Western Cape, the Eastern Cape and the Northern Province, was most probably linked to dissatisfaction with post 1994 service delivery.

In South Africa today vigilantism is unquestionably a serious concern for the government. Although the situation is almost impossible accurately to gauge, 'the largest and most recent survey conducted in 1999 in the Eastern Cape found that one in twenty people said they had personally been involved in vigilante activity and every fifth person said that they would consider becoming involved' (Sekhonyane & Louw, 2002: 1). The largest vigilante group in South Africa is presently 'Mapogo-a-matamaga.' It was formed in 1996 in the Northern Province and is believed to have as many as 72 branches and over 70 000 members across the country (Sekhonyane & Louw, 2002: 17). People Against Gangsterism and Drugs, (PAGAD) is another example of a vigilante group which operates in South Africa. PAGAD was formed in 1994 when local residents' concern over gang murders in and around Cape Town escalated. Initially the group worked within the bounds of the law; however in 1996 this peaceful attempt to counteract gang violence was superseded by a violent incarnation of PAGAD which, like Mapogo-a-matamaga, felt no obligation to the law and were content to

'mete out their own brand of "medicine" to the suspects to cure them of their bad ways' (Baker, 2001:4). Although the larger vigilante groups are well known, most examples of vigilantism are considerably smaller and less organised, as is the case in the Eastern Cape. A study conducted by Lars Buur in the Eastern Cape found that these groups often saw themselves 'as extensions of the formal justice system' and that they believed that South African president Thabo Mbeki liked them to 'take matters into their own hands' (*The Sunday Independent*, 2002/ 05/04).

### Responsible citizen responses

Not all non-state responses to insecurity are violent however. In addition to autonomous citizen responses, Johnston refers to responsible citizen responses in which 'private citizens take over some of the responsibility for public security from police organizations' (Johnston 1992:137). These responses are often carried out with the consent or support of the SAPS and sometimes include partnerships with the state police.

The failure of traditional community policing in South Africa has resulted in the recent introduction of sector policing, a 'more practical form of community policing' (*SAPS Journal*, Vol. 1 Issue 1, 2002:13), which has lead to the creation of state sanctioned street committees and sector crime forums. Sector policing is defined by the SAPS as 'an approach to policing whereby a police station's service area is divided into smaller, manageable geographical areas known as sectors' (Ibid: 13). Each sector is managed by an appointed police official who supervises the sector's crime prevention measures. With the help of the sector's 'street committees' and regular 'sector forum meetings' the manager ensures that all of the stakeholders in the sector play a role in 'identifying the particular safety and security needs of the sector' (Ibid: 13).

In addition to the varying roles played by state-sanctioned street committees, there are a number of other examples of responsible citizen approaches in South Africa. On a local scale, many of these initiatives have been successful. There is no shortage of stories about successful 'neighborhood watch' schemes. The example of the Boland town of Stellenbosch is one of the better known instances of responsible citizen action. In this scheme, residents established a non-profit company 'The Stellenbosch Watch' in 1997 and employed police reservists equipped to carry out armed patrols. The scheme is based on the long-standing

notion of the ‘bobby-on-the-beat’ and the reservists patrol the district night and day, with ‘several times more officers and cars on the street per shift than the local police have’ (*Mail and Guardian* October 03, 2005).

Farm watch schemes are another example. In the greater Ixopo area in Kwa Zulu Natal, an area known for its political violence during the period prior to the 1994 elections, farm watch schemes are a reality. Constant stock theft, the threat of land invasions and the murder of two farmers in 1999, led to the establishment of the Ixopo Farm Watch. Today, renamed the Ixopo Community Watch, ‘the organization now operates in four policing districts... has nine full time employees, a twenty-four hour operations room and an annual budget of some R750 000 largely derived from fees paid by farmers and local timber companies’ (Internet 3).

Car guard initiatives are a further ubiquitous example of non-state policing which has been placed under the ambit of responsible citizen responses by Baker. Car Guards, men and women who offer ‘personal surveillance of parked cars for a voluntary contribution’ (Baker, 2001:6) have emerged across South Africa.

#### Private Security Industry

Van Onselen (1976) contends that the origin of the private security industry in Africa dates back to the early days of the mining industry, where mine owners and managers attempted to ‘exercise total control over their compound migrant workforce’ (Van Onselen in Baker, 2004: 180). Although this certainly contributed to the industry’s emergence, many theorists are more inclined to argue that the development of South Africa’s private security industry was more directly a result of apartheid’s oppressive political culture. During apartheid the South Africa Police Force was more occupied with maintaining internal political stability than with policing as it is here within defined. In an attempt to offer the overextended police force some reprieve, the apartheid government encouraged the development of commercial security initiatives (see for example Baker 2001, Irish 1999, Pillay 2000, 2001). As Deputy Minister for Safety and Security, Joe Matthews said to a board meeting of the Security Officers Interim Board on the 18<sup>th</sup> April 2000:

We come from a historical situation where security was basically aimed at preventing the emancipation of black people. That is how people perceived security. That is how they looked at it. And a lot of people believed that the security industry was merely another arm of the security apparatus of the [previous] government. Now we have to remove those perceptions.

(Cited in Pillay 2001: 3)

In South Africa today, the private security industry is said to have expanded by approximately 30 percent each year over the last two decades. With over 200 000 security officers in South Africa it is not surprising that Jenny Irish (2000: 21) argues that the majority of urban South Africans are far more likely to come into contact with private security guards than with SAPS officers. 'Uniformed and equipped to a similar or better standard than the state police' private security companies have rapidly assumed much of the 'day to day policing of white suburbs of South African towns' (Baker 2004: 180). In addition to the impact of their expanding roles on the blurring of boundaries between state and non-state policing, many of these groups offer protection 'beyond the bounds of duty' (Baker 2002:34), in other words external to their client base, which contribute to the porous nature of these borders.

According to Martin Schonteich (1999:3-4) the growth of the private security industry, specifically in the field of policing and crime control, has occurred for a number of reasons:

- Commercial security companies are more efficient than state law enforcement agencies because they can be more easily adapted to altering levels of consumer demand;
- The public doubts the SAPS's ability to protect them from crime;
- The inability of the SAPS to develop into a visible presence has resulted in the failure to significantly deter criminal activity;
- South Africa's urban areas have created a multifaceted market for security;
- Commercial security companies fulfil those security needs that the SAPS cannot or will not provide;
- The proliferation of 'mass private-public property,' from shopping centers to gated communities has created a number of security needs that the SAPS cannot provide.

Jenny Irish (1999:3) offers additional reasons for the industry's expansion:

- The withdrawal of the SAPS from some of its functions;
- The increasing insistence of insurance companies that clients make use of private security measures;
- The reality that 'security breeds security.'

Irish contends that even though state and non-state initiatives have different objectives and roles, the 'emergence of a strong armed response component within the private security industry has moved the industry one step closer to performing some of the roles traditionally performed by the police' (Irish, 1999: 10).

#### The re-negotiation of the boundaries between state and society

Although discussed separately above, it is widely acknowledged (see for example Baker, 2002; Irish, 1999; Bayley, 1996; Buur and Jensen, 2004) that the dividing line between state and non-state policing in South Africa is increasingly blurred. According to Buur and Jensen, (2004:144) South Africa is witnessing the 're-negotiation of the boundaries between state and society [and] at these frontiers, zones of contestation rather than boundaries – the distinction between the state and what normally falls outside the state becomes blurred' (Buur and Jensen, 2004:144).

Other factors such as the substantial recruitment from one sector to another, contribute to the blurring of boundaries between state and non state policing.<sup>6</sup> The absence of clear demarcation in practice between different forms of policing makes the relationship between them complex and difficult to map. It is the contention of this thesis that establishing the problems and prospects that exist for democratic policing in any locality necessitates a comprehensive understanding of the way in which the security governance network operates.

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<sup>6</sup> Each example of non-state policing previously discussed have, to varying degrees, recruited former state police or state security personnel. This has lead to a growing exchange of information about the crime patterns and policing techniques (Shaw cited in Baker 2002:33)

### CHAPTER 3

#### STATE POLICING IN GRAHAMSTOWN AND PROBLEMS OF DEMOCRATIC ACCOUNTABILITY

This chapter discusses the space hypothetically occupied by ‘state policing’ in Grahamstown. I say hypothetically because research in Grahamstown indicates that while all of the categories of non-state policing outlined by Baker (and classified under Johnston’s model) are indeed still evident, it has become increasingly obvious that to continue to talk about these practices under the categories outlined by the aforementioned theorists would be to grossly misrepresent the current security governance network. In other words, what was referred to in the previous chapter as the “blurring of boundaries” between state and non-state policing (Irish; Baker; Hills, 2000) has occurred to the extent that it appears that certain categories of non-state policing have vanished, or been subsumed by state policing initiatives.

Although it has been more than ten years since the transition to a democratic society, Grahamstown is still highly divided in racial terms. Its occupants (from all walks of life) speak of the ‘boundary’ when referring to the roads that divide the wealthier (predominantly white) western suburbs from the poorer (predominantly black) eastern suburbs. Policemen, security guards and citizens evoke the standard apartheid system of racial classification, referring to the ‘white area,’ ‘coloured area’ and ‘the black area.’

Policing in Grahamstown has seen the SAPS muddle through a number of attempts to create effective public-private partnerships, from the Community Justice Structures envisaged in the early post-apartheid years (including Civic Committees and Anti-Crime Committees) to the more recent unsuccessful attempts to introduce local Community Police Forum meetings. Like most police stations in South Africa, Grahamstown station suffers severely from problems related to understaffing. Until recently<sup>7</sup> this was exacerbated by the somewhat misguided and largely ineffective attempts to implement sector policing.

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<sup>7</sup> August and September 2005 have seen major and positive changes in the management of policing in Grahamstown

The Grahamstown district was originally divided into 69 sectors; however by June 2005 only six of those sectors were established and functioning. The success of sector policing undeniably depends on members of the SAPS buying into the concept. However, it was apparent in Grahamstown that each and every member of the SAPS was not convinced by the notion of sector policing and its supposed benefits. One inspector indicated a preference for more traditional policing methods, stating that the push from higher ranks to work *only* on sectors was unrealistic.

*No! You can't just say Sector! Sector! Sector, but ignore what's going on in places like extension "z" where there's no sector.*

The lack of support for sector policing in Grahamstown was arguably more a result of the fact that the complete transformation from community to sector policing had not occurred than a reluctance to appreciate the benefits of sector policing. The concern was linked to the realization that focusing most of the resources on six established sectors while essentially ignoring those that had not been set up was undemocratic.

If 2004 was purportedly the beginning of the normalization phase of the NCCS, centred on the notion of sector policing, then what of the 63 unestablished sectors in Grahamstown? The inconsistent implementation of sector policing had resulted in a situation where the large majority of Grahamstown's citizens were still hypothetically in the first stage of the NCCS. Phase 1, the stabilisation phase, was described above as consisting of 'nationally co-ordinated, high density policing campaigns that focused managerial human and logistical resources on 'hot spot' areas where crime was disproportionately high' (National Treasury 2001 in Leggett, 2005:161). As was pointed out above, this approach to policing is about controlling crime by 'resorting to traditional, albeit targeted, authoritarian policing' (Leggett, 2005:165). As a result of the fact that sector policing (before August 2005) had been implemented in an inconsistent fashion, Grahamstown was essentially being policed by two divergent mentalities – one motivated by reform and normalisation, the other by stabilisation and control.

This inconsistency had not eluded the SAPS. Late in 2005 sector policing has been completely implemented in Grahamstown. A combination of new staff<sup>8</sup> and pressure from the National Head Office has had an extremely positive impact on the Grahamstown Police Station Area. Senior Superintendent (X) has made an enormous impact – both in terms of the more equitable implementation of sector policing and in terms of morale. As one inspector said:

*It was fantastic getting this person, he walked in from Cape Town and he said; "right sector policing is it!" He started us working on the sector profiles... and man... it's been a long time since I've worked with someone like that.*

In addition to the introduction of a new employee with fresh ideas, Grahamstown underwent a National Head Office inspection to ascertain why the full implementation of sector policing had not occurred. The SAPS National Head Office is according to inspector (x) the central office situated in Pretoria which manages the administration of resources, policies and regulations pertaining to all members of the SAPS in South Africa's nine provinces. The Head Office inspection brought with it a new and determined focus which has resulted in the dissolution of the original 69 sectors and the creation of a more realistic four sector model.

*We've taken the topside of the township as one sector, (Sector 1); the bottom side of the township as another sector, (Sector 2); the town and the whole coloured and white area as another sector, (Sector 3); and the farms as Sector 4.*

(Inspector x)

This subdivision has resulted in a system designed to compensate for the problems of understaffing and the lack of vehicles. Grahamstown very often has too few police vans to patrol effectively. Each sector now has one vehicle which ideally works in that sector for the duration of the recently revised eight hour shift. 2005 saw a reduction in the length of shift times from 12 hours to the pre 1994 eight hour shifts. The impact has unquestionably enhanced the quality of policing.

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<sup>8</sup> Senior Superintendent (X) was transferred from Cape Town to head the Crime Prevention Unit in Grahamstown.

## The SAPS and Democratic Control

Although remarkable progress has been made in terms of the implementation of sector policing, a number of issues are still of concern and negatively affect Grahamstown's prospects for democratic policing.

Sector 3 is substantially bigger than Sector 1 and 2 - as inspector (x) pointed out, it includes the 'coloured area' and the whole 'white area.' Due to the fact that there are only eight people working per shift, there are only two people policing each sector. Where the sectors are smaller this is slightly more reasonable. However in a sector as big as Sector 3, effective and visible policing may prove exceptionally difficult. As Inspector (y) bemoaned 'we try to manage but it's difficult.' A number of inspectors stated that they would ideally need 40 policemen per shift, thus ten per sector to effectively police the sectors. This once again raises concerns about equality of access to similar levels of service.

Another concern often bemoaned by the more senior officers in the Grahamstown SAPS is related to the high rates of absenteeism. When a police station area is as understaffed as Grahamstown, even one absentee per shift affects sector policing significantly. When this occurs, shifts have to be shuffled so as not to leave the town sectors empty or understaffed. Inspector (x) pointed out that in these instances, it is the farms in sector 4 which suffer: 'they are being crucified most of the time.' Again this raises serious concerns about equality of access to similar levels of service.

One of the most important aspects of equality is the fair distribution of police services. It was stated in Chapter 1 that 'the police is a public service and all people should be able to get to a police station without having to travel too great a distance and without needing private transport, while police should be able to react to emergency situations within a reasonably short time' (Bruce & Neild, 2005:32). Sector policing is a "problem-solving" approach to policing, heralded for its ability to bring about just, accountable and transparent policing. The inequality of access to equal levels of service has resulted in a situation where the degree to which the sectors are policed democratically is variable.

In Chapter 1 it was observed that upholding the principle of justice in democratic policing necessitates that policing is conducted in a manner that not only ensures the peace of the

community but that also protects the integrity and humanity of the individual (The Law Commission of Canada report, 2002:23). In other words policing must respect the individual rights enshrined in the Constitution in a fair and just manner.

Some of the biggest concerns relating to sector policing emerged during an interview with the secretary of the phase (x) street committee,<sup>9</sup> in extension (x). Although the sectors have been rearranged since the interviews, the findings that transpired during this process will not have changed significantly. All 6 sectors were described as having a committee that represents the sector at the Sector Police Forums (SPFs). For organisational purposes each sector was divided into phases, each of which had their own committee, made up of members from the different street committees. According to R1, there is a street committee on every street in extension (x). The street committees report to the four phase committees, and representatives of the four phase committees report to the sector committee.

According to R1 members of the community are for the most part pleased with the partnership they have developed with the SAPS. Citizens report a large array of concerns to the street committees from small scale domestic disputes to more serious crimes such as domestic abuse, robbery and rape. When an incident occurs citizens either call the police and then report the matter to the street committee or tell the street committee which then decides whether or not to contact the police. According to R1 people are more inclined to report matters to the street committee because the committee is 'more sympathetic to them than the police are... they feel more comfortable with the committee.' R1 also feels that the fact that the street committees give the residents feedback 'so they're not in the dark' has been an extremely positive consequence of sector policing. She believes it helps people to view the SAPS in a more positive light because their activities become more transparent.

R1 is extremely positive about the benefits of sector policing. She argues that in a time when criminals in South Africa seem to have more rights than citizens, it is refreshing to be able to work with the community and help other people. However R1 is aware that there are problems – and as I will later illustrate there are also problems of which she is unaware.

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<sup>9</sup> Hereafter referred to as R1

One issue that concerns R1 is related to the monthly SPFs. The sector committee is supposed to meet with the SAPS on a regular monthly basis. R1 expresses frustration at the fact that these meetings are often postponed. She argues that although the SAPS attends regularly, that the municipality, which is also expected to be involved in SPF meetings, disappoints them repeatedly.

*We set a meeting and then on the night, when we're together, then they won't turn up. Then we contact them and ask why didn't they attend the meeting and they say oh they went to another meeting, they never apologize.*

According to R1 the street committees 'find the perpetrators' and detain them until the police get there. R1 does however admit that the street committees do not *always* call the police. In some instances they set up 'meetings' with the perpetrators and 'explain to them that what they did was wrong.' When probed on this R1 admitted that sometimes the older male members of the committees 'teach the perpetrators a lesson' which has resulted in some members of the community becoming 'quite scared of the committees.' R1 elaborated that the older men 'beat' the perpetrators or 'give them a hiding' but that this usually only occurs when the perpetrators are 'starting to get violent.' If the 'meeting' was dealing with a criminal matter, the street committee would *then* call the SAPS.

The South African constitution was established to guarantee and protect the rights of South African citizens. This type of policing could exacerbate inequality. Liberal democracy among other things provides for '(1) an equal right of access to the legal process; and (2) an equal right to just adjudication of the law' (Baker 2001:10). For private citizens or even for a policeman to 'teach a lesson' to a suspect is not only a violation of individuals' right of access to court, to a fair trial, to be regarded as innocent until proven guilty, to due process and equality but also of their personal right to human dignity. This type of 'community justice' or 'informal delict'<sup>10</sup> (Steinberg, 2004) is undemocratic and therefore unlawful. The rule of law with its accompanying requirements of due process, fairness and predictability is a core requirement of democracy.

The SAPS are aware such practices but claim to be powerless to take the initiative in combating them:

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<sup>10</sup> This is an informal system of restorative justice, in which the complainant's family informally sues the perpetrators family for damages. (Steinberg, 2004: 61 & 42)

*We've heard of this... but we depend on someone reporting it. I don't mean we don't want to pay attention to it... I don't mean we don't consider it to be a serious thing... but we are dependent on that type of thing being reported. To take action we need a complainant! The bottom line is, you're the suspect, you got beaten up, if you're not willing to put in a statement for me to prosecute the people who beat you up then my hands are tied.*

(Inspector x)

While acknowledging that policing that unfolds in this fashion is extremely problematic and undermines Grahamstown's prospects for democratic policing, the SAPS seem unsure how best to address the problem. In the past they have conducted reports, held public meetings, and tried to educate the public. However these attempts have had little effect. As inspector (x) pointed out, until one of these cases goes to court and a precedent which says kangaroo courts will get you into trouble is set, their efforts will remain ineffectual.

The concern is that sector policing may have the potential to strengthen old practices of informal justice. In Steinberg's discussion of informal delict on the West Rand he argues that one possible (although unintended) consequence of sector policing 'is that it will begin to strengthen pre-existing cultures of informal delict' (2004: 42). Inspector (x) felt understandably concerned about this. As Inspector (x) points out, this is precisely the opposite of sector policing's hoped for consequences.

*The whole idea I suppose would be that sector policing should stop it from happening since there's more visibility of the police... and the police can take better action. Sector policing is here to make people feel more safe... its supposed to make people feel we're effective... and if we're still seen as ineffective because they can still take the law into their own hands then what sort of relationship do we actually have?*

Alice Hills points out that 'community policing is often understood as policing by the community rather than a joint venture between the people and the police' (Hills, 2000:171). She argues that not only is this understanding of community policing narrow, but it masks the fact that the bulk of the authority should remain with the police 'because community policing is not self-help policing' (Hills, 2000:171).

In addition to the problems these types of 'community justice' or 'informal delict' create for democracy, it is clear that the SAPS itself is not immune to charges of rough justice. At a recent meeting between the SAPS and some 800 township residents (23 September 2005) amongst the complaints lodged by residents were police brutality, xenophobia and abuse of ordinary citizens (Speckman, 2005:3). The Minister of Safety and Security Charles Nqakula who attended the meeting made clear national government's position: 'you do not protect our freedom if you do not...protect others... I don't want officers like that in the force. The president does not want them in the force. Citizens do not want them in the force' (Nqakula cited in Speckman, 2005:3). While complaints continue to be lodged in Grahamstown relating to the abuse of ordinary citizens policing cannot be said to uphold the principle of justice which entails conducting policing in a manner that protects the integrity and humanity of the individual (The Law Commission of Canada report, 2002:23).

A third major requirement of democratic policing is accountability. Accountability as was argued in Chapter 1, is multiple and operates on at least three levels: departmental control, (internal) governmental control (external) and social control (Ward and Stone, 2000: 11). For policing to be accountable and transparent an 'independent and effective oversight mechanism' must exist 'to ensure that complaints against the police are investigated' (Bruce and Neild, 2005:22).

In terms of internal accountability, the only real mechanism in place is station level regulation. The SAPS policy on the lodging of internal complaints by civilians is contained in Standing Order 101. Standing Order 101 'obligates members to register complaints immediately in the Occurrence Book and to issue a reference number to the complainant' (Masuku, 2004:8). In addition, the standing order obliges the officer responsible for investigating disciplinary matters to 'immediately investigate any reported civilian complaint and report the results to the relevant Area level office' (ibid). Although in an early interview Inspector (x) referred to internal regulation as 'strict' it soon became apparent that 'strict regulation' has not been a constant characteristic of the Grahamstown SAPS.

Each police station has one person responsible for investigating disciplinary matters and then reporting them to the area officer. The quality of internal regulation is thus dependent on the diligence and reliability of the officer responsible for investigating disciplinary matters. The last person to hold this position in Grahamstown was described by Inspector (x) as

incompetent and lazy. According to the aforementioned inspector, things that should have been considered serious offences were not dealt with and ended up being dated so that formal charges could never be laid. While it is commendable that internal mechanisms are in place, there should certainly be a system where the 'evaluators' are evaluated. Although Inspector (x) indicated that this was technically supposed to occur, she revealed that those who were supposed to be involved had not taken any interest. While incompetent work, (especially by someone holding this position) is accepted, genuine regulation and accountability will not emerge.

An incident reported in the *Dispatch Online* (2004/07/21) raises another worrying matter. In July 2004 Captain George Green, assistant to the Grahamstown area commissioner, was beaten up at the Alicedale station. While conducting a routine check to ensure that the officers on duty were conducting their duties in a proper manner, Green was assaulted by a constable whom he 'challenged to explain his absence of 30 minutes' (*Dispatch Online*: Ibid). While a culture exists that prolongs the apartheid mentality that police officers do not have the right to hold fellow employees accountable, genuine police reform will not occur.

In terms of external accountability, the SAPS are monitored by a number of bodies. These include: the Independent Complaints Directorate (ICD), the Directorate of Special Operations (DSO) commonly known as the Scorpions, and research organisations such as the Institute for Security Studies. The widely respected ICD in South Africa produces an annual report which provides statistical information on the number of deaths as a result of police action, as well as reports on various complaints lodged by members of the public (Bruce & Neild, 2005:13). However there are a number of concerns.

The ICD is said to place strong emphasis on its own investigative capacity and to take responsibility for independently investigating *many* of the cases which it receives' (Bruce & Neild, 2005:26). But as Baker (2002) points out the ICD is not always able to conduct its own investigations. Inspector (x) confirmed this:

*We investigate to a certain point and then forward it [the docket] to them... they have an investigator who comes and re-interviews people to make sure everything is covered... So they do have an investigating capacity but they normally work off our docket first...*

In many cases the ICD has to 'rely on the police, which is hardly an effective way of publicly monitoring the police' (Baker 2002:34).

The Scorpions, which came into legal existence in January 2001, were established to 'gather intelligence relating to specified offences' (*Nedbank ISS Crime Index*: 2000) including organized crime and corruption. In terms of the Scorpions problems of accountability may be increasingly dire. During the process of writing this thesis Judge Sisi Khampepe has been charged with the task of investigating whether the Scorpions should remain with the National Prosecuting Authority or be brought under the ambit of the SAPS (*sabcnews.com*: 23 September 2005). According to Minister of Safety and Security Charles Nqakula 'the African National Congress is considering forming a single police force under one command' (*Mail & Guardian*: 23 September 2005). The Police and Prisons Civil Rights Union (Popcru) welcome this merge, however there are a number of problems with such a decision. Foremost is the fact that a single police force under one command reduces the structures to which the SAPS are accountable. As David Bruce (2005) points out, 'internationally it is recognized that police tackling organized crime are highly vulnerable to corruption by powerful crime syndicates [as a result] it is a good thing that we have both the SAPS and the Scorpions each investigating crime on their own initiative.'

Sector policing must be credited for creating a third level of accountability, defined by Bayley (1996) as 'bottom-up' accountability. The emergence of this form of social accountability is a commendable advancement in the effort to create genuine accountability at multiple levels as described by Ward and Stone (2000). R1 discussed a number of issues that she believes stand in the way of effective police reform. One of her biggest concerns is related to officers drinking on duty. She, like many other informants in town,<sup>11</sup> has had the displeasure of having to deal with members of the SAPS who were intoxicated on duty. The day after one specifically frustrating incident, R1 and the chairman of the Phase X street committee went to the police station and called the inspector who manages personnel. They explained the situation and laid a complaint and their report lead to a disciplinary hearing. Not only was R1 pleased by the personnel inspector's anger at the situation, but was grateful that unruly members of the SAPS were being held accountable for their actions. R1 admits

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<sup>11</sup> Various members of the private security companies as well as a few members of the public have relayed similar concerns.

that the situation has subsequently improved greatly. This episode illustrates the dual function of these committees. Not only are these bodies established to help the SAPS police their communities but also to police the SAPS, ensuring they remain just, accountable and transparent.

However, in terms of social control, my research suggests that this has not developed evenly in Grahamstown. While Sector 1, the only sector running properly prior to the full implementation of sector policing in Grahamstown, may have the cooperation and support of the community, other sectors, specifically sector 3 and 4 have not achieved this. In fact, except for the implementation of sector policing on paper and the theoretical completion of phase 1 - 4 of the sector policing process, sector policing in sectors 3 and 4 remains largely unheard of by the majority of citizens. While citizens remain unaware of the vital role that they are now expected to play in keeping the Grahamstown policing bodies accountable on a daily basis, genuine accountability at multiple local levels will remain an illusion.

A fourth feature that is central to any evaluation of the democratic quality of policing is efficiency. One of the many concerns raised by Grahamstown's residents is in relation to the inefficiency of policing in town. In many senses it is quite meaningless for a service to be highly accountable and equal if it is not efficient. In Chapter 1 it was stated that one of the requirements of an efficient and democratic police service was the prompt response to emergency calls (Bruce & Neild, 2005). When residents query why calls for assistance are often met with the excuse that 'police were short of vans or there were no police to attend the complaint' (Speckman, 2005) little explanation can be given. However the SAPS argue that the introduction of sector policing will 'ensure faster reaction to calls' (Ibid).

Although the implementation of sector policing illustrates that the Grahamstown SAPS is attempting to distribute their resources and personnel as effectively as possible, and thus attempting to provide a fair distribution of police services, the discrepancies that still exist with regard to the provision of security in Grahamstown illustrate that current measures are not adequate. Many of the roads in Grahamstown East are still unmapped. This makes locating certain streets exceptionally difficult. This is compounded by the fact that many streets remained unnamed and the numbering of houses follows no systematic ordering. Driving around some areas in Grahamstown East one will see a house numbered 1489 (x) Street, next to a house numbered 2 (x) Street. In addition, the appalling condition of a large

majority of the roads makes response times poor. These problems are indicative of a desperate need for local government to get involved in Grahamstown's security governance network.

Two 'government white papers published in 1998 on local government, and on Safety and Security, stress that local government should take on a stronger role in crime prevention and development' (Scharf, Saban and Hauck, 2001:83). As Scharf et al (2001) argues, local government 'should be the level of government that convenes the partnerships to tackle crime and development issues in the area of its jurisdiction' (Scharf, Saban and Hauck, 2001:83). The lack of genuine local government support in Grahamstown is of serious concern especially in light of the fact that state support was cited by Scarf (2000) as one of the factors that lead to the demise of community policing. The lack of local government support is seriously hampering the SAPS's efficiency in a number of ways.

Firstly the council's aforementioned failure to regularly attend SPFs wastes the time of those SAPS personnel in attendance. Secondly cost cutting by the municipality, specifically the decision to use 'the same set of locks for the front doors of several houses' in Extension 9 (*Grocotts Mail*: 1 July 2005) has exacerbated break-ins in the area, thus making more work for an already overworked police service. Finally the aforementioned inability to respond promptly to emergency calls (Bruce & Neild, 2005:61). As Captain (x) bemoaned:

*The poor people don't have the type of infrastructure... some of them don't have street addresses, street numbers and so forth, when the police is called out, or the security company gets to that area, it takes much longer because you've got to try and search for them.*

As a result of the municipality's failure to deal with the poor quality of the roads as well as their continued failure to map the large areas of Grahamstown East that remain uncharted policing these areas remains inefficient and thus undemocratic.

Although the SAPS have come a long way, and the transformation that has occurred is nothing less than miraculous, there is still a long way to go. As Leggett (2005) points out, much of the transformation is a result of the 'persistence of democratic rhetoric' which has changed the mindset of the service.

## CHAPTER 4

### NON-STATE POLICING IN GRAHAMSTOWN AND PROBLEMS OF DEMOCRATIC ACCOUNTABILITY

As Landman & Schonteich (2002:71) have argued 'one of the consequences of the state's inability to protect the life and property of its citizens – especially in developing countries – is the formation of private alternatives to crime prevention and control.' Various forms of non-state policing have emerged as a result of the different circumstances in which citizens find themselves. Following Les Johnston's three categories of non-state policing namely: autonomous citizen responses, responsible citizen responses and the registered private security industry (Johnston 1992:71) this chapter will show that like state policing, non-state policing is a highly variable practice and that understanding how it unfolds is essential to understanding the prospects and problems for democratic policing in Grahamstown.

Non-state policing in Grahamstown has proven itself to be anything but static. Over the last five years alone, large shifts have occurred in the city's security governance network. My research indicates that the spatial patterns of non-state policing are increasingly unclear. Not only are the spatial boundaries demarcating the different types of non-state policing blurring but the border between state and non-state policing is in many ways a porous one. Moreover the distinction between different types of non-state policing is far from clear. Policing (in all of its forms) needs to be understood in fluid ways if one is to fully comprehend the nature, the prospects and the problems for democracy in the contemporary security governance network.

#### Commercial non-state

If there is one form of non-state policing in Grahamstown that is obvious, it is the private security industry. Not only has the private security industry expanded greatly in the last five years, but it has also, as I will later show, absorbed some of the other forms of non-state policing that previously existed.

Grahamstown's private security industry currently consists of two companies, HiTec Security which presently dominates the industry, and the newly established Ukhozi Lentaba Security. HiTec Security is one of the many examples in South Africa of security companies being established by former police officers. The profitable security company was founded 12 years ago by two men, one of whom was formerly a member of the SAP.

HiTec Security is divided into two divisions, HiTec & Makana, which can be classified in terms of Johnston's second and third categories namely - electrical/electronic and manned (and womanned) services. HiTec's core business is electronic security specifically the installation and monitoring of alarm and panic systems. The firm currently monitors 2800 alarms in Grahamstown. The armed response team carries tear gas, handcuffs and guns, for which the company holds company gun licenses. Although HiTec predominantly services the wealthier suburbs of Grahamstown West, they do provide security to over 100 houses in Grahamstown East as well as to schools and businesses. Secondary to HiTec is the guarding division, Makana, which is run as a separate entity. Makana provides physical security guards to predominately commercial applications such as shops, hospitals factories and so forth. There are 210 standing guards in total.

The relationship between HiTec and the SAPS is an increasingly complex one. Where co-operation between the two forms of policing has been established, it is in an ad hoc manner. In other words it has occurred without the official recognition of the SAPS management. Employees at HiTec Security admit that they are aware of the related problems of crime, policing and justice in Grahamstown.

*I take them to get locked up and the next day if they're back on the street then I just do it all over again and I'll just keep doing it. It gets irritating because they break in, you catch them, you lock them up and next morning they're on the street again. So what... that time you didn't get it right, next time you try again*

(Member of the Armed Response Team)

Extensive time spent with the armed response team indicates that they are anxious to strengthen their informal relationship with the SAPS. Moreover, residents often describe HiTec's willingness to go beyond the 'call of duty:'

*If we see smoke in the location we go and help people to hose their houses down... stuff like that....someone has to do it...*

(Member of the Armed Response Team)

*There by KFC I caught 2 guys with bags of dagga. I thought they'd broke in cause they got new shoes on but old clothes and also decent big bags... whenever I drove past they put them down... every time... and I drove past like four times and the fifth time I stopped and the guys dropped the bags and started walking away ...I thought no they broke in somewhere so I looked and they'd got dagga stacks...they'd come from Pedi with R40 000 worth of dagga. And then I caught the two guys and came back and called the police.*

(Member of the Armed Response Team)

The armed response team not only responds (in emergencies) to calls from members of the public who are not clients, but repeatedly assist the increasing number of Grahamstown's citizens who are being mugged on the streets. Extensive observation revealed that HiTec acted as a visible and active deterrent in the Grahamstown West area (SAPS Sector 3) where the majority of their clients reside. As one of the co-owners explained:

*People have often commented on that [the fact that HiTec acts as a deterrent] and our signs... putting a sign on a house definitely acts as a deterrent... ya...people have often wanted to buy our signs to put up as a preventative measure.*

By 'going beyond the call of duty' HiTec cannot be defined solely in terms of its formal functions.

Another example is related to the movement of suspected criminals. By law security guards are not entitled to move suspects. HiTec members are thus expected to wait with a suspect at the place of arrest until a member of the SAPS is able to attend to their call. However, this is neither feasible for HiTec Security nor for the understaffed Grahamstown Police Station. As one armed response guard explained:

*They're too busy to come... all the vans are busy ... normally now if they can't come to us we come to them. We're not actually allowed to transfer people... we have to catch them and keep them there till the police come... but you can wait up to your whole shift and the police will never come. Sometimes there's like only one man working and sometimes they have like forty cases they have to attend to... and you can't lurk here and wait for hours for them to come. That's why we bring them here [to the police station].*

(Member of the Armed Response Team)

What has thus emerged is an *ad hoc* agreement in which policing has been allowed to evolve in a fluid less structured way. Although effective arrangement is confirmed by both members of the SAPS and HiTec, it remains an initiative which has materialized without the official recognition of the SAPS management. The result is that it is impossible effectively to capitalize on this partnership and the potential for genuinely efficient policing is compromised.

One example of this is that HiTec's crime patterns are not being taken into account when the SAPS Crime Prevention Unit calculates their 'hot spot' areas. Extensive observation of both the SAPS and HiTec indicated that when HiTec was focusing on one particular area due to an increase in break-ins, the SAPS was focusing its attention on a completely different neighbourhood. Although this problem could be eliminated if citizens realised it was their civic duty to properly report crime,<sup>12</sup> it could also be dealt with by HiTec keeping a proper register of the break-ins they attended and officially reporting these figures to the SAPS. At one stage inspector (x) did have an informal arrangement with HiTec - HiTec would fax the inspector details of the crime patterns they had observed on a weekly basis - however this has fallen away. While this situation continues, effective policing is going to prove extremely difficult.

Grahamstown's second commercial security outfit is Ukhozi Lentaba. Ukhozi Lentaba, which means 'the eagle of the mountain' was officially launched on July 1, 2005. Although it hopes to one day create 'healthy competition' in the industry, it currently only offers physical guarding, with a mere 10 guards on payroll. At present, the co-director claims to have little or

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<sup>12</sup> Due to a variety of factors many of Grahamstown's residents choose not to open cases when they have been the victims of crime. Instead they report the incidents to the SAPS purely for insurance purposes. Although the SAPS then record this information in a register it is not included when crime patterns are calculated.

no relationship with either the SAPS or HiTec although he is not averse to forging closer ties with the aforementioned bodies in the future. The co-directors are hoping to expand the company in the forthcoming months. Within a few years they hope to not only have moved into electronic security but to have extended their services to other Eastern Cape Towns.

It has been argued that democratic policing entails ensuring that policing remains accountable so that it serves the interests of the people (Bayley, 1996:7). The commercial private security industry claims that it does not pose a threat to democracy due to the fact that it is accountable to the market. Thus if clients find the conduct of their security company objectionable they can fire them. However it is highly likely that citizens in a crime ridden area will prioritize 'effectiveness' over humane treatment of suspects, observance of human rights and rule of law considerations. Unfortunately what seems to proliferate is a tendency to muddle the 'responsiveness' of private security to customers' needs with genuine accountability. Public accountability is not simply answerability to a (linked) client base.

In a report titled 'Policing to Protect Human Rights,' Amnesty International cite poorly regulated private security services as one of a number of trends which are 'inimical to the development of publicly accountable law enforcement' (Amnesty International 2002:8). Many South African private industries require regulation. However, unlike the numerous industries which are able to practice self-regulation, (for example estate agents) many theorists have maintained that the private security industry requires a qualitatively different regulatory framework (See for example Irish, 1999; Bayley, 1996). This becomes increasingly imperative as the boundaries between state and non-state policing gradually blur.

According to Visser (1999:12) cited in a Security Officers Interim Board<sup>13</sup> Policy Paper:

Regulation generally means that the important aspects of the nature and activities of the security industry, including who is admitted to the industry and the standard of conduct expected of members of the industry, are controlled and shaped through enforcement strategies and actions in accordance with values, principles and standards contained in the applicable regulation.

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<sup>13</sup> The forerunner to the Private Security Regulatory Authority.

Regulation thus entails guaranteeing that the industry's role-players do not consider their own subjective views, or that of their particular client on the just application of South African law as an adequate guide to their conduct.

According to Irish (1999:16) the regulation of private security can follow one of three models:

- **Non-interventionist:** The state does not take responsibility for regulating the Industry. It is left to the market to ensure adequate regulation occurs.
- **Minimal regulation:** The state introduces minimal legislation to regulate the people who work in the industry. Such regulation may also set limited rules and standards for the industry.
- **Comprehensive regulation:** the state extends regulation beyond controlling the type of person who enters the industry. Substantive regulation is introduced to raise the standard and quality of services provided by the private security industry.

In 1999 Irish characterized South Africa as having created a balance between the non-interventionist and the minimal intervention model to ensure regulation occurs while giving representatives of the industry the responsibility for enforcing those regulations (Irish 1999:17). However the establishment of the Private Security Industry Regulatory Authority (PSIRA) in 2002 has attempted to move South Africa into a new epoch in terms of regulation.

PSIRA was established to regulate the private security industry. The authority came into existence as a result of the Private Security Industry Regulation Act 56 of 2001 which came into force on the 14<sup>th</sup> of February 2002. The 'primary objects of PSIRA are to regulate the private security industry in the public and national interest and the interest of the private security industry itself' (Section 51 Manual for PSIRA: 1).

PSIRA can be said to 'police' the industry. Once a month they inspect the companies and ascertain that all of the staff have done their training and have got the relevant certificates.<sup>14</sup> Everybody who works in the private security industry in South Africa, from guards to receptionists, has to be fingerprinted to ascertain that they do not have criminal records and must then become members of the Private Security Industry Regulatory Authority. As a result of this it can be argued that in terms of Irish's three models of regulation, South Africa now sits firmly in the realm of minimal regulation.

While PSIRA is argued to be an effective regulatory mechanism it is not exempt from administrative problems. The co-owner of HiTec points out that there are flaws to the system, especially in terms of criminal clearance. For years the Campus Security division of the local university, Rhodes recruited staff from within the ranks of HiTec under the assumption that HiTec's employees – having been cleared by PSIRA or its predecessor the Security Officers Interim Board (SOB) – were free of criminal records. However when Rhodes University's Campus Security division decided to re-fingerprint their staff, it emerged that many of the individuals who had been cleared by the SOB did in fact have outstanding criminal records. As a result problems with regards to regulation, and thus genuine accountability, unquestionably persist.

The exceptional service offered by commercial private initiatives in Grahamstown has led to many other forms of non-state policing, particularly those usually categorized as 'responsible citizen responses' being subsumed by private commercial initiatives. The most obvious example is the replacement of Car Guards – cited in Baker's (2002) study of Grahamstown as the best illustration of responsible citizen responses in the city – with what is referred to as the Diversified Parking System (DPS). In January 2003, Gauteng based company, Diversified Parking Systems and the Makana municipality<sup>15</sup> entered into a five year contract. The agreement was that the 'old parking meter system [would] be replaced with trained security guards<sup>16</sup> armed with computerized hand-sets. The sets [would] then be linked to the company's own central control centre, the local traffic department and the SAPS' (Greyling

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<sup>14</sup> Private security guards have to qualify within a grading system which runs from grade E to A, E being the most basic entry level security work such as standing guards through to grade B and A for managers and owners of the companies.

<sup>15</sup> A fact that made deciding whether to place this under state or non state policing somewhat difficult, and again an illustration of the blurring of state and non-state policing.

<sup>16</sup> According to Inspector x, each guard should technically hold a Grade E security qualification.

2003). Whereas in the past citizens paid a standard parking meter and had the option of making a voluntary contribution to the car guard, now the two systems are combined so that the car guards also act as mobile parking meters. This system is unquestionably a partnership between the state and a private company and can thus no longer be categorized as a responsible citizen response but rather as a semi-official commercial form of policing/service delivery.

Although there was some protest by existing car guards as a result of job losses, the DPS has largely been accepted as an advantageous addition to Grahamstown's security governance network. However the DPS has not unfolded in the manner agreed upon in early negotiations with local government. As one member of the SAPS, Inspector (y), stated, 'you can walk up to any of those people and they haven't qualified,' in other words they do not hold the required Grade E security qualification. While DPS has the potential to have a positive impact on security, in other words lead to a reduction in theft, theft of, or out of motor vehicles, and interference with vehicles this is barely materializing. Statistics for the Grahamstown police station area<sup>17</sup> register only a slight reduction in theft of motor vehicles between the 2003/2004, where there were 270 reported cases and 2004/2005 where there were 234 reported cases. Once again difficulties arise with regard to management, implementation and regulation.

Farm watch schemes, another form of responsible citizen response, have also largely ceased to exist in the Grahamstown Police Station area. Although this seems perplexing in a country ravaged by farm murders, and even stranger in an area where a number of the farmers interviewed had lost members of their families to such violence, it is nevertheless the case. In discussions with numerous farmers in the Grahamstown Police Station Area it became apparent that the highly praised service offered by HiTec has eradicated the need for farm watch schemes. Farmers routinely report the rapidity of HiTec's response to their calls for assistance. With a company that takes on average nine minutes to reach clients in outlying areas, the need for farm watch schemes and all of the management that they entail is eradicated.

Although many of Grahamstown's responsible citizen responses to crime have been subsumed by a combination of commercial and state policing initiatives (due to sector

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<sup>17</sup> Statistics are not publicly available for the city centre.

policing), one initiative in the form of a neighbourhood watch scheme still remains, although its informal links with the SAPS make it ever more difficult to term non-state.

Neighbourhood watch schemes are usually established by members of a particular community. From the start, the Grahamstown example was somewhat different. The Fitzroy Street neighbourhood watch scheme started in 1997 when the residents of one of the city's wealthier suburbs expressed concern over the increasing number of break-ins being experienced in the area. The residents approached one of the members of the SAPS, Inspector (x) with the idea of setting up patrols in the street. Inspector (x) had just finished training a group of police reservists, members of the community who 'perform policing duties for the SAPS on a voluntary basis without being paid' (internet 1) and she thus suggested that they patrolled Fitzroy Street as a means of gaining employment for them. Every month the residents of the area pay R55 into a pool and the three or four reservists (and the more recently employed private security guards) patrol the whole area, which now includes a further street, Francis Street.

The blurring between state and non-state policing is especially apparent in this case for a number of reasons. It *is* a community initiative, and Inspector (x) did subsequently hand over all responsibility for the initiative to representatives of the community. However the inspector's role in establishing the initiative cannot be ignored and nor can the fact that patrols were (originally) carried out by police reservists be disregarded. Although Inspector (x) claims that she no longer has any responsibility for the initiative she still confesses to playing a mediating role when problems arise. As a result this is effectively a case of a partnership between members of the SAPS and a concerned (albeit highly localized) community. Whether to delineate this as a state or non-state initiative is thus very difficult and it is understandable why it was described by Baker as a form of 'semi-official self-policing' (Baker 2002:42).

Like responsible citizen responses, autonomous citizen responses in the Grahamstown Police Station Area have become increasingly difficult clearly to demarcate as either public or private. This is in no way indicative of the disappearance of vigilantism, but rather of the fact that communities have misunderstood their role in sector policing. The discussion on the street committees in the extension (x) SPF in Chapter 3 showed how, in the wake of sector policing, local communities now understand it as their state-sanctioned right to apprehend

and even put on trial and punish criminals. As a result community members no longer see autonomous citizen responses as vigilantism but view such activities as a legitimate partnership with the SAPS, which as was discussed earlier, is highly unsatisfactory from the standpoint of the requirements of democratic policing. Private policing as a whole raises particular challenges with regard to each of the elements of democratic policing: equality, accountability, justice and efficiency.

As a number of analysts (see for example Baker, 2001; Bayley, 2001; Irish, 2005) have pointed out, inherent in private policing is the risk of exacerbating inequality. As Baker (2001:10) remarks, 'the nature of private policing means that it can offer no equality of accessibility and adjudication and at times denies people their constitutional rights.' Access to private security depends on, amongst other things (such as location), wealth. Commercially driven private security is security for those who can pay for it. In Grahamstown this is overwhelmingly apparent. If HiTec services 2800 alarms of which only approximately 100 are located in the poorer suburbs of Grahamstown East, then there is unquestionably an inequality of access to this service. This results in a situation where members of the middle and upper class are privy to a level of security not available to the majority of the poor. The fact that Grahamstown is still so divided along racial lines means that this class inequality is highly racialised. As critics of the privatization of vital service delivery have long argued, privatization may result in an efficient service for those who can afford it but in the context of massive social inequalities, it cannot but result in further inequality. Although it is unintended, what has transpired is a situation in which the wealthy, predominantly white areas in Grahamstown are policed by a predominantly white security company. One would be hard pressed not to notice the similarities between the current situation and the discriminatory policing practices of the past. It will be shown in the conclusion that a number of steps must be taken if one hopes to avoid the benefits of pluralized policing being offset by a decline in equity.

A second core requirement of democratic policing, as has been argued, is that it should adhere to high standards of justice and fairness. In Chapter 1 it was argued that just policing requires that individuals are treated fairly and that their integrity and humanity is upheld (The Law Commission of Canada report, 2002:23). The nature of private policing is such that it can create what Baker (2001) refers to as an 'under-class' of citizens. According to Baker, the discourse that operates within private security initiatives is one of 'undesirable elements'

who must be 'cleansed from society by any means possible' (Baker, 2001:11). Although extensive observation of the private security companies in Grahamstown suggested that physical violence is not be tolerated by either their own management or by the SAPS, Baker's notion of an under-class seems nonetheless relevant. The power of discourse to construct both circumstances and identities is irrefutable. As a result, references to suspected perpetrators of crimes as "skollies"<sup>18</sup> and the cautioning of 'undesirable elements' to 'get out of town' (implying that they should leave the wealthy suburbs and return to Grahamstown East) are of great concern.

Member of the Armed Response Team to three young men:

*What is the time? Do you see what the time is? It's 'lala' [sleep] time now, you must 'goduka' [go to bed]... 'hamba' [go] ... move on... serious it's long past bedtime now.*

Aside:

*Those kinds of guys we have to chase out of town*

(Member of the Armed Response Team)

If democracy is viewed, as it has been argued as 'not just a matter of formal institutions but a cluster of values that are widely accepted in society, such as tolerance, political discourse, acceptance of majority decisions, political participation, consideration of the communities well-being and support for the rule of law' (Baker, 2001:12), then unfairly identifying individuals as undesirable elements on the basis of their 'location or ethnicity' is unjust and therefore undemocratic.

The third standard by which a system's democratic credentials are commonly measured is that of accountability. One of the most frequently voiced concerns relating to private security is the problem of accountability. As Herbert Howe has pointed out, many critics have 'labeled private security companies as threats to global security because of alleged non-

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<sup>18</sup> A skollie is an offensive and slang South African term used to describe 'a young man, usually black or mixed race, who is involved in petty crime and violence and often belongs to a gang' (Internet 2).

accountability' (1998:3). Baker agrees, arguing that due to the fact that private policing is 'determined by its instigators and not by its clients,' that it is an essentially 'autocratic rather than democratic' practice (Baker 2001:11). As of yet private security officers are accountable only to their own clients, and not to all the citizens who might be affected by their practices (Bayley, 1996:7). Genuine accountability will necessitate finding ways of making the private security accountable not only to their clientele, but to the general public too.

Finally, any system of policing cannot only be measured in terms of standards of equality, justice and accountability. It also needs to be providing a service that is efficient. There are many potential difficulties that can arise as a result of private policing methods which affect society broadly and not just a firm's clientele. Most obviously, the nature of private policing means that it can offer no equality of accessibility and, as a result, members of the middle and upper class are privy to a level of security not available to the majority of the poor. Another concern which has been voiced by many informants throughout this study is the old notion that violence begets violence. The contention is that the fact that perpetrators know that they are likely to be interrupted by an armed security guard will not dissuade them from committing crime, but will rather encourage them to carry a weapon of their own. As Irish (2005) contends 'the more armed good guys there are out there, the more guns the bad guys will carry.' Almost all of the armed response team I had dealings with alluded to this fact in one way or another.

*Ya...they're getting dangerous now! This old guy (\*) was chasing after he'd broke into a car in African Street...he was running down towards the driffy<sup>19</sup> and I chased him too and (\*) got stabbed with a big panga like this and then he called me and said "watch out for the knife" and while I was trying to pull my gun out he tried to stab me ...ya I must show you all the knives and stuff we've took off people ...its actually crazy... they're definitely not scared of us anymore.*

(Member of the Armed Response Team)

Another way in which the impact of private security practices on society is not restricted to a firm's clients alone is suggested by Baker who argues that the private police could play a role in delegitimizing the public police. If citizens do not look to the state as the primary

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<sup>19</sup> Both state and non-state police personnel refer to the cities drainage systems as "driffy's." The drains, like the railway lines, are a major security problem as they create a relatively protected escape route from the wealthier suburbs back out towards Grahamstown East.

guarantors of their security, the state could be said to lose a great deal of its relevance. Baker takes this further to suggest that there is a risk that a 'view of the state police as irrelevant will extend to seeing the state itself as irrelevant' (Baker 2004:184). If citizens' engagement with the state is a prerequisite of democracy then individuals opting not to engage with the state as a result of its failure to provide security is of serious consequence, particularly for a fledgling constitutional order in which the legitimacy of liberal democratic norms and institutions is by no means firmly entrenched.

The effects of non-state policing on the democratic institutions and processes in South Africa illustrate why Scharf has argued that 'non-state forms of policing go to the heart of the social contract in each country' (2000: 5). The key question which is raised by the complex mix of overlapping public and private policing that characterizes the provision of security in contemporary South Africa was posed by the *Mail and Guardian* (2005/05/05): how do we ensure that we do not develop a society with parallel justice systems where the wealthy have greater access into the justice system than the poor?

## CONCLUSION

In 2004 Baker wrote that there was 'a dearth of data and analysis concerning the nature of contemporary policing in Africa, the effect of fragmentation of policing on justice, accountability, and quality of service, and the actions of governments to control and hold accountable all forms of policing' (2004a:183). By mapping Grahamstown's security governance network and considering the problems and prospects for democratic policing facing the city, this thesis hopes to have made a contribution to understanding some of the challenges facing the transformation of policing in South Africa's democratic order.

It was stated at the outset of the thesis that South Africa has a crime problem and a policing problem (Leggett, 2005). What became apparent throughout my research, both in the abundance of secondary sources addressed and in the empirical investigation is that while the SAPS work continually to address the first problem there has been little real success in addressing the second (Leggett, 2005). The irony is that real solutions to the problem of crime are highly dependent upon dealing with the problem of policing.

Although, as it has been shown, non-state policing cannot ensure that there is equal provision and access to security, the SAPS are (at present) too lacking in available resources for them simply to absorb private initiatives (Baker, 2004a:183). Thus the obvious conclusion is that government must prioritize the establishment of formal partnerships between the different nodes in any given security governance network and ensure that adequate arrangements exist to monitor and control each of the elements if it hopes to give its citizens the closest possible approximation of genuine democratic policing. As Baker argued 'if non-state ordering is inevitable and indispensable, then many see the immediate task as at least bringing the "responsible" elements under statutory legislation, so that non-state policing is more fully accountable to the public and fit to be a partner in the security network' (Baker, 2004a:184).

One thing that became apparent during the process of mapping Grahamstown's security governance network is that the Grahamstown case offers an explicit manifestation of the contention that the borders between the different forms of policing – public and private – are blurring (Baker, 2002; Irish, 1999; Bayley, 1996; Buur and Jensen, 2004). The types of policing that unfold in any given area do so in response to the needs of that particular locality. In addition to this, the extent to which policing in any particular locality is effective and democratic is dependent on the particularities of the security governance network that develops in that area. Policing in Grahamstown has been shown to have a fluid and dynamic nature. Any endeavor to create effective and democratic policing in this small Eastern Cape Town will have to take into account the particularities of the station area at any given time.

In the same way as the distinction between public and private forms of policing cannot be rigidly drawn, democracy cannot be viewed in terms of a dichotomy of democracy/no democracy (Baker, 2002b:141). Democracy should be seen on a continuum and thus democratic reform should be viewed as a continual 'process' rather than as an attempt at an end product (Marx in Brogden and Nijhar 2005:234). Policing in Grahamstown is not flawlessly democratic, but neither is it completely undemocratic.

Accountability suffers as a result of structural difficulties associated with attempts to regulate an increasingly complex policing network through 'traditional legal approaches administered by the traditional centralized state justice apparatus' (Shearing and Kempa, 2000:209). It is extremely difficult to effectively monitor democratic policing in Grahamstown from Pretoria. Genuine accountability will involve finding 'new ways of observing policing as it happens, and not merely setting up some form of post hoc accountability' (Jones, Newburn and Smith, 1996:12). Grahamstown policing needs to be accountable to multiple bodies at multiple local and national levels if policing is to be genuinely accountable.

Sector policing is trying to install accountability mechanisms at multiple local levels, but a number of problems remain. Firstly the lack of formal partnerships between state and non-state policing means that presently sector policing is only designed to keep the SAPS accountable. This means that while the SAPS might be increasingly accountable at multiple local levels, other policing initiatives are not subject to the kinds of processes that make the public police more accountable (see for example Irish, 2000:30). It would be prudent to

establish a forum in which the question of how to create the aforementioned modes of regulation could be discussed.

Genuine accountability will involve finding innovative ways of monitoring policing as it happens (Jones, Newburn and Smith, 1996:12). For such traditions to develop, the South African government, and more importantly local government, needs to redefine understandings of accountability and find ways to educate its citizens about their role in the new regulatory system. According to Loader, understanding of accountability needs to develop from a purely political conception of accountability to an understanding which includes also 'the responsibility of individuals and organizations to take care in managing their own crime risks and to assume a portion of the blame if they fail to do so' (2000:331). Failing to educate and subsequently mobilize citizens will hamper attempts at creating genuine accountability on a societal level.

Establishing effective internal disciplinary structures within policing bodies (both state and non-state) should have been a priority at the outset of democratic reform (Bayley, 2001:39). However this has not materialized. All actors in Grahamstown's security governance network must have efficient and accessible systems in place for both receiving grievances against personnel and for conducting investigations against the aforementioned (Bruce & Neild, 2005:38). While the SAPS is the only policing initiative in the Grahamstown Police Station Area that can be credited with internal accountability mechanisms, these measures are not fully effective. This is an extremely worrisome situation in light of Bruce & Neild's contention that 'the effectiveness of internal systems is a measure of the degree to which the police agency is committed to ensuring that its members adhere to the high standards which are required of democratic police' (2005:39). Unless formal partnerships are formed amongst key role players in the security governance network the problems associated with the privatization of security will persist, while the potential strengths of private security will be overlooked.

If a restructured and formalised security governance network is to avoid aggravating existing inequalities then institutional means of linking the networks to the 'public' or 'common good' have to be found (Loader 2000:335). Formally linking up the different nodes of the security governance network does not necessitate an abandonment of sector policing, but the incorporation (by government) of the notions of partnership policing and security governance

into the concept of sector policing. Grahamstown's security governance network, although unquestionably constituted by a complex web of policing initiatives, still lacks formal policing partnerships. Partnerships exist, in an ad hoc manner, out of necessity, but nothing has been formalized. This seems a strange situation when the SAPS are desperately understaffed and members of both commercial and community policing bodies are interested in building closer relationships. Nevertheless, the point is that while partnerships remain informal they fail to take advantage of the benefits of pluralized policing. The Grahamstown SAPS frequently claim that they welcome partnerships with private policing bodies and private policing bodies report how anxious they are to work with the SAPS, but there seems to be little attempt to effectively capitalize on this cooperation.

With the acceptance that state policing bodies are no longer able independently to provide for security of the citizens and with the recognition that private agencies (in all of their forms) are increasingly contributing to governance, a number of theorists (see for example Shearing and Kempa 2000; Loader 2000) argue that private policing initiatives need officially to be incorporated into the ambit of governance and policing in South Africa. As Howe argues, because the 'role of private security companies is clearly growing, governments and international organizations should seek to regulate them rather than eliminate them' (1998:3).

Although the 1998 White Paper on Safety and Security stresses the role and participation of actors outside of the ambit of the SAPS within the country's social crime prevention framework, its lack of guidance regarding the practical establishment of such partnerships has resulted in a situation where genuine co-operative initiatives are largely lacking. Where such co-operation has been fostered it is usually 'without the formal recognition of the SAPS management and without due acknowledgement of the legal implications of these initiatives' (Minnaar, 1999:1).

According to Shearing and Kempa, private security (in all of its forms) is hugely complementary to traditional state conceptions of what policing entails. Private policing initiatives in Grahamstown have been shown to go beyond the bounds of duty and to be directly responsive to both the fear of crime exhibited by people in their locality, as well as the circumstances that jeopardize security in the locality. The time has come for the government to directly engage the private sector (Shearing and Kempa, 2000).

According to Shearing and Kempa (2000) there is a considerable role for private security to play in policing democratic South Africa. They suggest that through formally 'linking up and networking – all these forms of non-state policing nodes both amongst themselves and with state structures, many of the strengths of private nodes of governance can be maximized while many of the problems... relating to the commoditization of security can be minimized, [thus] optimizing democratic policing outcomes' (Shearing and Kempa, 2000:206). The adoption and implementation of sector policing is indicative of the fact that steps are being taken to establish partnerships at local levels, but gaps in this approach remain.

Most obviously, the commercial private security industry has been left somewhat in the cold regarding the role that they can play in policing South Africa under sector policing. Not only does this create an obstacle to effective policing but it also hinders attempts to deal with the problems for democratic policing that commercial private policing initiatives generate. In addition to the aforementioned, not formally including commercial private security initiatives into the security governance network is worrying when it is increasingly accepted that there is a substantial and positive role for 'private security to play in governing nations like South Africa through the transition to healthy democracy and beyond'(Shearing and Kempa, 2000:205).

One suggestion is that the police could hire members of private security companies to undertake basic duties such as the policing of events like sports matches, or the transporting of prisoners to court thus leaving the SAPS to focus on more pressing issues like trying to balance the unequal provision of security in town. The DPS arrangement, if properly implemented and carefully regulated, could greatly assist the SAPS by removing some of the burden of policing in the CBD. As William Sessions (1997), a former member of the Federal Bureau of Investigations observed, 'the private sector ...can supplement very well and easily some of the responsibilities law enforcement cannot react to ...it's not inconsistent with any law enforcement agency to accept well organized support for the community' (cited in Minnaar, 1999:16).

The security industry increasingly makes requests for partnership policing in South Africa, and the 'debate around the extension of powers of the private security industry has received considerable publicity' (Irish, 1999:10). Minnaar (1999:1) has suggested a number of

reforms which would go a long way to enabling meaningful partnerships between South Africa's private security industry and the SAPS:

- patrolling of neighborhoods should be carried out in conjunction with the SAPS;
- full powers of arrest, search and seizure have been requested;
- security companies, by law, should be entitled to transport citizens that they have arrested to the nearest police station. This would not only be a more efficient practice, but it would also take pressure off the SAPS as it would mean that they did not have to unnecessarily attend the scene of arrest;
- security companies armed/rapid response vehicles should be classified as emergency vehicles and be permitted to exceed the speed limit in emergency situations.

Effective and democratic policing in Grahamstown (and South Africa) requires inclusion of the notion of 'security governance' in the newly devised philosophy of sector policing. Shearing and Kempa (2000) propose the introduction of 'networked nodal governance,' while Loader and Walker (2001) recommend what they refer to as 'coordinated governance.' This conception 'permits us to recognise that, today, the police are only one node in a network of auspices ...that work to govern security alone and in conjunction with each other' (Shearing, 2005:58). This innovative policing arrangement is conceived in such a way as to assign importance to the comprehensive participation of a locality's citizens (including all forms of non-state policing) in decision-making about security issues. The state's role thus *formally* develops from one in which it is expected to exercise a monopoly over policing to one in which it is expected to 'steer' effective, accountable, equitable and just service delivery, and coordinate the relationships within a formalized security governance network (Loader, 2001:27). The questions that emerge, as Shearing (2005:61) observes, are related to how best to coordinate, integrate and fund the various forms of policing within the security governance network.

The failure to capitalize on the benefits of a properly established and interdependent security governance network in the Grahamstown Police Station Area is undeniably a result of the fact that there is a desperate need in South Africa, at the state level, to define the role of the

different types of policing initiatives and coordinate interaction within the country's security governance networks.

Government must begin by 'reformulating its understanding of the role of the state in governing security' (Shearing and Kempa, 2000:210), which according to Loader (2000:336) requires more 'radical thinking' and more 'imaginative institution building.' The SAPS should not itself be viewed as a public good, but rather that the outcome of security should (see for example Shearing and Kempa, 2000:210). As a result Shearing and Kempa argue that the role of the state should be more focused on funding and facilitating citizens' access to security rather than limiting its role to the funding of the state police.

In addition to a reformulation of the state's role in providing access to security, the South African government needs to clearly define their reformulated conception of policing and establish principles that outline exactly what it proposes policing in South Africa will look like, and what it should accomplish. As Baker writes, 'a democratically representative government has the authority to clearly define the desired relationship between the different policing structures and to set the parameters' (2004b:220).

Defining the relationship between the different nodes in the security governance network, facilitating citizens' access to security, and setting certain limits will entail a number of steps. It will firstly entail accepting a new definition of policing, which goes beyond the SAPS and recognizes the role other actors in the network can potentially play in providing for the security of citizens. This does not imply the disappearance of state policing but rather an acceptance that an assumed state monopoly over security provision is no longer defensible. This new vision of policing 'would see the police forming the centre point of a coordinated [and formalized] system of patrol services, wherein they would act as guardians of the public interest' (Blair, 1998 cited in Loader, 2000:336).

As the Pattern Commission (1999) found, the first and foremost requirement of democratic policing is the protection of human rights. Additionally, democratic policing must 'seek to mobilize local knowledge and capacity in both the direction and delivery of policing and be responsive to local needs, as well as be transparent and accountable through democratic practices' (Pattern Commission in Shearing and Kempa, 2000:210).

Policing boards could play a number of roles including: 'consultation with a range of players with an interest in promoting security – including but not limited to the public police, paid private security agencies, local grassroots organizations, and community members; facilitate the implementation and maintenance of such programmes by acting as the funding agency controlling the flow of public funds into the networked approaches to security; acting as an overall monitoring body to hold all agencies participating in the networked process of policing accountable' (ibid).

In sum, it is necessary for government to develop and put to use more local agencies, structures and capacities for monitoring and checking the activity of private security bodies. (Shearing and Kempa, 2000:210) This can arguably be achieved if active Sector Policing Forums can be established, however it would be wise to bear in mind that partnerships of all types require a great deal of effort on the part of the participants. While increased levels of crime and insecurity exist, history indicates that people are willing to mobilize, however as crime and insecurity decrease, so participation in community initiatives often diminishes (Scharf, Saban and Hauck, 2001).

One of the biggest problems envisaged for effective sector policing in Grahamstown is the ability of sector managers to mobilize community members and involve all of the necessary stakeholders (Scharf, 2000) thus ensuring that SPFs represent the community in its entirety rather than merely specific groups. As Maroga (2004) observed, if SPFs 'fail to mobilize the community, they are likely to find themselves in a similar trap as community policing forums i.e. serving the needs of certain interest groups rather than that of the entire community' (Maroga, 2004:7).

#### In Closing:

After briefly introducing policing and establishing certain principles of democratic policing, this thesis has illustrated how the security governance network in Grahamstown is currently operating. In the process of portraying the fluid and dynamic nature of policing in Grahamstown, the prospects and problems for democracy were discussed in the hope of offering insight into how these challenges might be overcome.

The intent of this thesis was not to create an archetypal model from which government and local police station areas must not veer. Rather it aimed to show the potential benefits – in terms of both effectiveness and the advancement of democracy – of formalizing the partnerships that already exist in an ad hoc manner, and to suggest how government needs to start thinking about reconfiguring the governance of security in South Africa if we are to succeed in meeting the twin challenges of combating an unacceptably high crime rate and inculcating democratic policing.

A formalized security governance network, existing under the ambit of sector policing, has the potential to produce an effective and democratic system of policing in post apartheid South Africa.

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