

**SOCIAL POLICY ON CRIME IN DEMOCRATIC SOUTH AFRICA 1994-  
2001**

**BY**

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## **DEDICATION**

This dedication is to the Lord Jesus Christ the Holy and genuine Savior of the World for granting me the privilege to pursue a Social Policy Degree and for also preserving my life in volatile South Africa. I also dedicate the thesis to my late dad Elder S. I. Edim who passed away on July 17 2002. Sadly he never lived to hear the result of this thesis.

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## **Abstract**

The reported rate of violent crime tops the agenda on the mind of South Africans. It remains the main contending problem facing the current administration and the general populace. Its effect cut across race, class, sectors, provinces, cities, or locations . With violent crime against the individual and property continually escalating the very survival of the civil populace and the institution of democracy would remain undermined. Consequently, the effects of a high crime rate are presently affecting the image of the country abroad, as it is threatening other vital sectors of the economy such as: tourism, transport, construction and building projects and other domestic sectors of the economy. It leads to problems such as the brain drain and has a high cost associated with sustaining the criminal justice system. In the light of the above, the central thrust of this thesis is to identify the role and functions of organized criminal organizations that have proliferated and are greatly entrenched in South Africa. .

Although this thesis acknowledges the findings of victim surveys, which have shown that more than 50% of murders, assaults and sexual assaults in South Africa occur between people who know each other, the fact is that illicit and criminal activities such as thefts and smuggling extend beyond the shores of the country in an organized fashion. There seem to be no doubt that the activities of organized crime operate in a democratic dispensation that has adopted a broad range of rights including the right of privacy. The Government response through social policy documents has clearly failed to combat organized crime or reduce the levels of violent crime. The reason is that since organized crime is complex to observe, criminals have become more daring in their exploits. In addition this thesis would examine major policies starting with the South Africa National Crime Prevention Strategy (NCPS) and the White Paper for Safety and Security ,recent budget increases to fight crime as well as a range of policies under the present ANC-led government. While not assuming that this research has a permanent solution to solving violent crime, it is a fact that income inequality, drug abuse, and poor socio economic conditions remain core problems facing the government.

One is hopeful that the solution of South Africa crime problem may lie within the political leadership. That is if the political will power can be exercised and the leadership of the country and the security apparatuses become decisive in their relentless fight against crime.

## **CHAPTER ONE**

### **1.0 NATURE, SCOPE AND EXTENT OF STUDY**

#### **1.1 Introduction**

Although apartheid in South Africa is history, its newly found democracy since 1994 is under threat due to unprecedented increase in crime, which has immense potential to undermine the social, political and economic stability in the country. The vestiges left behind apartheid, rising unemployment rates due the negative effects of the government's neo-liberal economic policies and globalisation are perceived to be some of the major structural causes of crime in South Africa. The seriousness of crime has raised major concern amongst all sections of the population in the country regarding matters of safety and security and the right of citizens to protect their property and lives in South Africa. Of major importance to policy makers is the rapid increase in organized crime and the emergence of crime syndicates in the post democratic era. International syndicates find South Africa an important crime destination in light of the fact that it has regained its status in global markets after four decades of isolation. With unencumbered and unrestricted movement of people in and out of the country, organized crime syndicates find South Africa a lucrative haven for their illicit and criminal trade. Generally, the effects of crime cause major waves of "brain drain" with large numbers of skilled persons emigrating, decline in foreign investor confidence, lack of confidence by foreign tourists, decline in the agricultural sector due to increasing number of farm murders, increase in the cost of public and personal security and declining morale amongst citizens and law enforcement officers on the states ability to curb crime levels.

The causes of crime are well researched and documented both locally and internationally. A wide agreement exists on the importance of socio-economic and political realities as causal factors in the increase of crime and criminality. However, despite this fact, information on crime and criminality is seldom complete due to poor reporting and research. This has negative effects on policy outcomes. In the case of South Africa, crime statistics have been the centre of policy debates both in the apartheid and post-apartheid eras. In the apartheid era, crime recording and reporting structures were known to distort crime statistics to direct effective policy. Within the confines of this study it is not possible to examine all aspects of crime and criminality in South Africa. Hence, the focus of this study would be to examine the nature and extend of violent crimes emanating from organized syndicates and the consequences thereof for the safety and security of all South Africans within its emerging democracy. The statistics on violent crimes make this study more compelling. In 1997 South Africa's murder rate was 57 per 100 000 of the population, which is six times higher than that of the United States. In the year 2001 this figure had increased to 59 per 100 000 of the population. This alarming state of affairs necessitates a social inquiry of this nature so that appropriate public policy may be informed to reduce this high incidence of violent crimes through organized syndicates in South Africa.

## **1.2 Problem Identification**

During the apartheid era, the criminal justice system spent much of its national resources enforcing segregationist policies. Many of the criminal offences were largely political in nature and could hardly be considered socially deviant when compared to international standards. However, this did not mean that crime was not existent. However more attention was given to public order policing through violence particularly when it came to policing the opponents of the apartheid state (Marks, 2000:149).

However, in the post apartheid era the seriousness of crime and its negative impact on South Africa's democracy became the subject of serious public debate. The liberal newspapers were accused of sensationalizing the extent of crime in order to undermine the new democracy. Further, the abolition of the death penalty raised a serious public outcry . On the contrary state authorities are on record as believing that the national crime statistics were distorted and a moratorium was placed on public access to such information in August 2000 . Major concerns were raised regarding the capacity of the police to manage crime and guarantee South African citizens safety and security as enshrined in the new constitution .This led to a major reorganization of the national police force and the appointment of a CEO to head the institution .This was done with funds from the private sector. This was motivated by the state's belief that reactionary police officers who were unable to adjust to the emerging democracy were bent on destabilizing the country by reporting and sensationalizing the prevalence of crime in the new South Africa. It is almost two years since the moratorium on crime statistics was lifted ,yet the nature and profile of crime and criminality in South Africa are still unclear. It is against this context, that the study sets out to analyse crime trends in South Africa, particularly those associated with organized crime since the inception of democracy and to ascertain to what extent this undermines post-apartheid reconstruction and development initiatives.

## **1.3 Hypothesis**

The transition to democracy was linked to an upsurge in violent crime in South Africa. This upsurge was greatly intensified mainly because of the covert activities of organized criminal groups ,which have proliferated into gangs and groups of marauders and have defied detection for decades. This , however is not the sole determinant reason for the proliferation of crime , as individual crime is also on the increase.Criminals have succeeded partly because of liberal constitutional laws that accord unrestrained rights which include the abolition of the death penalty in South African. Social policy measures that have been initiated are not matched by zealous implementation .Tough anti -crime measures have been adapted to tackle organized crime groups. Government actions underpin the tolerance of violent crimes in South Africa.

## **1.4 Goals of the study**

- To assess the nature of crime in South Africa, including those deeds associated with organized syndicates.
- To analyse the profile and changing trends in crime and the reasons for this.

- To assess the effectiveness of the state's national crime prevention strategy in providing all South Africans with a safe and secure living environment as contained in the country's constitution.
- To study social policy measures against violent crime, and suggest new and innovative ways of creating a crime-free South Africa.

### **1.5 Theoretical assumptions upon which the present study is based**

Almost all societies in the world have to deal with social deviance in the form of crime and criminality. Most societies have prescribed norms and values which help to regulate its members to such an extent that social order and harmony are promoted.

Whilst to a certain extent society tolerates minor social deviance with mild sanctions, unprecedented increase in social deviance and the inability of sanctions to reduce conformity to the law can render a society dysfunctional. It is to this extent, that the state which is the supreme guardian of all of its citizens needs to ensure that social deviance is under control so that it can guarantee its subjects safety and security at all times. In the absence of the state's ability to regulate the behavior of its subjects through enacted laws and sanctions society can degenerate into a state of anomie. A state of normlessness accentuates high levels of social dysfunctions, which render the state powerless to govern effectively.

History has shown that organized as well as individual crime have great potential to undermine society. A point in case is the Italian Mafia which has through sophisticated networks destabilized nation states in Europe and the United States of America. Crime syndicates are known to have a particular culture and allegiance to their organization and the values and norms expounded by them are dominant in shaping their behaviour within a given society. Individual crimes have also a serious negative effect on the fabric of social life.

Based on the above supposition, the study assumes that the South African government in its effort to govern democratically can be thwarted of such an initiative if high levels of crime and criminality continue to increase in the future. Crimes committed by individuals tend to be of a lesser threat to societal functioning compared to organized syndicates which perpetrate crime and criminality consciously with great degree of precision and success. However, they form an integral part of this study as they pose a great danger to the stability and social cohesiveness of a given society. Considering the fact that South Africa is a fledgling democracy, it can ill afford the social, political and economic costs of crime given the fact that much of its efforts need to be focused on undoing the damage caused by apartheid.

### **1.5 Research design**

This is a brief presentation of a detailed exposition of the research methodology which is presented in Chapter 2 and 3.

\*Literature study was undertaken to assist in establishing a theoretical basis for the research and to identify pertinent issues for consideration. This involved an examination of fundamental

concepts such as *crime, criminality, nature and structure of organized crime* and *social policy*. The current crime trends, including organized and individual crime and their social, political and economic consequences for South Africa are analysed. In addition an assessment is made of the current policy on crime prevention and reduction and the extent to which limitations hinder or advance the promotion of a safe and secure environment for all South Africans.

\*The research design was of a descriptive nature. Descriptive studies are known to be useful in instances where very little is known about a phenomenon. Data gathered from descriptive studies very often serve as a basis for further research. It is within this context that it is proposed that the analysis of the nature and extent of crime in South Africa will lead to further suppositions on the effectiveness of the current crime prevention and re-defining the policy of the state.

\*Data was gathered through documentary and statistical analysis from the relevant state and parastatal departments responsible for crime prevention and reduction. The data was subjected to quantitative analysis and its interpretation is supported by evidence contained in the literature study.

## **1.6Chapter outline**

The following Chapter includes the literature review which covers the theory of crime and deviance, the factors influencing crime, the profile of crime syndicates and their organisation and the role of effective public policy on crime reduction. It also examines the nature and extent of crime in South Africa, the various policy instruments used by the state to reduce crime and their current state in a comparative perspective. Chapter Three includes the research methodology upon which the thesis is based. In Chapter Four the national crime statistics are analysed in order to assess the extent to which organized and individual crime are prevalent in South Africa. The findings and recommendations are included in the last Chapter.

**1.6Summary** The study aims to determine the extent to which organized and individual crime have become prevalent in the post-apartheid South Africa. The basis of analysis is the national crime statistics, which will serve as an indicator to determine whether existing crime prevention and reduction strategies are indeed effective in managing escalating incidents of crime. The study offers suggestions and recommendations for crime reduction strategies.

## **CHAPTER TWO**

### **2.0 CONCEPTUAL FRAMEWORK AND LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter begins with the first section related to a conceptual understanding of crime and criminality. It is followed by several sociological theories of crime which are instrumental in laying the foundations to the background associated with the social problems of the phenomenon. A major section dominating the project is the literature review on mainly

organized crime. The reappraisal of organized crime shall be made and the lessons clearly spelt out. The next aspect is the theoretical framework associated with crime. This is followed by an examination of the consequences of crime and criminality. This section reviews crime in different historical epochs e.g. the nature of crime before and during apartheid and the prevalence of crime after the transition to democracy. The seriousness of crime and its negative impact shall be discussed underpinning the existing crime trends. The thesis will examine crimes committed in other countries before analysing the various social control measures undertaken. It is hoped that the thesis will pinpoint policy failures and gaps that remain a threat to security, and the maintenance of law and order.

## **2.2 Working towards a definition of crime and criminality and theories of crime**

According to Justice Vincent Bugliosi (Occasional Paper Feb. 6 2001) crime is what has been prohibited by law. In other words crime is a violation of societal laws. This dissertation asserts that crime is the violation of known or unknown laws and norms in any given society. All societies have norms, and punish those who violate them Goode (1994) describes norms as the accepted standards of behaviour within a society. In all societies people commit acts of deviance that frequently break important norms.

The central question then is why are criminals breaking the norms of societies? Three approaches have been proffered as a response to the question. Scientists adopt the biological and psychological theories of deviance as the causes of crime, while sociological theories address the social circumstances that permit and even promote deviance. This thesis focuses on the sociological reasons for breaking societal norms. In any case norms are not absolute but are created by human actions.

Many people have questioned why perpetrators of violent crime behave the way they do. According to Goode, deviance can be described as follows:

**“I mean one thing and one thing only: behavior or characteristics that some people in a society find offensive or reprehensible and that generates-or would generate if discovered-in these people disapproval, punishment, condemnation of or hostility toward the actor or possessor. What we have to know is deviant to whom?”** (Goode 1994:29).

There are three additional definitions of deviance that has been adopted

- (A) Deviance is a label attached to people and acts.
- (B) Deviance is a kind of relationship.
- (C) Deviance is a nonevaluative term.

According to Goode(1994:31) norms are not absolute but created by humans, hence it may be useful to examine how a particular norm was established and why. The real question is not why deviants behave as they do, but why society decides to prohibit certain actions.

## **2.3 Sociological Concepts and the Causes of Violent Crime in South Africa**

While the responsibility for an effective crime policy rests on the apparatus of the state i.e. the government, it is imperative for policy analyst to rely on criminologists for causes and theories of violent crime. It is this understanding that best explains the reasons of violent crime

and why government leaders have to rely more on sociologists to explain certain behavior and remedies to combat the problem. Political leaders can then respond appropriately with social policy measures such as service delivery and the provision of amenities and jobs to alleviate poverty and give hope to citizens. Sadly it is this lack of political will on the part of policy makers to initiate and enforce socio economic policies that would ameliorate the economic hardships of South Africans reeling from endemic poverty that has made the battle against crime more difficult.

Citing Emile Durkheim, Eric Goode (1994) argues that by affirming cultural values and norms there can be no justice without crime, hence deviance is indispensable to generating and sustaining morality. Responding to deviance promotes social unity, collective outrage and reaffirms the moral ties that bind members of a society.

According to Edwin Sutherland (1950) the differential association theory suggests that the source of deviant behaviour leads to attachment to deviants. However, empirical research suggests that deviants end up together (e.g. street kids in a gang) because others reject them and not because they encourage each other's deviance. In other words the likelihood that an individual will engage in delinquent behavior is directly related to the degree and frequency with which he/she associates with other individuals who engage in such a behavior. Shaw (1929) demonstrated that crime and delinquency was unevenly distributed in geographical areas. He discovered that areas with high rates of delinquency were characterized by overcrowded housing, deteriorating buildings, and other physical and social inequalities. These were typically associated with decaying urban neighborhoods. Cohen (1955) argued that delinquent behavior resulted from individuals acquiring (through the socialization process) a set of norms and values which encouraged and condoned delinquent behavior.

Karl Marx asserted that society is polarized into two camps; the bourgeoisie and proletariat. Those who own the means of production and exchange (land, labour and capital) are the capitalists, who are responsible for the oppression and exploitation of the working class and the peasantry. Through exploitation of the labor power of the workers huge profits are made in the form of the surplus value. This results in more capital accumulation and expansion of investments. Consequently policies are initiated to make the workers subservient and exchange their labor for a pittance which leaves them poorer. Exploitation leads to inequality which ultimately leads to social tensions. In turn this results in conflict against the ruling class. Hence class differences lead to different manifestations of criminal behavior. For example the poor classes are involved in petty criminal behavior such as stealing etc while the bourgeois class are engaged in sophisticated forms of crimes such as white collar crimes. Marx urged workers to overthrow the ruling class and the capitalist system and adopt socialism. It was only then that an equitable distribution of resources in a just society can be attained.

**Aggression:** According to Silverberg and others (1992:1) it is somewhat difficult to define aggression because of a heterogeneous collection of terms that are similar such as assertiveness, forcefulness, combativeness, ferocity, belligerency, abuse, conflict, force, and violence. Aggression can be subdivided into two main factors; external or environmental factors and inner or personal factors. Torch (1969) conducted a research among violent felons and came out with startling revelations attributed to social/physical and emotional traits. Violent crime becomes accentuated when certain factors are in place: the general consumption of alcohol or

illicit drugs, crack cocaine, heroin, and marijuana etc. In some circumstances, when the physical environment appears irritating such as noise, heat, rowdiness chances are that violence tends to explode. Similarly if an object capable of igniting conflicts exists, such as guns, traditional weapons and armaments etc violence is easily sparked by any act of provocation (Baron 1977; 125-168; Torch 1969). Thiessen 1976 argues that social environment may cause aggression. Frustration and a non-attainable goal attributed to someone else is a strong factor to provoke aggression. Similarly, Baron (1977 :92-97) and Torch (1969) attribute aggression to a perceived imminent attack from a rival group or an individual. To avoid that, preemptive attacks are carried out.

**Violence as a Culture:** Some communities have a historical tradition of violence. When an occasion for trouble is observed ,violence response remains the quick means of solving such conflicts (Johnson 1972:118-121). In some communities in Kwa Zulu Natal, the responses to acts of revenge during the historical Black on Black political violence in the townships were often remarkable because of reprisals and more acts of violence.

**Command:** According to Baron (118-121) certain individuals in some organizations encourage their followers to be violent either for retributive purposes or for the sake of divine purposes such as holy war (Jihad), and perhaps through the promotion of parochial interest known as “hate crimes” against racial minorities, or religious groups or perceived enemies .

The Chicago school argued that deviance is attributed to the growth of cities and the presence of strangers. This encouraged impersonality, social distance and a decline in social harmony. People no longer trusted each other or cared how others feel or what they do(Traub and Little 1980: 41-43, 44-68). Kelly ( 1955:58) argued that personality characteristics made some individuals to be more aggressive than others. That trend may account for repeat crimes from felons who are in and out of prisons.

Merton (1938) theory attributed deviant behavior to a social disorder called “anomie”. He questioned why the frequency of such behavior varied so dramatically from one society to another and from one group to another within the same society. He assumed that the answer could be found in the way that social structures exerted a definite pressure upon certain persons in a particular society .

Braithwaite (1989:9) asserted that criminal behavior is determined by biological, psychological and social variables over which the criminal has little control. His passionate manner in expressing his theory was remarkable.

**"The theory of re-integrative shaming in contrast adapts an active conception of the criminal. The criminal is seen as making choices to commit crime, to join a subculture, to adapt a deviant self-concept to reintegrate her self to respond to other gestures of reintegrating against a background of social pressures mediated by shaming"** (Braithwaite 1989:9).

#### **2.4 Literature Review on Organized Crime**

It is pertinent to trace the root of the South African problem regarding organized crime, because several scholars have done extensive research on this topic . Three eminent researchers from the South Africa Institute of Security Studies (ISS),Peter Gastrow, Mark Shaw and Eric Pelser can be credited for these publications that will be reviewed.

Definition of concepts within social sciences could have serious weaknesses because of the complex ideological differences amongst scholars. The definition of organized crime may fit or not into certain contexts where the issue is relatively unknown. They are three pertinent questions that are intrinsic to the study and definition of organized crime these are:

\*What is a criminal organization?

\*When do the criminal activities of street gangs or syndicates constitute organized crime? \*What is the difference between a gang and a syndicate?

South African attempts at defining organized crime have sometimes strayed to unrealistic directions. Thus the South African Police Service (SAPS) have tended to rely on the definition of the International Police Organization (Interpol), which is widely and currently in use in most countries of the world. According to Gastrow "any group of criminals that have a corporate structure, whose primary objective is to obtain money and power through illegal activities, often survives on fear and corruption" (ISS Monograph 28, 2001). A critical review of the definition may question the phrase "corporate structure" which has left the SAPS bewildered in regard to the nature of organized crime in the country.

Practically what seems to be in place is that the majority of organized crime structures in South Africa are informal associations that change daily. Why these associations change daily may not be unconnected with the un-organized nature of alliances resulting from the shifting of coalitions perhaps emanating from internal disputes and dissensions within each group. The same interpretation cannot be said of prison related organized criminal groups in the Western Cape of South Africa where leadership and organization is strongly cohesive and has been dominant for as long as anyone can remember.

The debate on organized crime has attracted more international attention apparently moving away from a focus of structures to the conduct and nature of such criminal organizations. Most nations of the world seek a joint effort in combating the menace of organized crime. The growing international realization that cooperation between countries is essential in countering organized crime, has led to serious attempts at moving towards one internationally accepted definition. One thinks that there ought to be clarity on precisely what type of criminal conduct international efforts are called upon to counter. Two international attempts have been made to establish an internationally acceptable definition of organized crime. Under the auspices of the United Nation Draft Convention for the Suppression of Transnational Organized Crime, delegates made an attempt to draft a comprehensive international convention against organized crime in 1998. According to the draft organized crime means group activities of three or more persons, with hierarchical links or personal relationships, which permit their leaders to earn profits or control territories or markets, internal or foreign, by means of violence, intimidation or corruption.

Based on the present convention organized crime includes commission of an act by member of a group or as part of the criminal activity of such group. In this context it is pertinent to review the history of organized crime in South Africa during the National Party government and the decades following that era.

## **2.5 History of Organized Crime in South Africa**

Organized criminal groups operate covertly from urban or rural areas to evade detection. Apart from drug trafficking and gun running, there is no specific data that directly links them to specific violent crimes. This dissertation is using the subject to point at the enormous obstacles in implementing policies on violent crime. It argues that if the threats of organized crimes are not investigated and combated, the country could slide into chaos and near anarchy. Because of the moratorium on statistics, a general analysis would be made on the most common crimes believed to be triggered by the influence of organized criminal groups that operate within South Africa. It is difficult to examine social policy on organized or individual crime without a first hand knowledge of past activities of organized crime networks within the country as well as a picture of individual crime in its proper perspective. Eric Pesler's article entitled Organising against Organised Crime examined individual and collective crime activities in a historical perspective with special emphasis on the gangs of **skollies** in the coloured townships and **tsotsis** in African townships such as Alexandra. The various criminal activities are described, including the actions of the notorious Msomi and the Sheriff Khan gangs. Their leadership structures are analysed in their social and historical context. Their criminal activities are described in considerable detail, as well as their relationships with the police and the criminal and justice systems. The same approach is used in the examination of the Durban organised gangs with descriptions of their activities in various areas of the city, including the "coloured" townships of Newlands East and Wentworth. The analysis for this part of the country concentrates mainly on the drug scene, as the city is considered the center of organised drug syndicates because of its relatively easy access through the harbour. The Cape Town description utilises existing literature in order to describe the various types of mainly coloured gangs operating throughout the city, but especially in the Cape Flats area, notorious for its high crime levels. Their relations with the drug distribution networks and the Police are also a part of this report.

## **2.6 The 1980s: Organized Crime Comes of Age**

Gastrow's report The 1980s: Organized Crime Comes of Age concentrated on the street gangs and the more sophisticated crime syndicates in three major metropolitan cities of Cape Town, Durban and Johannesburg. He examined the social, political and economic factors which influenced their formation. At the core of their interest is the narcotic industry, which replaced Madrax that dominated the crime scenes in the 70s. The author identified the various periods associated with the era and the types of gangs and organised syndicates associated with violent crime and the distribution of drugs.

Unfortunately as Gastrow asserts the South African Police did not understand the dynamics and complexity of organized criminal groups as well as the limitations of the security laws and the various sections of the police and other units. The situation was exacerbated due to the diversification of crime such as car theft and highjacking, computer theft and the like, that run parallel to the more traditional crimes described by the author.

## **2.7 Literature Review on Organized Crime in Post Apartheid South Africa 1990 –2001**

Mark Shaw's report starts from the beginning of the transition program in the 1990s. His definition of organized crime is taken from that of the South African Police Service SAPS that "a crime syndicate is defined broadly as a well organized and structured group with a clear leadership corps, which is involved in different criminal activities such as drug trafficking,

vehicle theft or money laundering. Such syndicates have well established contacts with national and international criminal organizations and cartel or mafia grouping” (Shaw Occasional paper 1998).

The major points mentioned by the author are that 1) organized crime grows most rapidly during periods of political transition particularly if it is characterized by political violence when resources are concentrated in certain areas of conflicts. The weakening of the policing institutions of the state and the volatile regional context all contributed to this menace. The former Soviet Union had a similar experience with South Africa, as the collapse of Communism and the emergence of democracy and liberal constitutions enabled thousands of criminal organizations to emerge. 2) Organized crime existed in the Western Cape with links with foreign criminal organizations in East Asia in order to obtain narcotics or Madrax. In the past these groups had harassed anti apartheid activists in exchange for the police to turn a blind eye on organized gangs in the Western Cape of South Africa. As a result organized crime in the Cape became consolidated. 3) Four factors should be taken into account when measuring the extent of organized crime in South Africa; “the degree to which various organized crime groups have consolidated either through merger or structured co-operation; the role that former members of the apartheid security forces play in relation to organize crime; the degree to which organized criminal groups have been successful in penetrating the state and corrupting officials; and the degree to which foreign crime groups operate within the country and have forged links with local crime syndicates” (Shaw Occasional Paper 1998). 4) South Africa organized crime remains fragmented. They are 192 organized crime syndicates with a combined figure of 1 903 primary suspects currently known to be fully operational in South Africa and are under police surveillance. 5) The author gives detail description or function of organized crime syndicates; the majority specialize either in drug trafficking (96 syndicates), vehicle related crimes (83 syndicates), and commercial crime (60 syndicates). 6) At least 32 of the 192 crime syndicates in South Africa operate internationally, while the remaining 150 of these syndicates are restricted to Sub Saharan Africa. 7) Despite the apparent growth, organized crime is fragmented and highly disorganized, hence its vulnerability to well targeted policing. 8) The growth of the taxi industry and the need to move illicit goods has served as a breeding ground for organized crime as there seem to be fierce competition and apparent warfare to eliminate opponents and control certain routes. More so wide spread smuggling among the unregulated taxi industry has been observed in the sub continent. 9) Finally the growing influence of Nigerian crime groups exclusively in charge of drug business, Russian Mafia involved in the smuggling of weapons diamonds and gold across the frontiers with extensive links in the sub continent, Chinese Triads allegedly involving in diverse activities ranging from illegal migrations to the country, smuggling of endangered animal species, involvement or control of prostitution rings, murder, possession of unlicensed firearms etc is alarming and embarrassing to the South African government. It is strongly alleged by crime watchers that these groups constitute organized crime (Shaw Occasional paper 1998).

It can be gauged that the above points provide vital information for government policy makers to initiate or to shape social policy on closing all security loopholes on organized crime. Organized crime then has become a focal point for government social policy to be urgently formulated for the purpose of tackling it. Without a comprehensive report on the number and activities of organized criminal groups, it will be difficult for the authorities to adapt tactics to match the

flexible pace of organized criminals .In this context individual crime has also to come under the spotlight.The article has revealed that lack of a viable social policy on violent crime would adversely affect the key indices of stability .When there is no security in a country through organised and individual crime, confidence is lost locally and internationally and the consequences could be very negative. The author's international comparisons between transitional societies such as South Africa and post-communist Russia are useful and illuminating. Such scientific analysis provides the government with useful weapons in order to re-define and re-shape its public and social policies in its continuous fight against crime.

## **2.8 Concluding Thoughts on the Literature on Organized Crime**

During the reign of Prime Minister P. W. Botha the concept of organized crime did not arise suspicion and was not even a popular phrase worthy of attention. During the last days of the apartheid era the focus was on security and ways to curb political violence from destabilizing Prime Minister PW Botha's beleaguered state apparatuses. There was apparently no viable policy on organized crime because the phenomenon was relatively unknown. The failure to understand the historical roots and operational dynamics of organized crime has created severe problems which the current and future administrations may not easily solve. Where a criminal gang is not stopped from consolidating, deep rooted connections are sustained and organizational structures become ossified to evade detection from authorities and members of the public. When the authorities appear to close in on some suspected members, they mingle with the civil populace and melt away unnoticed only to reemerge from their hideouts. This is the difference in approach when organised and individual crime are approached .Columbia is a practical example where guerrillas and organized crime have literally taken siege of cities and villages, while individual crime exacerbated the situation . Mexico is another example where public policies are a farce and corruption and kidnappings for ransom are prominent traits. These are the result of a combined organised and individual crime.

Although South African crime is still relatively contained, the mistakes of the past should guide the future. Organized crime was not even noticed as a growing menace. As a result, there was no clear cut policy that was geared to combat its networks. Unfortunately as time passes organized groups have fully entrenched and consolidated far across the frontiers of the Republic of South Africa. The remedy therefore, is that effective policy has to be adopted in order to combat crime despite the liberal constitution which accords rights to criminals.

## **2.10 Global and Regional Trends in Crime and Criminality**

Given the fact that inequality exists in every society and capitalism is prevalent in almost all countries, there is the tendency for intense competition which is ultimately aimed at the maximization of profit and de-subsidization of services at the expense of job security and reasonable levels of employment. As a result there are other social problems which are much more compelling .This serves as an impulse to deviant acts meant to break agreed norms of the country. Almost always crime and criminality become the last resort for many who are not satisfied with meager incomes and a life of despair. Even in the developed G 8 countries and others in North America and European Union countries with social security systems that cater for retirement and pay unemployment allowance, inequality and lopsided administration in the dispensation of social benefits have left the minorities in those countries gasping for survival.

One example in point is the sad experiences of African Americans in the United States. In spite of the civil right laws of the 60s, that group has been left out or behind development and progress due to years of slavery and discrimination to a point of helplessness. Given this problem, violent crime among fellow blacks is on the increase and the proliferation of drugs becomes a means of livelihood and quick fix to attaining money. It is a fact that violent crime is one problem that has not been resolved by any country in the world. In spite of that assertion, crime and criminality cannot be justified particularly if people's predilections dictate the pace of certain deviant behaviors such as rape, the use of cocaine, heroin, marijuana and other illicit drugs that serve as an impetus to feel high so as to commit more crimes. In spite of socioeconomic development and social welfare benefits, it is argued that some crimes have nothing to do with economic problems such as pedophilia, rape, drunk driving or brawl and assaults.

The situation of crime and criminality may be frankly different in third world countries particularly in Sub Saharan Africa where 19<sup>th</sup> Century colonialism dictated the pace of livelihood and development in all spheres of endeavors. However, decolonization uplifted the psyche of Africans and left a challenge to incoming indigenous rulers to embrace faster pace of socioeconomic development so as to reduce poverty. Sadly after over four decades of decolonization, public policy and administration- the starting engine of development and civil order, never took off or was misunderstood by a capricious comprador bourgeois politicians posing as nationalists. Unlike other ex colonies in South Eastern Asian nations of Malaysia Singapore Hong Kong and other Asian Tigers, the hope of development and effective management of resources in Africa has been a colossal failure. Instead what is associated with African countries are lack of a presence of government, violent crime, civil conflicts, military putsches, institutional recklessness leading to rapacious corruption, famine, inefficiency, near anarchy, drug problems external debt problems and the proliferation of institutions that turn graduates that roam the streets with no job. South Africa is gradually sliding down the same road. It is against this background that crime and criminality becomes observed and analyzed.

However, if lacks of resources are pointers to the prevailing crime trends in Sub Saharan countries, the situation with petroleum rich Nigeria, Angola, Gabon, and others as Congo (DRC) with rich natural resources remain puzzling. Take Zaire under the late J. Mobutu, Nigeria and Ghana as case studies, both were ahead of South Korea and Singapore on economic development and Gross Domestic Product in the early 1960s. Today things have so deteriorated that poverty and government inefficiency have motivated youths to abandon hard work to resort to crime. Violent crime trends are so high to the extent that it has dismayed experts of criminology and defied all record keeping about the trends. This problem is accentuated by the near collapse of traditional institutions of society such as traditional customs of marriage family and even traditional norms that have been eroded by cultural imperialism. Consequently, Nigerians and Congolese DRC posing as refugees have exported their brand of criminality into organized crime networks in all provinces of South Africa and other regions of the world! It is overtly known that violent crimes are influenced by drugs bought from barons in alliance with South American and Nigerian drug lords who have corruptly aligned with some decadent police chiefs and local business barons. The amazing fact is in a form of a question: how can one country produce significant number of miscreants to sell drugs in virtually every part of the globe unchallenged? The Nigerian problem has to be emphasised in an analysis of global crime trends and their connection with unseen forces needs to be seriously examined.

## 2.12 Current Data on the Comparison of Crime across the World

There has been a significant amount of literature on a comparison of crime across the world. International Police data and South Africa Crime Statistics show that South Africa's high levels of crime set the country apart from others as a crime-ridden country. One way of evaluating South Africa's crime problem is to compare crime statistics of selected countries published by two research institutes, the International Criminal Police Organization (Interpol) and Crime Information Analysis Centre (CIAC) of the South African Police Service.

This comparison is based on 1998—the last year for which Interpol statistics are available. Levels of recorded crime in South Africa are compared with those in a number of countries in Southern Africa, Latin and North American countries. Others include Europe and some former communist states, and Australia. In reading these comparisons there are certain factors to be considered, as various countries have different legal and criminal justice systems. For example, a serious assault in one country could be recorded as an attempted murder somewhere else. More so what constitutes a recordable crime in one country might not be a criminal offence in another country. One needs to mention that the likelihood of victims reporting crime, and the police recording them, is not the same in every country. Certain factors such as incompetent police or an oppressive political system may inhibit the level of crime reporting. Additionally, multiple offences are not uniformly recorded in all countries. In some countries only the most serious offenses are recorded and a single incident of crime is recorded while in others all offences reported are recorded.

Interpol provides statistics on the total number of crimes committed, which are recorded in various countries as a ratio to their population. In Canada, for example, 8 453 crimes were recorded in 1998 for 100 000 of the population. According to this indicator South Africa compares favorably to many developed countries. The ranking below countries such as Canada, Australia and France, some 5 065 crimes were recorded in South Africa per 100 000 of the population of (figure 1). Care needs to be taken with these figures. It is likely that in a country such as Canada more victims report crime, and more reported to the police than in South Africa or other developing countries such as Brazil or Columbia.

### Violent Crime

According to Interpol (1998), **murder** is the most suitable crime to compare between countries. There are few definitional disputes about what constitutes a murder and most murders are recorded because the evidence of the crime, in the form of the body of the victim, is rarely concealed permanently. In 1998, South Africa had the highest recorded per capita murder rate of the countries selected in this report. In 1998 there were 59-recorded murders in South Africa per 100 000 of the population, followed by Columbia with 56 murders per 100 000. While Namibia's murder rate was high (45 per 100 000) the murder rate in Swaziland was approximately a third of South Africa and Zimbabwe's less than one sixth.

During 1998 South Africa had high-recorded rates of **robbery and violent theft**. 208 robberies and violent acts of theft were recorded in South Africa per 100 000 of the population followed by Swaziland and Spain (Interpol 1998; CIAC 1998)

Australia had the highest level of recorded **serious assaults** of the countries selected with 714 per 100 000 of the population, followed by South Africa 550 per 100 000). Swaziland and Namibia follows at positions four and five respectively (Interpol 1998; CIAC 1998)

The Interpol figures reveal that high levels of violent crime plague South Africa. This is confirmed by CIAC crime data between 1994 and 1999 according to which one out of three crimes recorded in South Africa involves violence or threat of violence. (Nedbank ISS Crime Index Vol.4, No 3, pp.1—4.) According to Interpol, Australia had high levels of recorded serious assaults in 1998, but lower levels of robbery and violent theft and levels of murder. Columbia had high levels of recorded murders—possibly because of the low –intensity civil war that has been raging for some time—but low levels of recorded robbery and violent thefts and serious assaults. It is only in South Africa where recorded levels of all three categories of serious violent crimes were exceptionally high of the countries covered in the Interpol report.

In terms of recorded **property and commercial crime** South Africa compares favorably to most developed countries but unfavorably to developing countries. In 1998 South Africa had the fourth highest (848 per 100000 of the population) ratio of burglaries after Australia, Canada and Hungary ( Interpol 1998, CIAC 1998)

Australia, Canada, France and Spain had higher recorded ratios of vehicle theft than South Africa . Similar patterns also exist for recorded fraud and general theft. A reason why the wealthier developed countries have such high levels of recorded property and commercial crime is the existence of relatively large volumes of property, which can be stolen in those countries in comparison to the poorer developing countries.

The use of a per capita ratio when measuring property crimes does not give a true reflection on the extent of crime. An appropriate indication to measure property crime is to measure it in relation to the number of units of property. For example, in 1998 253 cars were stolen per 100 000 of the population in South Africa. In France 546 cars were stolen per 100 000 . What is omitted in these figures is that there are approximately seven times as many cars in France as in South Africa. This means that the chance of a car being stolen in South Africa is about twice as high compared to France. Measured in this way levels of recorded property crime for South Africa would tend to be higher when compared to most developed countries.

### **Rounding comments**

Based on the above data, South Africa has high but manageable levels of property crime but an extraordinary high level of violent crime. It is South Africa's high level of violent crime, which sets the country apart from other crime-ridden countries. Crime Information Analysis Center (CIAC) data indicate that since 1994 recorded violent crime has been escalating at a faster rate . It is primarily violent crime which fuels people's fear of crime. To lose its label as crime capital of the world, violent crime levels need to drop substantially in South Africa.

### **2.15 Section B: The Prevalence of crime in SA-General Overview the Nature of Crime in Post Apartheid South Africa**

The nature of violent crime in South Africa can be analyzed within the contexts of the preceding sections that have been covered. Since the transition to democracy, the seriousness of violent crime has left majority of the people vulnerable to a broad range of general crimes. No sector has been spared; some foreign tourists have either been mugged threatened, raped or slain. The immigrant African communities are similarly attacked due to xenophobia (The Star March 5 1999). Not even the police stations are spared, as Police personnel are frequent targets of attack for the sole intention of stealing handguns or variety of weapons left in the armoury. So grave is

the situation that some police stations in the Eastern Cape Province of South Africa have hired security guards to combat the growing attacks, which has proved too costly in terms of human life. One source has indicated that South African policemen are murdered at the rate of almost three times that of the general population and nine times more than their counterparts in the United States. According to one media, from 1994 to 1997 1 015 members of the South African Police lost their lives in South Africa (Daily News, 11-11-1998). Violent crime has left almost all farm owners in fright of their lives, as they may be the next victims of violent attacks. "During the past years (1994-1998) 2,730 attacks on farms took place up to September 1998. 560 farmers were murdered since 1994" (Landbou: World Wide Web). Attack on financial houses is not an exception as bank robberies nationwide report weekly occurrence with cash in transit heist remaining popular and brutal. This trend of violence has resulted in the unfortunate loss of precious lives and cash. The private residences of South Africans, whether in the rural areas, townships or large metropolitan cities remain attractive targets of attacks. As some unlucky women and girls are either abducted raped or killed even after vandalizing and stealing the household items of their victims. Gang formation and its proliferation has since become a norm as these anti social elements have literally laid siege on rural and urban South Africa (Glanz: Indicator 1996). They are linked with organized crime syndicates that also have some influence on petty crimes which lead to major attacks on business premises or unsuspecting law abiding people. Although down played, taxi violence remains one of the most brutal post apartheid conflicts, which threatens the transport ventures enhancing black empowerment. Due to the mounting casualties on innocent commuters that are caught in the cross fires, it has become unsafe to patronize taxis but there is no choice. The Taxi Enterprise was deregulated to empower the black commercial enterprise in the time of the National Party (NP). As at now Taxi Enterprise has proliferated into factions and to various allegiances in fierce competition for routes. Most of the killings are as a result of this factor: monopoly to scare other potential drivers from competing for passengers on designated routes. Unfortunately, taxi violence has assumed the infamous description as the "grave yard of free enterprise" by writers of the Mail and Guardian newspaper. Already it is known that almost all the factions have hit men recruited from South Africa and Mozambique who are paid lucrative amounts of money to eliminate rank managers or taxi bosses or rival drivers that compete for routes (Minnar: 1992; Natal Mercury November 2, 1998; Mail and Guardian May 29 to June 4, 1998). Unfortunately crime weary South Africans are fed up of these unending conflicts which have endangered the lives of many commuters. This grim situation excludes a large scale of violence on property and infrastructure, which is continually dominating the crime scene. Neither would the thesis delve into details of individual crime experiences.

## **2.17 Changing Crime Levels in South Africa**

The Criminal Justice Monitor tracks selected indicators of crime and the performance of the criminal justice system on a bi-annual basis. The Monitor relies on the latest available statistics as supplied by official sources. Where these are unavailable at the time of publication, ad hoc indicators are used. (The moratorium on the release of crime statistics was lifted in June 2001 — a year after it was put in place.) The crimes included below cover the 20 most serious and prevalent crimes recorded by the police. These account for over 99% of all serious crimes recorded by the institution. Since 1996, the overall level of recorded crime in South Africa has been increasing every year. Statistics for 2000 indicate that crime levels, measured from one year to the next, are increasing at a faster rate than at any other time since 1994. Between 1995 and

1996 recorded crime decreased by 0.3%. Since then, the year-on-year increase has been 1.1% (1996—97), 4.7% (1997—98), 7% (1998—99) reaching a high of 7.6% in 1999—2000. In 2000, some 481 000 more crimes were recorded compared to 1994. In 2000, 5 635 crimes were recorded per 100 000 of the population. At that level the total risk of the average South African being a victim of crime is 5.6% per year, not accounting for unrecorded crimes.

### Violent Crime

In 2000 one third of all recorded crimes were violent (murder, rape, robbery and assault). At 33%, the number of violent crimes, as a proportion of all recorded crimes in 2000, remained constant compared to previous years. Between 1994 and 2000 recorded violent crime increased by 33.6% and between 1999 and 2000 by 9.9%. In both periods there was a greater increase in violent crime than in any other crime category

### Comparing Crimes

Between 1999 and 2000, property crime increased by 7.2%, followed by 'other' crimes (3.7%). Crime against property such as arson and malicious injury to property increased by 3.6%, and commercial crime by 1.7%. The 'other' category covers the illegal possession of firearms, drunken driving, and drug-related offences. While overall recorded crime increased by 7.6% between 1999 and 2000, several violent crimes increased at a faster rate than the average, such as robbery (common and aggravating) and common assault. The number of recorded murders, however, decreased by 9% between 1999 and 2000. Other crimes that decreased by between 2% and 3% were vehicle hijacking, car theft, and attempted murder.

### Violent Crime in the Provinces

During 2000, 1876 violent crimes were recorded in South Africa per 100000 of the population. By this measure the Northern Cape was the most violent province in 2000, where 3189 violent crimes per 100000 were recorded, followed by the Western Cape (2942) and Gauteng (2759). The least violent provinces during 2000 were the Northern Province (1044) followed by KwaZulu-Natal and Mpumalanga. While the Northern Cape had the highest violent crime ratio in 2000, the province experienced the lowest increase in recorded violent crime during that year (1.5%). The highest increase in violent crime during 2000 was recorded in Gauteng (12.7%), followed by the Western Cape and the Northern Province.

## **2.18 The Negative Effect of Crime on the South African Democracy**

It ought to be stated that in examining violent crime trends in South Africa caution must precede any interpretation because all societies are prone to one form of deviance or the other. No society is a utopia, all experience crime trends to some extent. That is the reason why all societies have norms to regulate them so as to be saved from deviant miscreants. Given this supposition, the effects of violent crime in South Africa should be analysed with caution.

The seriousness of violent crime has become a great concern in all circles and is affecting the image of the country overseas, which means that tourism as well as huge foreign exchange

earnings are on the decrease (Natal Mercury October 4, 1998). A very important sector that could affect the economy and technology is brain drain and the continuous loss of skilled persons to overseas countries. This brain drain is presently adversely affects South Africa labor market. The reason of emigration is often the level of violent crimes and the helplessness of such highly qualified emigrants. If the trend continues, it is likely going to affect the economy negatively (Business Times, July 17, 1997; Sunday Times KZN September 13 ,1998). The agricultural sector is affected by declining productivity and high prices of food and commodities due to attack on farms. This is because some farmers have totally left the occupation for other destinations where crime is not affecting farming. Crime has diminished the morale of the South African Police Service .According to a research report conducted by the South Africa Police Service (SAPS)“South Africa murder rate was 57 per 100000 of the population in 1997 which is roughly six times higher than in the United States. However, if the risks are higher for the public they are worse for the members of the police. In 1997 237 officials lost their lives at a rate of 183 per 100 000 of total SAPS members. The situation in 1997 was better than at the height of the political transition when police officers were killed at a rate of 230 per 100 000. Beyond the theft of weapons, the motive of these attacks are not known. Although some hold the view that SAPS officials are less likely to be targeted simply for serving as Police officers, the problem is not going away. And in a pattern consistent across the years the majority of these murders do not occur in the course of routine police activity ,as 65% of the 955 police members killed between 1994 and 1997 lost their lives while off duty” (ISS: 1999 World Wide Web).

Although the Nedcor Business against Crime research report indicated that crime had no effect on foreign investment , other sources indicate that prospective and present foreign investors and economic ministers have embarrassingly questioned South Africa government leaders on foreign trips to clarify their official government policy on the problem and effect of violent crime. These ministers had often sought assurance of safety before tinkering on investing in South Africa (The Independent on Saturday October 7 1998). Due to violent crime, the cost of insurance premiums on properties, automobiles and other items would continue to escalate with the burden passed on to the consumers. Violent crime is presently affecting the taxi industry with continuous setting alight of vehicles or the killing of personnel within the industry. These criminal acts spell disaster because fewer personnel and vehicles could adversely affect commuters in a country where many people can ill afford private cars. On the macro economic front, the decline of this sector would affect the gross domestic product (GDP). The cost of escalating crime has left fear and insecurity in the minds of people such that the rich hire security guards as well as business enterprises spend vast amounts of money in hiring private security officers . These extra expenses are passed on to the cost of goods and services, which is passed on to the consumers in form of higher prices. The high crime rate has left poor people in the rural areas vulnerable to attacks. According to a research conducted by two senior staff of the Institute of Security Studies of South Africa (ISS), it is argued that rural areas in the poorest part of the country suffer worse form of violent crimes (Crime and Conflict: Spring 97). A news reporter in Natal emphasized this view “Not even the festive season gives them a break. Heartless men kidnap and massacre children at Dududu and Umbumbulu on the South Coast a total of about two-dozen ..... the remoteness of these villages makes it too hard for police to track them down”( Mercury December, 3 1998). It is pertinent to see how the negative effect of crime has caused the diversion of scarce resources to fighting crime below.

## **2.20 An Evaluation of Social Policy Theories: Social Control Measures of Crimes**

## **A. Architectural Plan / Urban Reconstruction or Built Environment**

A recent examination of the concept of architectural determinism questions whether architecture can cause social malaise (Hillier: 1976). Hillier argues convincingly that through an analysis of space coupled with observation of the use of space, suggestive differences would be the outcome of the architectural design of space. Nevertheless, evidence of clear interrelationship between physical environment and behavior remains elusive. Most researchers have attributed crime reduction to certain built features, for example the introduction of design changes in municipal housing. There is also fear from design features pedestrian subways, lack of surveillance and particularly the level of lighting in the streets (Painter: 1994). Recently collaboration between the police and professional designers has been essential and is now encouraged by national governments (Doe: 1994 and Soomeran and Woldendorp: 1996). Crime prevention officers are complemented by police architectural liaison officers now re titled "crime prevention design advisors" (CPDA). There is at least one CPDA on duty in every UK police force and in London one for each of the 33 local authorities (Parker: 1997). Under the built environment two theoretical approaches entitled the checklist and counselling approach would be emphasized. The checklist approach utilizes a list of good and bad design features from a crime point of view. Such lists were usually developed by the police and disseminated to architects and planners. This list is seen as useful but negative in its approach. Despite this advantage, researchers point out that the checklist approach is seen as uncreative. The counselling approach is seen as more positive and successful. Here counsellors with a strong academic and practical background in planning and architecture, work within a designated team. However, researchers have pointed out the drawbacks of this theory as being very expensive.

## **B City Surveillance Policy**

Recent research has shown that Dutch city "surveillance" has been very effective in reducing the rate of crime mostly in the area of break-ins. One of the ways that this is achieved is that the Dutch have been able to identify that vacant premises contribute to crime and vandalism. The practical steps taken by the residents of Dutch cities of Rotterdam Amsterdam and Haarlem were to employ night watchmen to carry out effective patrol as well as enforcing other security measures. In addition, extra measures were set up such as community schemes initiated for city dwellers (Soomeran and Woldendorp: 1996).

## **C Zero Tolerance Policy**

Based on the understanding of this policy, it means there is no condoning of any sort of crime. But the practical effect of this policy as applied by the New York Police Department (NYPD) motivated and funded by the Mayor of New York city Mr. Giuliani and tagged "broken windows" by political scientist James Q. Wilson and criminologist George Keeling shocked the world to the extent that many countries sent national officers to study the New York Police Department operation of this policy. According to Lorry Montgomery the theory holds the view that if someone breaks a window in a building and it is not quickly repaired, others will be emboldened to break more windows. Eventually the broken window creates a sense of disorder that attracts criminals, who thrive in conditions of apathy and neglect. According to the explanation given by the New York Police Department (NYPD) the simple clue was that "small crimes must be taken as seriously as big crimes. There is a law against drinking in public ..... urinating in the alley, pan handling on the sight walk, jumping turnstiles in the subway? The old New York Police department let it slides. But the new NYPD will stop you, demand to see your identity, run a warrant check, probably run you into the station for a debriefing and if anything turns up you might end up in jail " (Montgomery 1999World Wide Web).

## **D Community Scheme Policy**

Faced with the escalating increase in the number of crimes, most particularly pick pocketing, shop lifting, break ins, bicycle and car theft, the Erfurt Municipal council in Thuringen Germany adapted the following social control measures. The creation of local and youth recreation forums for children and young people to be engaged in one or forms of activities so as not to idle away; through a wealth of schemes and projects relating to the prevention of violence and drug dependence, sensible alternatives are being proposed to avoid the use of violence and drug abuse; youth workers employed by the youth welfare department run regular projects on violence and drug prevention either independently or in close cooperation with voluntary associations. Along side social workers, street workers from the youth welfare department and nongovernmental organization (NGO) are taking action against assault and violence in the city; street workers are particularly active in those parts of town where they are few spare time activities on offer for children and young people. Since 1991, social workers from the youth welfare department and recreation specialists from the education authority have been organizing sports activities in youth centers under the motto "sports men don't throw stones" (Ruge 1977: Occasional Paper).

## **Assessment of Social Control Theories internationally in relation to South Africa**

Based on the arguments of the Environmental Approach, it is theoretically feasible for the architects and the Police or security personnel to work closely so as to design structures that are security worthy. Since criminals are always working on ways to counter new innovations, the researchers should go a step ahead to invent structures that are durable and enduring. The counselling approach is highly recommended because researchers are in a better position to express contemporary innovative ideas to improve the safety of buildings. For a developing country such as South Africa grappling with enormous economic problems, the resources and the will power to implement this structure may not be practicable.

Unlike the preceding policy that is highly expensive, the Dutch Surveillance Policy seems affordable and is akin to South Africa. The security companies have been increasing at an exponential rate and often complement the South African Police Service and Metropolitan Police on some aspects of security on business and private premises, hence the reduction of some property crimes. Besides if more resources are recruited to the security venture more citizens would be employed and crimes against properties and residents of a homicidal nature would greatly fall in South Africa.

Some western countries have adapted the zero tolerance policy to combat the rising threats of urban crime. Although respective academics too numerous to cite have their reservations on the model, no country can effectively practice a completely zero tolerant policy on crime. It is a publicly held opinion that this policy would have great problems in a country where poverty is a threat to survival. Unfortunately zero tolerance policy would not work in South Africa because of severe unemployment and huge gaps between the rich and the poor, and limited resources to completely enforce the policy. Hence there is a great chance of this model failing because currently huge gaps exist between arrest of offenders, prosecution and even enforcing the laws on major crimes in South Africa.

The social policy theory of community schemes is best recommended for South Africa. This can start with the effective mobilization of civics leaders, ex liberation struggle cadres and those closer to the grass roots who will be able to coordinate anti crime measures in African townships.

Another purpose is to build relationships and promote social cohesion among diverse organisations where groups can be accountable for crimes in their geographical sphere of influence.

## **CHAPTER THREE**

### **3.0 PROCEDURES AND TECHNIQUES USED IN THE COLLECTION OF DATA**

#### **3.1 INTRODUCTION**

This chapter is divided into two major sections: the first section focuses on the introduction to the chapter. The second section consists of the literature review and construction of a theoretical framework on organized crime. The purpose and relevance of the literature review will be indicated. The third section is related to the method of data collection which deals with the format of research procedures and techniques used in the collection of data. The fourth section is on the source of data collected. The next section consists of questions regarding the veracity of statistics and the rationale for the moratorium on statistics in RSA. An attempt shall be made to discover whether alternative source of compiling data to replace statistics is possible. The fifth is the analysis and interpretation of data. The six is on the presentation of data.

#### **3.2A Review of Literature and the Construction of a theoretical Framework**

##### **Literature Review**

The literature review in Chapter Two was based on several articles on organized crime networks and showed how these groups have infiltrated the provinces of the country. The articles under review revealed a common goal of criminals ,i.e. to disrupt the social order through criminality and violence. Their activities are directly linked to illegal drinking spots, drug trafficking ,illegal activities ,cross border smuggling, gun running and the perpetuation of violent crime leading to the creation of panic in the minds of the public as well as the undermining of the government. The review of Eric Pelsers's article in particular entitled: A history of organized crime in South Africa has shown a weakness of government policy initiators to understand the history of organized crime trends and how those groups have consolidated. By failing to deeply understand their networks and spheres of influence, ideas on how best to confront and combat the problem of violent crime could prove difficult. Given that fact, it will be premature for policy makers to feel social policy measures against crime control would be functional without examining those funding organized crime networks. Consequently this has left serious policy gaps in the ability of the state to win the battle against violent crime.

The literature review reveals the socio -economic conditions that necessitated the rise of organized and individual crime. Organized and other crimes emanate because of high levels of poverty, inequality and the culture of lawlessness which apartheid created. While the focus of apartheid government was against the ANC and other liberation movements, the same authorities

turned a blind eye on organized crime networks as well as individual crime. The review reveals that given the long success of organized crime, such groups must be enjoying some level of support from some communities in the border areas of Southern Africa that facilitate illegal activities. Without this support material items such as cars, drugs, money and even livestock would not be smuggled through remote routes to Mozambique Zimbabwe Namibia and even Zambia up north.

The reality of poverty and opportunity that arise is that where villagers in remote regions see the need to rise up against crime tacit cover is accorded such groups simply because government has not impacted their area or they are not “patriotic”. The literature revealed that organized crime that has long been entrenched and consolidated would be impossible to eradicate without making such a move a key priority area of social policy. Another obstacle the literature revealed is the sophistication and connections involving foreign criminal kingpins that have converged on South Africa and made the country a safe haven for criminals. Three principal cities Johannesburg Cape Town and Durban were prominently listed as zones of organized crime and the proliferation of drugs and hot crime centres. It must be stated that without the cooperation of members of the public, state institutions remain weak and ineffective in forging out what this thesis refers to as a “super crime policy” to eradicate organized crime.

### **3.3 Method of Data Collection: Secondary Sources**

Secondary sources especially documents were basically utilised in this study . This form of research depends on information already provided by existing original academic and other research. According to Champion (1993:183) it is possible to conduct research projects without having any direct contact with human subjects. Some investigators spent their entire professional career studying secondary sources . This alternative means of research has recently become popular among academics mostly in the contemporary age of cyberspace where anything can be viewed on line.

In the twentieth century air transportation coupled with information technology has connected countries of the globe through technological means. In addition the invention of the Internet has made the world a global village .As a result, documentary sources become more justifiable as a data collection tool given the level of information that is available for research. In this particular case ,although initial data was derived from within South Africa this dissertation was eventually written thousands of kilometers from the shores of South Africa because it was too expensive to conduct primary sources of analysis by physically relocating to RSA. Besides it is too expensive to conduct a research on social policy on crime in the whole nine provinces getting first hand information.

#### **Strengths of Secondary Sources**

The material used is ready-made as it is readily available in public schools or national libraries as well as national archives. Research work that is based on secondary sources can be readily available and utilized to answer pertinent questions. It is stated that researchers that chose this mode of research do not necessarily need to be physically present in the field. Generally, secondary sources may be either private or public. From the most private items such as personal letters, diaries, logs, and appointment books to the most systematically accumulated and distributed documents such as: the United States Census Bureau (Champion 1993: 184) ,or the popular Truth and Reconciliation records in South Africa, an array of information is available for any researcher. Despite the perceived popularity of documentary sources, attributed to the

following factors, the ease at handling large samples of data, the saving of time and cost cutting measures by the availability of data, the respect of privacy of others and the ability to compile old research, certain weaknesses still remain unresolved.

### **Weaknesses of Secondary Sources of Data Collection**

Despite its popularity and rationale for the use of this methodology, specific questions have been raised regarding its weaknesses (Champion 1993:188). For example, there is no way researchers can reconstruct available missing data in available secondary sources. Non-response in secondary source material and incompleteness of information may be an important limitation that could affect data reliability. Certain bias exists in the media which could affect the nature of stories that are changed into sensational crime news. In addition a researcher could be biased in terms of data collection, which could alter the flow of arguments in most chapters and to fit the writer's hypothesis. A very important source of oral history which could form a basis to build an argument on the historical attitude of a nation or an ethnic group are unfortunately left out because the illiterate elders could not document their stories for the upcoming generation to utilize.

The perceived weaknesses of secondary sources may have contributed to the decision by the RSA government to place a moratorium on crime statistics in the year 2000.

Although the moratorium was lifted a year later it questioned the ability of opposition media in publishing statistics that paint a flawed crime picture. Although there may be reliability problems with the data, the present research is exploratory in nature and hence it serves an important purpose of providing some indicators on violent crime. This data covers violent crime from 1980-2001 with emphasis on social policy implications from the transition era (1993 to 2001).

### **3.4 Source of Data**

The following sources of information were used to compile this research data. Some daily and weekly newspaper articles supplied by the South African media are scrutinized to avoid ideological bias. However, the most significant impact of the source is the South African Police Service Crime Information and Management Centre (CIMC) because it is perceived as being the most reliable data base. This body is funded by the government to validate crime statistics that cover the entire provinces of Eastern Cape, Kwazulu Natal, Northern Cape, Western Cape, Gauteng, Mpumalanga Northern Province and Free State. Besides, researchers can use police dockets to confirm crime statistics. The scope of operation is reliable due to the cooperation and coordination of crime statistics. The second source of data that informed this research was the Institute of Security Studies (ISS). This body of research analysts is a credible and popular research minded institution that have experts in their respective fields. The Institute of Security Studies is responsible for publishing a crime index, monographs, criminal justice data, and news events around Sub Saharan Africa. The group is responsible for advising the Safety and Security Ministers on how to formulate key policies on crime. The third body of research is the Human Science Research Council (HSRC). This organisation is funded by the Central government to coordinate research on various aspects of South African life. There have offices throughout the country. The HSRC has a wider scope of research analysis. Publication on crime is just one dimension of a multi purposes plan of research publications. The HSRC is highly respected in South Africa and internationally.

A prominent observation is that all the above research institutions work with the South African Police Service to verify crime statistics. In addition materials from the electronic sources greatly enhanced this data gathering. Given the distance from which this dissertation was written internet web sites remain the most effective means that facilitated this research. Materials from the Central Statistics Bureau [Statistics South Africa] were also useful in this research.

Serious criticism has been leveled on compilers of statistics. In spite of that statistics remains vital to policy makers notably government policy planners and researchers for a wide variety of reasons. In South Africa the former minister of Safety and Security the late Mr. Sydney Mufumadi recognized the problem of lack of confidence on the veracity of statistics and consequently appointed a commission of inquiry into the collection, processing and publication of crime statistics in May 1997. The commission made the following recommendations; types of crime statistics that should be collected; methods of collection and sources of error; the way in which South African Police identified crime trends and the department's capacity in this regard. However, the veracity of RSA crime statistics is still a serious topic of discussion and at times subject to speculation. The system is too complex to be user friendly without adequate training of researchers and compilers. As a result much of the data is inconsistent or incomplete. The enormity of the data is lost since old historical data is not kept in archives. Other problems include network failures, faulty programmes and the inadequate validation of data when incorrect variables are entered. Sources of human error include; the lack of an information culture in the South African Police Service, insufficient training, no curricula and national standards of training that currently exist, inadequate physical and human resources as well as computer support at station level.

Many of these determinants have been complicated in South Africa due to historical factors related to apartheid. In terms of the relationship between the public and the police, the latter have in the past functioned more as an army enforcing and maintaining a particular system of government, rather than protecting the rights of the country's citizens. The historical exclusion from the South African Police records of crimes reported in the so-called Bantustans implies that unrecorded crimes in the country are substantial. In the former Transkei, Ciskei and parts of Bophuthatswana for example, no data has been obtainable for the period prior to 1996. Although the South African Police Service now includes these regions, the chronic shortages of infrastructure, human resources and training in many of these areas, mean it may be some time before even the current statistics can be considered a true reflection of the crime situation' (Shaw and Louw: 1995).

The problem of lack of confidence over the veracity of statistics is not unique to South Africa. It also affects other parts of the world although not on the same level.

In conclusion despite all these perceived weaknesses and doubts regarding statistics, no model has been formed to replace the role of statistics as indices of measurement of data.. No wonder Antoinette Louw summed up by this advise that " a trade off will have to be made between what the system can provide and what the users of crime information want. Ultimately the needs of the police should take precedence: a balance should be struck between the operational needs of the police and statistics gathered for research purposes" (ISS: Web Site).

### **3.5 Analysis and interpretation of Data**

The basis of data analysis is the national crime trends that appear as a threat to civil order. The categories of such crimes are classified under violent crimes such as hijacking rape murder and

burglary. National crime trends dating back to the early 1980 era would be indicated to explore whether there are different trends when compared with crime analysis from the democratic transition took effect in 1993 to the present era. A comparative analysis of provincial crime trends will be analyzed to indicate the most dangerous provinces that people inhabit. Finally based on the data presented violent crime trends that require urgent policy intervention will be indicated. The data presented will be supported by evidence from the literature review on organized and individual crime to show that crime does not occur in isolation.

### **3.6 Summary**

This chapter has clearly stated the relevance and strengths of documentary studies to a researcher that is geographically far away from the RSA. In spite of the problem of moratorium on RSA statistics, statistical analysis has often been criticized elsewhere as not veracious and biased. However, in this dissertation statistics remain the most engaging evidence to show whether crime is decreasing or stabilizing. The necessity of a harmonized statistical network necessitated the moratorium on statistics to be lifted a year later in 2001.

## **CHAPTER FOUR**

### **4.0 ANALYSIS AND INTERPRETATION OF DATA**

#### **4.1 Introduction**

This chapter forms the empirical component of the thesis. It includes sets of data found in police dockets. The first set of data was taken from police dockets in the Johannesburg area by Institute of Security Studies (ISS) researchers. The profile covers the Johannesburg metropolitan area. A clear analysis of the crime patterns would be made by following these criteria: age gender occupational profiles of offenders and victims.

It is clear from the analysis in Chapter Two, that it is difficult to precisely point at individuals or groups who have links with specific organized criminal groups, because their operations are covert and highly secret. Consequently this thesis undertakes a general analysis of crime statistics that are found in this chapter. The second interpretation of data is on pre and post apartheid crimes and the contemporary provincial crimes which are termed as millennium era crimes. The analysis of data is based on information regarding gender, race, age, vocational employment and occupational profile of offenders. Generally, it is accepted that information on offenders is very sketchy. This can be attributed to missing information on police dockets. However, the next set of data covers a wide scope of victims; to some extent it would contrast with the first data i.e. victims and offenders to make the analysis interesting. That set of data covers victims based on race age vocational profile employment status occupational profile.

#### 4.2 Profile of Offenders 1-6

##### Gender

In most firearm-related crimes, male offenders were in the absolute majority. This includes armed robbery(99%), common robbery (97,7%), pointing a firearm (97,2%) and possession of illegal firearm (96%) It is interesting that women committed two out of the 25 offences by discharging a firearm in a built-up place.

Gender	Armed robbery	Common robbery	Hijacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Discharging a firearm in built-up place	Possession of illegal firearm	Assault	Negligent loss of firearm	Possession /use of firearm under influence of alcohol
Male	98.9	97.7	98.4	97.1	98.9	95.2	97.2	92	95	100	100	100
Female	1.1	2.3	1.6	2.9	1.1	4.8	2.8	8	5	0	0	0
Total	100	100	100	100	100	100	100	100	100	100	100	100
Offenders (n)	443	173	183	70	87	21	106	25	20	17	6	6

Source there is no source for all the tables on first and second sets of statistics these statistics are from police dockets.

Race	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Discharging a firearm in built-up place	Possession of illegal firearm	Assault	Negligent loss of firearm	Possession /use of firearm under influence of
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												alcohol
African	78.7	88.9	77.5	8.8	12.7	72	18.7	21.7	50	33.3	0	0
Asian	4.3	1.8	0.5	0	8.9	4	29.9	13	0	22.2	50	0
Coloured	14.5	9.4	19.8	85.3	74.7	20	37.4	56.5	40	33.3	50	83.3
White	2.3	0	2.2	5.9	3.8	4	14	8.7	10	11.1	0	16.7
Total	100	100	100	100	100	100	100	100	100	100	100	100
Offenders (n)	441	171	182	68	79	25	107	23	20	18	6	5

### Race of offenders

In terms of armed robbery and common robbery the majority of offender were Africans (78,7% and 88,9% respectively) , followed by coloureds (14,5% and 9,4% respectively). While 77,5% of Africans were involved in highjacking , the corresponding number for coloureds was 19,8%. In terms of murder and attempted murder , the numbers of coloured offenders superseded those of other groups. Thus the corresponding figures for coloured were 85,3 and 74,7% while for Africans they were 8,8 and 12,7%. It is interesting to note that in terms of assault Africans and coloured have exactly the same percentage (33,3%) , while Indians have 22,2% and Whites 11,1%.In terms of negligent use of firearms coloureds and Indians share the same percentage(50%) . It can be gauged then that such crimes are basically not the prerogative of only one social group in South Africa.

Race	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Dis-charging a firearm in built-up place	Pos-session of illegal firearm	Assault	Negligent loss of firearm	Possession-/use of firearm under influence of alcohol

The information on the race of the offender provides little insight into the nature of firearm-related crime.

### Age

The age of the offender was not always available for a number of reasons. Most notable was the fact that victims did not know their offenders. They often base their age on a broad estimate of what they saw if they were present at the time of the incident, or in visual contact with the offenders. It is evident that most offenders were between the ages of 16 to 30 years. The age of offenders contravening the Arms and Ammunition Act was usually higher than this average.

### Vocational profile

Little information was available on the vocation of offenders in firearm-related crimes. Although the data does provide an indication of the offenders vocations (given the high degree of missing information on their vocations) this information should be used for illustrative purposes. What the data illustrates is that there are a significant number of offenders involved in firearm-related crimes who are employed in the formal sector, and that conventional thinking that an offender is an unemployed person, must be challenged. More especially, the fact that scholars, housewives and retired people also commit crimes is a fact that should not be overlooked.

## Employment status

Taking into account the limitations (as mentioned above) of the available information on the vocational profile of offenders, their employment status should be used for its descriptive value. Comparatively speaking, more offenders committing crimes in contravention of the Arms and Ammunition Act were employed than in other crime types.

## Type of employment

Given the lack of information available in dockets on the offender's type of employment, very little can be deduced from the table below, which was intended to provide this information. What it clearly indicates is that no group of offenders is involved in a distinct type of profession.

Vocation	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Dis-charging a firearm in built-up place	Pos-session of illegal firearm	Assault	Neg-ligent loss of firearm	Possession /use of firearm under influence of alcohol
Attending school	5.9	16.7	0	1.7	0	16.7	0	0	20	0	0	0
School-going age, not attending	0	0	0	1.7	3.3	0	2	0	0	0	0	0
Full-time scholar/student	0	0	0	1.7	0	0	4.1	0	0	0	0	0
Housewife	0	0	0	0	0	0	2	5	4	0	0	0
Retired/pensioner	0	0	0	0	0	0	2	0	0	0	0	0
Unemployed	41.2	55.6	50	34.5	43.3	33.3	22.4	10	56	0	50	20
Employed, formal sector	35.3	22.2	41.7	34.5	33.3	50	59.2	80	8	100	50	80
Employed, informal sector	11.8	0	0	6.9	0	0	0	5	4	0	0	0
Self-employed	2.9	0	8.3	17.2	16.7	0	8.2	0	8	0	0	0
Other	2.9	5.6	0	1.7	3.3	0	0	0	0	0	0	0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Offenders (n)	34	18	12	58	30	16	49	20	25	9	16	15

Status	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Dis-charging a firearm in built-up place	Pos-session of illegal firearm	Assault	Neg-ligent loss of firearm	Possession-/use of firearm under influence of alcohol
Not looking for employment (such as scholars, students, retired)	5.9	16.7	0	5.2	3.3	16.7	10.2	5	24	0	0	0

Unemployed	41.2	55.6	50	34.5	43.3	33.3	22.4	10	56	0	50	20
Employed	5	22.2	50	58.6	50	50	67.3	85	20	100	50	80
Other	2.9	5.6	0	1.7	3.3	0	0	0	0	0	0	0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Offenders (n)	34	18	12	58	30	6	49	20	25	9	6	5

**Table 6: Occupational profile of offenders**

Occupation	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Discharging a firearm in built-up place	Possession of illegal firearm	Assault	Negligent loss of firearm	Possession /use of firearm under influence of alcohol
Academic, Researcher, teacher	0	0	0	1	0	0	0	0	0	0	0	0
Bar/club owner	0	0	0	1	0	0	0	0	0	0	0	0
Builder, contractor, foreman	0	0	2	1	0	1	0	0	0	0	0	0
Business person	0	0	0	1	0	0	0	0	0	0	0	0
Civil servant	0	0	0	0	0	0	1	0	0	0	0	0
Clerk	2	0	0	0	0	0	1	0	0	0	0	0
Factory worker	0	0	0	0	0	0	0	1	0	0	0	0
Hawker, vendor	0	0	0	1	0	0	0	0	0	0	0	0
Hotel industry worker	0	0	0	0	0	0	1	0	0	0	0	0
Labourer	0	0	0	2	0	0	1	0	1	0	0	0
Manager, assistant, supervisor	0	0	0	1	1	0	0	0	0	0	0	0
Medical profession employee	0	0	0	0	0	0	0	1	0	0	0	0
Messenger, office driver	0	1	0	1	0	0	2	1	0	1	0	0
Pilot, radar operator	0	0	0	1	1	0	0	0	0	0	0	0
Prison warder	0	0	0	0	0	0	0	0	0	0	0	1
Private security guard	1	0	0	3	1	0	4	2	0	1	0	0
Sales rep – mobile	1	0	0	0	0	1	1	1	0	0	0	0
SANDF	0	0	0	0	0	0	1	0	0	0	0	0
SAPS	1	1	0	4	1	0	5	3	2	2	3	0
Secretary	0	0	0	2	0	0	0	0	0	0	0	0
Shop assistant, cashier	0	0	0	0	1	0	2	0	0	1	0	0
Smuggler, drug dealer	0	0	0	2	0	0	0	0	0	0	0	0
Taxi driver owner	0	0	2	4	3	0	2	0	1	0	0	0
Technician, mechanic	1	0	1	4	0	1	2	0	0	0	0	0
Trade, craft person	0	0	0	0	1	0	1	1	0	0	0	0

Truck driver	0	0	0	0	0	0	0	1	0	0	0	0
Waiter/waitress	0	0	0	1	0	0	1	0	0	0	0	0
<b>Total</b>	<b>6</b>	<b>2</b>	<b>5</b>	<b>30</b>	<b>9</b>	<b>3</b>	<b>25</b>	<b>11</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>1</b>

Everyone is vulnerable to crime, but certain people appear to be more at risk than others. The docket analysis provides some indication of the profile of people who are relatively more vulnerable to firearm-related crime. The profile of victims in terms of crime types is useful for the development of safety and crime prevention strategies. The following section provides an overview of the victims involved in the various crimes. It considers the main demographic information on victims: gender, race, age, vocation and employment. Victim information is usually more comprehensive than information available in dockets on offenders. This relates to the fact that the victim usually lays the complaint, consequently providing more substantial information. The offender, on the other hand, is often unknown and, hence, only partial information can be obtained.

### 4.3 PROFILE OF VICTIMS

#### Gender

There were more male than female victims. Comparatively speaking, the proportion of female victims was greater in those crimes with which violence against women is usually associated. These included 42.1% of assault victims, 27.6% of victims in incidences where a firearm was discharged in a built-up place and 25% of victims of the crime of possession or using a firearm while under the influence of alcohol. In terms of highjacking the number of male is much higher than that of females and the same is true of murder and attempted murder. The same is true of robbery and attempted robbery.

#### Race

What is interesting is that particular race groups suffer a disproportionately greater level of victimisation in certain crimes than others. For example, an extremely high number of murders (90.3%) and attempted murders (76.5%) occur among the coloured sample. This could be as a result of the gang violence in the Mitchell's Plain area as well as in other areas of the Western Cape where criminality has become a way of life and gangs are an integral part of life and survival.

#### Age

The age of victims varied across firearm-related incidents. In property crimes (armed robbery, common robbery and hijacking), ages were marginally higher than in the case of murders and attempted murders. This is attributed both to the high level of property ownership and the value of property among victims over the age of 30 years.

Gender	Armed	Common	Hi-	Murder	Attempted	Theft	Point-	Dis-	Pns-	Assault	Nealign	Pns-
--------	-------	--------	-----	--------	-----------	-------	--------	------	------	---------	---------	------

	robbery	robbery	jacking		murder	of firearm	ing a firearm	charging a firearm in built-up place	session of illegal firearm		loss of firearm	session /use of firearm under influence of alcohol
Male	77.3	92.1	89.9	87.5	78.4	76.7	82.8	72.4	100	57.9	100	75
Female	22.7	7.9	10.1	12.5	21.6	23.3	17.2	27.6	0	42.1	0	25
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Victims (n)	264	101	89	72	102	60	99	29	5	19	13	4

**Table 8: Race profile of victims (percentage)**

Race	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Dis-charging a firearm in built-up place	Pos-session of illegal firearm	Assault	Neg-ligent loss of firearm	Pos-session/ use of firearm under influence of alcohol	
African	36.5	47.5	44.3	5.6	13.7	24.6	27.6	14.8	20	42.1	0	0	
Asian	28.9	9.9	14.8	1.4	5.9	7	17.3	14.8	0	5.3	0	0	
Coloured	18.3	13.9	30.7	90.3	76.5	14	37.8	55.6	20	47.4	0	100	
White	16.3	28.7	10.2	2.8	3.9	54.4	17.3	14.8	60	5.3	100	0	
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	
Victims (n)	263	101		88	72	102	57	98	27	5	19	13	4

**Table 9: Age profile of victims (percentage)**

Age	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Dis-charging a firearm in built-up place	Pos-session of illegal firearm	Assault	Negligent loss of firearm	Pos-session /use of firearm under influence of alcohol
>16 years	0.8	2.1	1.2	3	4.5	1.8	2.1	3.7	0	11.8	0	0
16-20 years	5	5.3	8.5	21.2	22.5	7.3	14.4	3.7	25	17.6	0	0
21-30 years	37.8	38.3	42.7	43.9	29.2	25.5	47.4	55.6	25	41.2	0	50
31-40 years	28.6	25.5	22	18.2	28.1	40	24.7	18.5	0	23.5	53.8	25
41-50 years	18.5	13.8	13.4	9.1	14.6	16.4	7.2	14.8	0	5.9	0	25
51-60 years	9.3	6.4	11.2	4.5	1.1	9.1	4.1	3.7	50	0	46.2	0

Total	100	100	100	100	100	100	100	100	100	100	100	100
Victims (n)	238	94	82	66	89	55	57	27	4	17	13	4

### Vocational profile

The vocation of victims provides insight about activities that take up most of their time. Clearly, this would affect the type of crime that the victim is most at risk of experiencing. For example, a housewife has a lesser geographic mobility than a person employed in the formal sector. Yet, a housewife may be more fixed and predictable in terms of movement patterns, which make her a softer target for certain types of crimes. It was found that housewives comprised 19.2% of the victims or complainants in incidents involving the discharge of a firearm in a built-up place and 10.2% of attempted murder victims.

### Employment status

As informed by the vocation of the victim, the following table provides a summary of the difference in employment status of victims. The vast majority of victims was employed with the exception of victims of murder and attempted murder.

### Vocational profile

**Table 10: Vocational profile of victims (percentage)**

Vocation	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Discharging a firearm in built-up place	Pos-session of illegal firearm	As-sault	Negligent loss of firearm	Pos-session /use of firearm under influence of alcohol
Child/baby	0.4	3.2	0	1.8	0	0	0	0	0	0	0	0
Attending school	0.4	0	4.9	5.3	12.5	1.7	4.2	3.8	0	20	0	0
School-going age, not attending	0	0	0	1.8	1.1	0	0	0	0	13.3	0	0
Full-time scholar, student	0.9	2.2	3.7	5.3	2.3	3.4	7.3	0	0	0	0	0
Housewife	1.3	1.1	0	3.5	10.2	1.7	5.2	19.2	0	0	0	0

Domestic												
worker	0.9	1.1	0	0	0	3.4	0	0	0	0	0	0
Retired/pensioner	1.3	4.3	0	1.8	0	0	0	0	0	0	0	0
Unemployed	3	5.4	6.1	36.8	31.8	0	10.4	15.4	0	20	0	50
Employed, formal sector	67.8	57	59.8	29.8	28.4	61	47.9	53.8	80	33.3	53.8	50
Employed informal sector	1.7	6.5	1.2	1.8	0	1.7	1	0	0	0	46.2	0
Self-employed	21	14	23.2	10.5	10.2	22	22.9	7.7	20	13.3	0	0

Other	1.3	5.4	1.2	1.8	3.4	5.1	1	0	0	0	0	0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Victims (n)	233	93	82	57	88	59	49	26	5	15	13	4

## Occupation

When considering the type of profession of victims, it is interesting to note the range of different occupations victims were engaged in at the time of the incident. In terms of armed robbery, a large proportion of victims of theft were victimised while involved in their daily working environment, especially those involved in the immediate exchange of goods for cash (such as 37.5% of shop assistants or cashiers). It is also interesting to note the high level of risk that private security guards are exposed to: they are involved in 10.6% of armed robberies; 20.3% of common robberies; and 16.3% of incidences involving the pointing of a firearm. Taxi drivers were also significantly victimised, being involved in 6.8% of armed robberies and 22.4% of hijacking.

**Table 11: Employment status of victims (percentage)**

Status	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Discharging a firearm in built-up place	Possession of illegal firearm	Assault	Neg-ligent loss of firearm
Not looking for employment (such as scholars, students, retired)	4.3	10.8	8.5	19.3	26.1	6.8	16.7	23.1	0	33.3	0
Unemployed	3	5.4	6.1	36.8	31.8	3.4	10.4	15.4	0	20	0
Employed	91.4	78.5	84.1	42.1	38.6	84.7	71.9	61.5	100	46.7	100
Other	3	5.4	1.2	1.8	3.4	5.1	1	0	0	0	0
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>
Victims (n)	233	93	82	57	88	59	96	26	5	15	13

**Table 12: Occupational profile of victims (percentage)**

Occupation	Armed robbery	Common robbery	Hi-jacking	Murder	Attempted murder	Theft of firearm	Pointing a firearm	Discharging a firearm in built-up place	Possession of illegal firearm	Assault	Neg-ligent loss of firearm	Pos-session/ of firearm u influence alcohol
Academic, researcher,												
Teacher	0	0	1.7	8.3	4	2.2	0	0	0	12.5	0	33.3
Accountant	1.9	1.7	0	0	0	0	2	0	0	0	0	0
Advocate, prosecutor	0	0	1.7	0	0	0	0	0	0	0	30	0
Architect	0	1.7	0	0	0	0	0	0	0	0	0	0
Bank teller	1.9	0	0	0	0	0	0	0	0	0	0	0
Bar/club owner	0	0	0	0	0	0	2	0	0	0	0	0
Builder, contractor, foreman	2.5	5.1	0	0	4	8.9	0	0	0	12.5	0	0
bus driver, conductor	0	0	0	0	0	0	4.1	0	0	0	0	0
Business person	1.3	0	1.7	8.3	0	0	0	0	0	0	0	0
Chef	0.6	1.7	0	0	0	2.2	0	8.3	0	12.5	0	0
Civil servant	1.3	0	0	0	0	2.2	0	0	0	0	0	0
Cleaner, domestic worker	0	0	0	0	0	0	2	0	0	0	0	0

Clerk	6.3	3.4	1.7	0	8	6.7	0	16.7	0	0	0	0
Debit collector	0	0	0	0	4	0	0	0	0	0	0	0
Farm manager	0.6	0	0	0	0	6.7	0	0	0	0	0	0
Hairdresser, beautician	0	1.7	0	0	0	0	0	0	0	0	0	0
Hawker, vendor	0	0	0	8.3	0	0	0	0	0	0	0	0
Imports /exports	1.3	1.7	0	0	0	0	0	0	0	0	0	0
Labourer	0	0	0	16.7	4	0	2	0	0	0	0	0
Manager, assistant, supervisor	0	5.1	6.9	0	4	2.2	4.1	0	25	0	0	33.3
Medical profession	2.5	0	0	0	0	2.2	0	0	0	0	0	0
Messenger, office driver	10.0	3.4	17.2	0	4.0	2.2	6.1	0	0	0	12.5	0
Peace officer	0	0	1.7	0	0	0	0	0	0	0	0	0
Petrol attendant station owner	0	0	1.7	0	0	0	0	0	0	0	0	0
Prison warder	0	0	1.7	0	0	0	0	0	0	0	0	0
Private security guard	10.6	20.3	0	0	20.0	2.2	16.3	16.7	0	12.5	40.0	0
Religious person	0	0	1.7	0	0	0	0	0	0	0	0	0
Reporter	0	0	0	0	0	2.2	0	0	0	0	0	0
Sailor	0	0	0	0	4.0	0	0	0	0	0	0	0
Sales rep – mobile	5.3	13.6	6.9	16.7	8.0	4.4	4.1	0	0	0	0	0
SANDF	0.6	11.9	1.7	8.3	4.0	4.4	4.1	16.7	0	0	30.0	0
SAPS	3.1	6.8	12.1	0	4.0	15.6	10.2	25.0	78.0	12.5	0	0
Secretary	0	3.4	0	8.3	0	6.7	2.0	0	0	0	0	0
Sex worker	0	0	0	0	0	0	0	0	0	12.5	0	0
Shop assistant, cashier	37.5	8.5	12.1	0	8.0	6.7	10.2	0	0	12.5	0	0
Smuggler, drug dealer	0	0	0	8.3	0	0	0	0	0	0	0	0
Snake park owner	0	0	0	0	0	0	0	8.3	0	0	0	0
Taxi driver/ owner	6.9	1.7	22.4	8.3	16.0	8.9	18.4	0	0	0	0	0
Technician, mechanic	3.1	3.4	5.2	0	4.0	4.4	4.1	0	0	0	0	33.3
Trade, craft person	0	5.1	0	8.3	0	6.7	2.0	8.3	0	0	0	0
Travel agent	0	0	0	0	0	2.2	6.1	0	0	0	0	0
Truck driver	0.6	0	1.7	0	0	0	0	0	0	0	0	0

#### 4.4 DATA B PRE 1994 APARTHEID CRIMES

According to Mark Shaw and Antoinette Louw the measuring crime during that period shows surprisingly that at the height of political conflict in the 1980s, increases in some crimes appeared to have slowed down. The state of emergency from 1985 to 1990 possibly suppressed crime levels, as well as the reporting and recording of crimes. One needs to understand that there were strict laws regarding press censorship during that period, when sanctions and the international isolation of the apartheid regime was at its peak. Political liberalization in 1990 brought a crime explosion as social controls were loosened and certain new opportunities opened up for the growth of criminal activity. Rising crime is probably related to political, social and economic trends and realities, which began before the formal political transition but were accentuated by it. Recorded levels of almost all crime increased for the period 1990 to 1994. Most crimes increased phenomenally during this period: assault increased by 18%, rape by 42%, robbery by 40%, vehicle theft by 34%, and burglary by 20%. There was also an increase in crime of the affluent; (i.e. white collar crimes that involves the rich entrepreneurs) although accurate figures are not available, commercial crimes increased significantly (Crime

## **Analysis of Regional Crime**

It needs to be said that the impact of crime on the country is not uniform and increases in crime appear to affect different parts of South African society in diverse ways. This implies that since not all South Africans are exposed to equal dangers, different strategies will need to be devised in particular areas to curb crime. Since 1994, Gauteng, Northern Cape, KwaZulu-Natal and Western Cape had the highest murder rates of all the provinces. The murder rate has declined since 1994 in the Free State, KwaZulu-Natal, Gauteng and Northern Province. Rates appear to be increasing in Mpumalanga, North West and Western Cape. The national picture for assault is quite different. By far the highest rates of serious assault were recorded in Northern and Western Cape. Also, unlike the murder figures, rates have generally remained the same since 1994 throughout the country, except for those in Northern Cape, where they have steadily increased. Common assault trends show similar patterns. The spatial distribution of rape is similar to that of assault, with most rapes in terms of population ratios of occurring in Northern Cape, Gauteng, Western Cape and Free State. Turning to property crimes, aggravated robbery – which is also a violent crime – displays a very different trend to other violent crimes. By far the highest rates occur in Gauteng, followed at much lower levels by KwaZulu-Natal and Western Cape. Other robberies of a less violent nature also occur at a higher rate in Gauteng, although rates are higher in Western and Northern Cape than for aggravated robbery. These less serious robberies have also increased markedly in 1996, particularly in Gauteng and the North West province. Housebreaking is generally increasing in many provinces. Housebreaking of residential premises clearly afflicts Gauteng more than other provinces, although rates in the Western Cape are also high. As with other property crimes, housebreaking rates are also high in Northern Cape and Free State, while fewer break-ins are recorded in KwaZulu-Natal than in Free State or Mpumalanga provinces. These figures are hard to interpret and would be more comparable if measured off business ownership rather than unit of population (*SAPS Crime Information Management Centre*)

## **Rural Urban Divide**

Crime patterns vary between rural and urban areas within the parameters of provinces. Crime rates are usually higher in cities where factors associated with high crime rates predominate, including greater population density, increased opportunities for the commitment of crime, overcrowding, unemployment, gang activity and the availability of firearms. The anonymity of cities, particularly for the perpetration of property crimes, is also relevant. These factors, along with the history of years of political (and in the case of Cape Town, gang) violence, rapid urbanisation, burgeoning informal settlements and related dynamics associated with the "breakdown of apartheid cities", would account for the higher crime rates in Gauteng, Western Cape and KwaZulu-Natal, where the urban complexes around Johannesburg, Cape Town and Durban respectively are located. But high violent crime rates in Northern Cape are less easy to explain, since there are no comparable urban areas in this province. The complexity of spatial crime patterns is highlighted by an analysis of crime rates in 1994 in urban and "non-urban" areas of the former provinces. Higher violent crime rates were found in the non-urban than urban areas of Northern Cape, Western Cape and former Natal. In the other provinces, crime rates were generally higher in the urban complexes than in the surrounding non-urban areas. This shapes explanations for the high violent crime rates in Northern and Western Cape, since it suggests that

many of these crimes occur outside the urban areas. In the case of KwaZulu-Natal, this trend is more easily explained by the spread of political violence to rural areas of the province after 1990.

#### **4.5 Pre and Post Apartheid Crime Data C 1980-97**

This third set of data is what the thesis calls confirmation data. This is because all the indices showing a high crime rate that were observed in previous data were confirmed by the data in the following pages. The analysis below shows the development of a range of crime types as reflected by police statistics since 1980. They include the latest data released by Crime Information Management Centre of the SAPS reflecting crime levels until December 1997. The murder figures generally considered to be accurate show dramatic increases from the late 1980s but sustained declines since 1994. This thesis indicates that crime trends such as murder, hijacking, assault, rape and a broad range of property crimes will need urgent government intervention.

The murder patterns show a steady increase from 1980 to 1989, with the highest incidents evident during the years 1988 and 1989. It was the period of high rates of political violence in the country, especially in KwaZulu Natal and Gauteng, the struggle between the UDF and Inkatha as well as between hostel dwellers and township residents in the East rand and elsewhere. Additionally the fights between the various gangs in the Western cape such as the "Young Americans" and the "Mongrels" were at an intense stage for the control of drugs etc. There was a steady escalation of murder rates during 1990 and 1993, with the highest number recorded in 1994, the year of the first democratic elections in the country. The loosening of existing laws, the uncertainty surrounding the political future of the country as well the first indications of soaring unemployment amongst the African and other population groups can be described as key reasons for these trends. There was a slight decrease during the period 1994 to 1994, but the numbers of murders were still unacceptably high.

Robbery with aggravating circumstances, which includes hijacking, cash in transit heists and bank robberies, also shows high levels of growth between 1988 and 1993. Since then, this category of crime has shown real declines to 1996, with a slight increase during 1997. It should be noted that specific data for hijacking, cash in transit heists and bank robberies have only been recorded as distinct from other aggravated robberies since 1996. Thus, a long term trend cannot yet be determined for these crimes. Motor vehicle theft shows a steady increase from 1985. The number of cars stolen increased dramatically from 1992 and peaked in 1994. There has however been a sustained reduction since 1994 although a slight increase was recorded during 1997.

The reporting of rape and attempted rape cases to the police has shown a steady increase from 1986, followed by a dramatic increase from 1993 onwards. While the reporting of the crime continues to increase the rate at which it does so has been less pronounced from 1995. The increase in rape must be attributable to both *real* as well as recorded increases in crime. A greater awareness among women of the issue as well as some improvements at police station level which facilitate reporting has contributed to the increase. Despite the greater propensity to report, however, it is likely that a significant proportion of rape cases remain unrecorded in police statistics.

Assault with attempt to do grievous bodily harm (or serious assault) has also increased dramatically. As in the case of rape the most dramatic increases occurred between 1993 and 1994. While the reporting of serious assault continues to increase, the upward trend is not as

marked as before. The reporting of serious assault (as in the case of rape) does not reflect the true extent of the crime.

#### **4.6 Millennium Era Crimes in South Africa Provinces**

An analysis of police statistics for six types of crime shows that Gauteng, Western Cape and Kwa Zulu-Natal have the highest crime rates. However, crime has increased faster in Western Cape and KwaZulu-Natal since 1994 than in Gauteng. Although Gauteng has high volumes of crime, the chances of becoming a victim are increasing much faster in other provinces. The only official source of crime statistics in South Africa, like any other country, is the police. Police statistics will always be limited by problems associated with the way that crime is reported and recorded. Despite this, police data remains an important, comprehensive and consistent source of information on crime. This analysis is based on police crime statistics for the period 1994-1999 drawn from the official SAPS website. Crime rates in 1999: the amount of crime recorded by the police measured as a ratio of the population. In the case of car theft and hijacking, the number of licensed vehicles is indicated. This data also indicates levels of crime change over time and the percentage in the number of crimes recorded between 1994 and 1999.

***The rate of robbery with aggravating circumstances was highest in Gauteng and two and a half times higher than the national figure . Gauteng also had the highest rate of vehicle theft and hijacking, followed closely by KwaZulu-Natal .(SAPS CIAC Semester Report 1/2000)***

Western Cape topped the provincial ranking for murder and residential burglary in 1999 . The highest serious assault ratio was recorded in Northern Cape, at 1 614 assaults per 100 000 people in that province. This was much higher than any other province Western Cape came in second with 806 assaults per 100 000 people. Northern Cape's ratio was also nearly three times that of the country as a whole (596 per 100 000) (SAPS CIAC Semester Report 1/2000).

Assault (like rape) is one of the crime types most prone to variations in patterns of reporting to the police. The accuracy of these figures is particularly questionable. While the problem of assault in Northern Cape (and to a lesser extent Western Cape) is well known and linked to high levels of alcohol abuse, it is possible that people in these areas are more inclined to report assaults to the police than in other provinces. After the 'big three', those provinces with crime rates higher than the country as a whole in 1999 were:

- Murder: Northern Cape and Eastern Cape .
- Serious assault: all the provinces except Northern Province and KwaZulu-Natal had rates higher than the country as a whole.
- Residential burglary: Northern Cape and Mpumalanga .

It is no surprise that Gauteng, KwaZulu-Natal and Western Cape had among the highest crime rates in South Africa. They are the country's major metropolitan areas with large, concentrated urban populations . Most of the economic activity and wealth are situated in these provinces.

What seems surprising is the rate at which crime in Western Cape and to a lesser extent KwaZulu-Natal is increasing. In all the cases analysed except serious assault, crime increased faster in Western Cape than in Gauteng even though the latter is widely regarded as the 'crime capital'. This means that although the risk of becoming a victim is greater in Gauteng than in Western Cape, the chances of victimisation in Western Cape have grown substantially since 1994. The same is not true of Gauteng. Worrying trends in Western Cape are for murder and hijacking — two of the most serious crimes facing the country. Between 1994 and 1999, the number of recorded murders increased by 27% in the Western Cape. This was by far the greatest percentage increase of all the provinces and quite contrary to the national trend which was a decrease of 11% for murder in the same time period. Given that Western Cape also had the highest murder rate in the country, this is a problem that requires close attention in that province. (SAPS CIAC Semester Report 1/2000 Figure 6 change in recorded murder, per province, 1994/99)

This trend is confirmed by that for robbery with aggravating circumstances (which includes crimes like hijacking). Recorded levels increased fastest between 1994 and 1999 in KwaZulu-Natal, followed closely by Western Cape. In Gauteng and Mpumalanga, robbery increased by 19%, only a few percentage points higher than in South Africa as a whole (15%). Also of concern is Mpumalanga — the only other province where murder increased between 1994 and 1999. Given that the police's murder statistics are more reliable than any other crime type, and that murder is the only crime that has been decreasing consistently since 1994 in South Africa, these trends are particularly disturbing. Vehicle hijacking increased by a phenomenal 79% in Western Cape compared to 27% in Gauteng and in South Africa (Figure 7). Given Gauteng's reputation for robbery it was surprising that hijackings increased slightly faster in KwaZulu-Natal and North West than in Gauteng (*SAPS CIAC Semester Report 1/2000*).

Levels of residential burglary also increased faster in Western Cape and KwaZulu-Natal than in Gauteng between 1994 and 1999. In Western Cape there were 41% more burglaries recorded by police. KwaZulu-Natal recorded an increase of 25% while in Gauteng burglary increased by only 8% during this period. Burglary is also increasing at a faster rate than in the country as a whole in several other provinces namely Northern Province, Mpumalanga, North West, Eastern Cape and Northern Cape.

Trends for car theft again show greater increases in Western Cape and KwaZulu-Natal than in Gauteng. Between 1994 and 1999 recorded vehicle theft increased by 20% in Western Cape and by 6% in KwaZulu-Natal. In Gauteng, car theft actually decreased by 8% — a faster rate of decrease than in the country as a whole, where a 1% drop was recorded. Although Gauteng has the highest crime rates in the country, the situation in Western Cape is disconcerting for different reasons. Western Cape not only has high rates of murder, robbery, assault and residential burglary but the level of these crimes as well as of car theft and hijacking has increased much faster in Western Cape than in the country as a whole. The other province to watch in this regard is Mpumalanga. Although not one of the 'big three', this province has both high crime rates and crime levels that are increasing faster than those in South Africa generally (Louw ISS 2001).

#### 4.7 How the cities compare

A comparison of the volume of crime in the six police areas shows four main trends. Johannesburg had significantly higher rates of murder, aggravated robbery and residential burglary in 1999 than any of the other areas. After Johannesburg, the city with the highest

murder rate in 1999 was Durban . The risk of being murdered was slightly lower in the other three areas of Port Elizabeth, West Metropole and Soweto than in Durban. Pretoria had the lowest murder rate of all the cities. People living in the Johannesburg area were nearly four times as likely to be murdered as those in Pretoria (SAPS CIAC Pretoria, population figures from HSRC GIS Unit correspond with Statistics SA 1998/99 estimates)

Residents of the Johannesburg area were nearly two and a half times as likely to be the victims of aggravated robbery as those living in Soweto or Durban. The risk of being robbed was much lower across the remaining areas, at between 294 and 397 robberies per 100000 people. Pretoria had also a high incident rate of residential burglary with 1263 per 100000 people, with Cape Town having 1178 per 100000 people (SAPS CIAC).The trend for vehicle theft is similar to car hijacking, with the exception of Soweto which has lower highjacking and car theft rates when compared to Cape Town, Durban and Johannesburg. The latter city has the highest incidence of highjacking and car theft in the country (2443 and 17299 per 100000 respectively). Pretoria has a high incidence of car theft (11415 per 100000, as has Durban (14199 per 100000) Surprisingly and quite contrary to trends in the other cities, almost the same number of car thefts as hijackings were recorded by police in Soweto . There are many possible (and untested) explanations for what seems like an ‘under recording’ of car theft. The most likely is that comparisons between violent and property crime ratios in townships and suburbs generally show much higher proportions of violent crimes in the townships.

In Pretoria and Durban, all 28 categories of serious crime increased by more than any of the cities covered here — by 19% between 1994 and 1999. In both cases, crime escalated most in recent years. In Pretoria, crime increased by 11% between 1998/99 — significantly more than the 4% average year-on-year increase for the city . Several serious crime types increased faster than the total crime, such as car hijacking, aggravated robbery and vehicle theft. Significantly, murder increased in Pretoria by 12% between 1994 and 1999, while nationally murder has dropped by 11% during this time.

Recorded crime in South Africa increased by 15% between 1994 and 1999, with an average year-on-year increase of 3% during this time. The problem also seems to be getting progressively worse: the increase of 7% between 1998 and 1999 was the highest percentage increase in any year since 1994. The situation in Pretoria, Durban, West Metropole and Soweto was similar to the national trend. In Johannesburg and Port Elizabeth however, the trends over time differed: levels of recorded crime remained largely unchanged or stayed the same between 1994 and 1999. In Pretoria and Durban, all 28 categories of serious crime increased by more than any of the cities covered here — by 19% between 1994 and 1999. In both cases, crime escalated most in recent years. In Pretoria, crime increased by 11% between 1998/99 — significantly more than the 4% average year-on-year increase for the city . Several serious crime types increased faster than the total crime, such as car hijacking, aggravated robbery and vehicle theft. Significantly, murder increased in Pretoria by 12% between 1994 and 1999, while nationally murder has dropped by 11% during this time.

#### **4.8 Interpretation of Data on Profile of Offenders and Victims**

From a careful observation of the demographic profile data, table 1 titled Gender of offenders; it indicates the high involvement of males on violent crime. Police dockets indicate that men led women by a wide margin of 98.9%. One cannot explain why the margin is so wide except to say in a male dominated society, the issue of violence is a touchy topic that can be identified more with males. In different conflicts the male gender has been identified as the worse culprit on black on black violence, taxi violence mine riots and general violent crime trends. The next table is Figure 2 here it indicates race profile of offenders Africans scored the highest on most crimes except for attempted murder and murder where colored suspects led by a wide margin of 85.3 % for murder and 74.7 % for attempted murder. The same colored group led other races by 56.5 for discharging a firearm in built up place. Perceptions are rife on the attitude of colored in RSA. They tend to have access to weapons more easily than traditional African suspects partly because of the financial means to procure one.

Given the level of poverty and neglect among black Africans, violent crime trends have been a trend associated with black folks. But the statistics for murder and weapon related violence seem to be on the colored people. Given the degree of violent crime and political violence of the past, it is difficult to reconcile why the use of weaponry is among the coloreds. However, this thesis can attempt to explicate what the statistics reveal. There seem to be the propensity for colored people to fall into crime partly because of the predominance of organized crime networks diverse gangs and the use of drugs and its abuse. When this is a trend drugs lead to addiction and an impulse to use weapons for three purposes: defense, retribution and to commit crimes. This may account for the high levels of murders and general crimes in the Western Cape Province. Another observation worthy to report is that South African Indians are less violent or prone to commit murder. There table specified only 8.9 % of attempted murder for South African Indians. Perhaps the attempted murder was in self defense or acts of retribution against perceived foes. In comparative terms, the statistic for the Asians seems low. Table 4 indicates the vocational profile of offenders. Again the crime trend fits the real perspective. In other words violent crime is in contexts with reality considering the fact that jobless folks are not the target of criminals perhaps because they have nothing they cannot be the object of attacks. Common crimes as robbery hijacking attempted murder and murder point at poverty or inability to meet the basic needs that are needed to survive. When this occurs there is the tendency to follow the route of violent crime. It is this group that becomes an attractive recruiting base for organized criminal kingpins. Because the state has failed to meet their numerous needs, allegiance is handed to organized groups that will reward them for violent crime. On the same table high crime trends are associated with employed formal workers. It defies logic that employed formal workers should be involved in violent crimes. Even the employed informal sector followed the crime patterns of being offenders. Perhaps the effect of organized crime has infiltrated into the rank and file of the work force. Table 5 is dominated by the unemployed with high crime patterns. Table 6 shows the occupational profile of offenders it did not indicate any occupation of offenders. Perhaps it is because criminals have no stated occupation they are listed as unemployed. Just as the initial statistics indicated, males suffer from high levels of crimes. The same gender is responsible for horrendous crimes than the females. The age group of offenders is 21-30. That age group shows that they are the most likely group to commit a crime. Reasons can be proffered organized criminal groups tend to recruit the young and most active members of the public that are unemployed and disgruntled with the system to be more daring and senseless in their operations. Because their ability to resist overtures from organized criminals is less, they

are the soft target for recruitment. The vocational profile of victims' shows employed formal sector at 67.8 %. It seems consistent with reality because that group has a source of income they may naturally be better off financially and socially accepted and respected by their communities than any other group outside the political class. Table 11 is consistent with the status of victims because the unemployed that suffer from crime are only 3%; they have nothing to lose in terms of money or property. Table 12 is on occupational profile of victims there is no significant trend to analyze unless to report that medical personnel and lowly paid workers as messengers private security guards, clerks messengers suffer more from violent crime. Perhaps because of their constant contact with the public they tend to fall victims of these crimes. Given the fact that the easy targets for criminals are clerks' cashiers shop assistants and security guards, the rate of crime tends to be high. It is so because they stand on the line of duty when crimes are committed.

#### **4.9 Interpretation of Data in regard to Pre and Post Apartheid Crime Trends**

Given the shape of the data analysis in regard to pre and post apartheid crimes the most likely reasons for the fluctuating parameters are the changes in the political climate associated with the transition to democracy. While there was serious political violence in the country from 1985 to 1990, the process of the first democratic experience in South Africa raised high expectations and campaigns were intense. Additionally there was a high degree of exuberance in the country due to the expected changes in the political and economic landscapes. As a result attention was diverted from crime and violence to the problems of transition. Transition occurs with loosening of tight controls and initiation of constitutional guarantees that are matched by freedom and relaxation of state laws. In other words the lifting of the ban on political organizations ushered more liberal laws guaranteeing an end to the death penalty.

However, the loosening of social controls and the liberalization of the constitution had a price because many members of the liberation movements felt they ought to enjoy the benefits of freedom and thus became lawless. Thus crime and criminality became the order of the day. This same liberation groups used their assault weapons in bank robberies, hijack of vehicles, murders and rape with assault and other forms of property crime. They thus contributed to the crime from the year the new democratic transition team took office. The problem of organized crime did not help matters as most of these decadent groups that have been active for many decades found a territory to express their criminal traits thereby making RSA a haven for drug barons and cross border smuggling. Statistics even proved that violent crime became accentuated from 1993 and remained high until after the end of Mr. Mandela's first term in office. Most analysts have attempted to proffer solutions for the spiraling crime rate but have been unsuccessful in lowering it. When this ANC's pre-election promises failed after the 1994 elections, crimes such as murder, rape, hijack, assault, and burglary became associated with the era. The data of violent crimes presented earlier pinpoint the truth. Thus Gauteng, Kwa Zulu Natal, Western Cape and, surprisingly, Northern Province, were the most dangerous on all major crimes according to the data. The analysis indicated that the violent crime trends worsened immediately N.R. Mandela was sworn into office. Given the social policy efforts at fighting crime, public policy initiative on this has been thwarted by the proliferation of organized criminal groups that appear determined to recruit and mobilize many poor unemployed unskilled disgruntled elements zealous to cause trouble.

#### **4.10 Interpretation of Millennium era Provincial Crimes 1999-2000**

An analysis of provincial crimes comparisons covering the period 1999-2000, reveals that Gauteng, Western Cape and Kwazulu Natal and to a large extent Northern Province are dangerous provinces. The same trend is repeated ten years into the democratic experiment. Sadly it seems as if there has never been a social policy initiative to combat crime in the country. Yet government is spending so much of its meager resources to boost its budget. The recent budget allocation to the Correctional Services and the Criminal Justice System were the largest in the history of the country. Yet crime is still alarmingly high. This does not mean that the municipal police services of the respective provinces have been inactive in efforts to bring the crime rate down. Civil populations have attempted to help bring crime down. Within the last three years alone major social policies to combat the menace of crime has been in effect. From Western Cape to the Northern Province, crime has become more sophisticated or complex and has left criminologists and other researchers wondering who would be the next victim. All crime trends reflected many years ago when the transition phase begun are still worrying crime problems in South Africa. The position of this dissertation is that when organized criminal organizations are bent on disrupting the social order, they often impose their presence and to some extent succeed in terrorizing the civil populace. South Africa is not alone in these struggles as other countries have their internal problems. The reality is that the situation has reached a point where the masses might rise up to look for these organized gangs or individual criminals and possibly contain them with violence. But in South Africa where poverty is much more prominent, groups can operate covertly without being noticed and sometimes buy off communities on border areas to facilitate smuggling and cross border crimes. However, if the government has the will power to concomitantly match law enforcement and the provision of social services to the general public, then those youths that are lining up behind organized criminal groups, would see no motivation to enlist their services for quick but risky cash. It takes uncompromising social policy priorities to be able to withstand the antics of organized groups protected by a constitution that values more the rights of criminal miscreants than victims!

#### **4.11 Points Validating the Hypothesis**

Due to the emergence of democracy, more human right laws are in place in South Africa. In spite of the growing evidence of the proliferation of organized crimes, the central government has become more liberal in enforcing laws meant to protect the lives of its citizens. The hypothesis assumes that the government is tolerant of violent crimes because they are not firm on combating violent crime and in most cases effective implementation of anti crime measures have not been firmly adhered to bring down the crime rate. For example most provisions in the much talked about White Paper have not been implemented. In addition the Community Police Forums which government promised to initiate has stalled over eight years after the policy was initiated.

The hypothesis has been confirmed on the following empirical evidence that mainly supplement the previously undertaken analysis of data:

- 1) The Helen Suzman foundation released a report which claimed that Gauteng and Kwa Zulu Natal branches of the ANC having an "ANC select" team consisting of former MK soldiers responsible for armed robberies that resultantly led to the loss of a hundred million Rands (Citizen March 3: 1998). To prove the authenticity of these allegations, ex military wing of ANC (MK) officials publicly acknowledged this assertions that link them to diverse bank robberies and other criminal acts. In the same interview one of them humorously boasted to use

the loot to challenge the government in a future election in South Africa (The Independent on Saturday, March 7 1998). There was no report of arrest or if an inquiry to pursue and prosecute the criminals within ANC responsible for bank heists.

2) Government indifference and tolerance of crime even extend to those that instigate the killing of farmers according to this report. "Although APLA officially condemned the attacks on the farming community, on 12 December 1996 Mr. Letlapa (Happy) Mphahlele former director of operations of APLA, in evidence before the Truth and Reconciliation Committee TRC, stated that white farmers and the farming community had been a legitimate target. Statements made to the TRC by the former commander of APLA Mr. Oupa Kgotie on 26 March 1997 attested that he was present when commander of PAC task force in Botshabelo gave orders for farming communities to be attacked"(NICOC: 1997 Annexure C,c). Again there were no arrests made to investigate the veracity of this claim of orchestrated farm killings.

3)The continuous use of illegal weapons to commit felonies and the inability to gradually supervise a gradual phase out of handguns in the possession of questionable characters has resulted in at least 20 000 weapons falling into the hands of criminals within one year period (Natal Mercury December 7:1998). The liberal policy that allows the continued ownership of hand guns is in itself deplorable and is a wrong signal sent to people to take to crime as an alternative to either unemployment or retribution for . Furthermore, the government failure to initiate social policy to check cross border smuggling of weapons leads to more flow of arms and dangerous weapons to fuel the volatile political climate of South Africa. It can be argued that it is the duty of government and its agencies to take a firm stand not only on cross border security but also on issues that pose a threat to the stability of its citizens.

4) The release of 8, 000 felons to mark Mr. Mandela's eightieth birthday in 1998 was a betrayal of all the crime policies and an indication of a high tolerance of violent crime on the part of the government. As it turned out, most of those released came back to kill victims in fresh crime raids or to seek retribution against those that testified in courts against them (The Independent on Saturday September 1998). In the exercise of his discretionary powers of granting amnesties, the former president was supposed to seek advice from the Justice and Correctional Service officials to ascertain the appropriate prisoners to be released but that was never the case.

5) The escape of high profile armed robbers from detention centers raises serious questions of credibility on security issues about government's seriousness in the battle against crime (Mail & Guardian January 22 to 28 1999) (Oppler, ISS: Web Site).

6) There are problems in the government controlled criminal justice system. Antoinette Louw's research indicates that the resignation of prosecutors has taken its toll. This is borne out by the declining prosecution and conviction levels. The number of prosecutions and convictions steadily declined from 1991/92 to 1995/96 (the latest period for which figures are available). During this time the number of reported crimes increased (ISS: Web Site). It is argued that by deliberately neglecting the problems of an institution at the centre of criminal justice system is a covert attempt to frustrate prosecution of cases and an indirect signal indicating that government is not firm in the fight against crime.

7) The arrest of an armed robber in possession of ANC weapons that was not listed as missing in the Eastern Cape Province of South Africa remains the most embarrassing evidence to prove the hypothesis. Because there was no rejoinder to disprove the allegation and no commission of inquiry to investigate cases of unauthorized use of weapons meant for the party officials would raise eyebrows of government tolerance of violent crime (The Citizen April 23: 1998). 8) The continues refusal to organize a referendum to determine the issue of the death penalty indicates

three points that are significant for the hypothesis: either the government has a secret agenda to continue protecting the rights of felons for reasons unknown, or simply afraid to lose votes in future elections and thirdly deliberately tolerating violent crime thereby sending a message that capital punishment cannot be applied irrespective of the gravity of the offense.

9) The failure of the government to implement an effective witness protection programme indicates an indirect tolerance of criminal attacks on those courageous enough to give evidence in courts or cooperate with Police investigation against criminals. If this trend continues the level of witnesses willing to testify would continue to decline.

10) The inability to execute plans for compensation for victims of crime nationwide while according human rights and the benefits of free medical health to felons sends a wrong message to the law abiding citizens who are victims or potential victims of crimes.

#### **4.12 Concluding Analysis and Interpretation**

Readings in a recent Criminological text entitled Experiences of violent crime across the world as well as other major texts on criminal violence, indicate that it is difficult to point out direct government complicity in violent crime. With the exception of the Sicilian mafia in Italy and other organised criminal groups in Colombia and elsewhere and those that have infiltrated rogue states or those who have no government as in Somalia, all legally constituted governments desire is law and order. This thesis cannot accuse the South African government officials of direct complicity in violent crime. There is no direct statement from key government functionaries urging people to take to crime as a last resort. However, through failure to implement social policies on crime, lapses in crime control e.g. failure to pursue organized crime in the country, the intentions of government can be known and interpreted are not been serious in the fight against crime. Throughout the four years of former President Mandela's term, all the analysis undertaken in this thesis indicated a high crime rate and the failure of social policy in combating it. In other words although generally perceived by optimists as stabilizing, it can be argued that for crime, indications are the crime is extremely high in comparative terms. almost at the tail end of National Party rule and continue rising or stabilizing in

This research has been able to identify through the hypothesis that the zeal and role of key government functionaries led by former president Mandela led to more rights coupled with inactive crime policies that were not matched by implementation. The former President has been acknowledged as a "dual hero" (nationalist/liberator and the best human rights advocate). However, the fact remains that criminals capitalized on these eulogies or encomiums and became more daring and violent. They reinforcing their brutal tactics of vicious and senseless killings, and violent crime became attractive to many in the townships and the major cities of the country. That greatly contributed to the towering shape of all the major crime statistics, thereby confirming the hypothesis of government implicit tolerance of crime. Sadly even under the current Mbeki government more policies are rolled out with no result in sight.

#### **4.13 Summary**

The dissertation clearly indicates that four crimes murder, robbery hijack rape assaults and burglary are on the increase and needs urgent intervention. It has shown the provinces that are most dangerous these are Gauteng Western Cape and Kwazulu Natal. Similarly certain cities were selected as the most dangerous these are Johannesburg cities near Cape Town area and

KwaZulu Natal area near Durban. It is left with the government to first tackle organized crime and other groups that are causing this problem of crime. It has shown that transition to democracy accelerated the crime rate. Unfortunately these crime trends may not change given the circumstances of declining economy , poor social services and poverty that most people face.

## **Chapter Five**

### **5.0 Discussion and Recommendation**

#### **5.1 Introduction**

This chapter merely concludes what has been researched about the problems of violent crime trends and the role of organized criminal groups causing problems in the country.

The preceding chapter gave great details on why violent crime remains a problem. Consequently this chapter will reveal what was not emphasized in the preceding chapters. The first aspect is a

discussion of the main findings of the data in literature review and data analysis and interpretation. In addition new issues affecting crime would be discussed. A reappraisal of government policies will follow to see if there is any hope that violent crime would decrease. The recommendation section is another original effort to proffer measures to curb crime. The theoretical conclusion is an application of known sociology theories to RSA crime contexts.

## **5.2 General Discussion**

Based on Interpol reports and the longitudinal crimes charts of different countries and provincial crime charts that are outlined in chapter four, it revealed a frightening trend for South Africa. No matter the excuses of apartheid problems and effects, South Africa is a violent country. Apart from leading other countries in the most horrendous crimes such as rape hijack robbery and in murder, the country is still threading the road of violence such as taxi related violence, general crimes affecting people and property, hired killings and a high incidence of hijacking and bank heists. These crime trends include organized criminal organisations that have made South Africa a safe haven for drugs, cross border smuggling and criminality. This dissertation has earlier stated that there is no country that is immune from crime or one form of social deviance. In spite of that assertion, violent crime trends are an embarrassment to policy makers and it is bound to have repercussions if urgent policies are not initiated to stop the crime wave. Many have proffered solutions some others in support of ANC have blamed the past problems of apartheid. The opposition are blaming incompetence and corruption as causes of current problems. Which ever argument advanced Johannesburg remains the most dangerous city followed by Durban then Cape Town area in that order remain hot zones of violent crime. It is left for government to either tackle those problems or be blamed by posterity.

Although the media and some skeptical writers have been creating headlines on the rising crime wave, this dissertation is not undermining the veracity of such claims. The problem though is that in all transitional societies particularly in Eastern European countries Latin American and some African countries, transition to civil rule accentuates violent crime and to some extent can be a recipe for civil wars. Take countries as Angola Mozambique Sierra Leone Congo Liberia Rwanda Burundi former Yugoslavia Madagascar etc these are examples of conflict zones known to the world. Another example is the problem of organized crimes in former Eastern European nations. Due to the transition to democracy, Russia and her ex satellite allies are experiencing a crime wave of unprecedented level such that the social cohesion and stability noted in communist era times have become the things of the past! The reality is that crime in transition countries don't last for ever. After the high crimes or internecine conflicts have undergone some stages of effects, crime wave peaks and the crime curve falls, gradually peace and progress is restored as part of the democratisation experience. Another aspect that will hunt present and future leaders of the country is the problem of organized crime and their impact in South African society. Given the level of infiltration on civil society, organized crime groups ought to be carefully investigated thoroughly punished. This has to be done with vigor setting aside constitutional guarantees to punish leaders of this group with executions if they don't submit to the authorities. The troubling point is that without containing the schemes and antics of organized criminal groups, civil order would continue to be disrupted and the country would slide into chaos. The political leaders at respective tiers of governance have basic idea of the crime problem they should mobilize other members in rural areas metropolitan areas and provinces to cooperate with law enforcement agencies to apprehend criminals and leaders of

organized criminal groups. Everyone should help to identify miscreants and bad eggs in the country. The main issues in the literature review are that organized crime cannot be linked to specific crimes. However, emphasis should be placed on the mode of operation which is basically secret and covert forms of dealings then attempt the impossible, send agents to infiltrate these groups for information of leaders.

The data in the previous chapter consists of general crime trends which are murder rape hijack assault and a broad range of crimes. It shows that Gauteng Western Cape and Kwazulu Natal are the most dangerous provinces in the country. The data analysis shows that crime increased immediately the transition took effect and it has become worse with liberal laws in place. The demographic profile revealed few trends this would be discussed in depth below.

### **5.3 Discussion on Social Consequences of Age and Crime**

The relationship between age and crime has been the subject of considerable criminological analysis. It has been suggested that ... probably the most important single fact about crime is that it is committed mainly by teenagers and young adults. According to a National Institute for Justice Paper on violent crime by young people ... age is so fundamental to crime rates that its relationship to offending is usually designated as the age-crime curve. This curve, which for individuals typically peaks in the late teen years, highlights the tendency for crime to be committed during the offender's younger years and to decline as age advances. Most criminologists concur that there is a direct relationship between age and the propensity to commit crime. Richard Herrnstein (1995), for example, argues that ... the typical offender is a young male probably between the ages of fifteen and twenty-four conviction, offending and arrest rates, as well as other information on criminal offenders, show that juveniles throughout the world tend to commit crimes far in excess of their proportion of the general population. That is, in most countries teenagers and young adults are considerably more likely to engage in criminal activity than older adults and children.

According to a 1995 British Home Office report, at least one-quarter of all recorded crime committed in England and Wales are committed by ten to seventeen-year olds, and over two-fifths is committed by those under 21.7. The number of known offenders per 100 000 males was 1 920 for those aged twelve. This increased to 6 264 for those aged fifteen, and 8 376 for those aged eighteen, at which point the rate declines rapidly. For those aged 21 to 24 it was 4 675, and only 3 162 for those aged 25 to 29 (London 1996).

Although there are few data on the demographic profile of criminals in South Africa national crime data identify young males from the ages of 21-30 as very high risk group capable of perpetuating violent crimes. This demographic age profile of crime has a general trend with other countries of the world. The observation is that organized criminal king pins target those in that age group as likely ones willing to enlist in organized crime networks. As a result these kids surrender their loyalty to anti social elements in the country. When loyalty is surrendered to an organized criminal group, it leads to more violent crime and social disorder. Consequently the tendency for social policies to become effective remains undermined because those youths are not literate to see the benefits of a college degree in a country where many graduates are unemployed. On the other hand with enormous benefits accruing to be enlisted as a hired killer, hijacker of vehicles, drug courier, or a bank robber, the tendency to remain with organized crime groups would be persuasive. However, when effective social services are concomitantly matched with sound social policies that emphasises unwavering firmness in punishing members of

organized criminal groups and simultaneously providing service delivery, crime in the country would be reasonably moderate. In addition if lengthy prison sentences with hard labour are the norm and the seizure of property belonging to drug lords and their organised crime bosses are enforced without fear or favour, this would discourage organized criminal groups from recruiting kids or from continuing on violent crime. This would become a recipe for stability in a country that is used to violence.

As the situation stands today there are many constitutional rights made worse by the support of government against the death penalty. It has left the struggling law enforcement agencies as SAP more vulnerable and de-motivated to combat crime. As the section on gaps reveals, rather than motivating the public to resist crime few other bad eggs in the SAP have in turn become influenced by crime and are accused and convicted for broad range of crimes that the members of the public commit. Which ever way ANC supporters and the entire nation debate, the long term consequences of not fighting organized crime and dealing with miscreants would not tell well on this administration.

In the demographic profile data males dominate the crime chart in South Africa. It is pertinent to examine crimes involving minors elsewhere for comparison.

The most common age at which people were charged for committing a crime was 18. In 1993 Canadian youth aged 12 to 17 years comprised about 8% of the population, but accounted for 14% of all persons charged with violent crimes, and 30% of all persons charged with property offences (US Department of Justice figures 1996)

Given these examples a source reported that

No national figures are available on the number of crimes committed by young people in South Africa. Conviction figures, however, show that young males are considerably more at risk of being convicted for a wide range of crimes than older males or females of any age group. Conviction rates as an indicator of offending patterns Conviction figures do not necessarily reflect the exact level of criminality of a specific age group — they should be seen as indicating a pattern only. This is because on the one hand young males might be more likely to be convicted than older males. (The latter are more likely to be repeat offenders and might exploit the criminal justice system's weaknesses better, resulting in a greater number of acquittals. Younger accused are also more likely to plead guilty as they are less likely to receive a heavy sentence because of their youthfulness and the likelihood that they are first offenders.) On the other hand, young accused are less likely to be convicted (especially in respect of less serious offences) because of a variety of diversion programmes which remove young offenders, who admit guilt, from the criminal justice system process.

During 1995/96 (the latest period for which figures are available from Statistics South Africa), 2283 out of every 100000 males aged 18 to 20 were convicted of committing a crime. For males aged 7 to 17 the corresponding ratio was 318 per 100000 and for males aged 21 and over it was 1481 per 100000. For women the rate was considerably lower — their chances of being convicted were about an eighth of that of males (Crime and Criminal Justice: 1999).

#### **5.4 Discussion on Social Consequences of HIV/AIDS as an impetus to Crime**

In Chapter Two an analysis of sociological theories of social control theories focused on the role of parents in the upbringing of children. It was pointed out that if parents are not active in raising children, there is a possibility of them growing into a deviant lifestyle thereby breaking the norms of the societies. This leads to the problem of HIV/AIDS and the long term effect it has on orphans left without living parents in South Africa. The sociological implication of a growing number of kids that grow into teenage years without parents, are a recipe for more violent crime

that will destroy more lives and properties. Although this thesis does not share the pessimistic posture of the writer, this endemic scourge of HIV/AIDS is properly placed in real perspective according to this report below

Age and Aids will be significant contributors to an increase in the rate of crime in South Africa over the next ten to twenty years. In a decade's time, every fourth South African will be aged between fifteen and 24. It is at this age group where people's propensity to commit crime is at its highest. At about the same time, there will be a boom in South Africa's orphan population as the Aids epidemic takes its toll. Growing up without parents, and badly supervised by relatives and welfare organisations, this growing pool of orphans will be at greater than average risk to engage in criminal activity.

The small but steady reduction in the rate of crime (measured on a per capita basis) for most serious offences, which has been evident since 1994, was halted during 1998. Serious crimes such as murder, robbery, vehicle theft, and housebreaking increased in 1998.<sup>1</sup> The increase is significant as it is occurring at a time when overall crime levels are extremely high in South Africa. The country has one of the highest levels of violent crime in the world.

The state is channeling considerable resources to the criminal justice system in an attempt to bolster its fight against crime. Some 10,8 per cent of the 1999/2000 budget is devoted to the three core departments which make up the South African criminal justice system (Safety and Security, Justice and Correctional Services), up from 9,7 per cent in 1994/95, and 5,7 per cent in 1989/90. Between 1989/90 and 1998/99, state spending on the criminal justice system increased by 456 per cent. Over a similar period, the consumer price index increased by 184 per cent. Increased state spending on the criminal justice system has not had much of a positive effect on the crime rate, however. Neither has it substantially improved the overall performance of the criminal justice system. For example, between 1991/92 and 1995/96 (the latest period for which figures are available) the number of prosecutions dropped by forty per cent, the number of convictions by 42 per cent. Over a similar period, the number of serious crimes reported increased by 32 per cent.

The fact that a badly functioning criminal justice system, or a poorly performing police service does not cause crime, must not be ignored. An untrained police officer may fail to prevent a crime which a trained police officer could have prevented. The cause of the crime — the decision by the criminal to commit a crime — however, does not lie with the police. There are many causes of crime. Some of them, such as high levels of poverty and unemployment, a poorly educated populace, and badly designed towns and cities, can be addressed through appropriate state responses. Other causes, such as large numbers of juveniles in the general population, and a high proportion of children brought up without adequate parental supervision, are beyond the control of the state. South Africa's increasingly youthful population, and the Aids pandemic, are likely to be important contributors to South Africa's crime rate over the next two decades. No amount of state spending on the criminal justice system will be able to counter this harsh reality, neither will draconian laws, nor better policing. The coming decades are likely to witness an increase in the crime rate, irrespective of the state's response. It is likely that such a response will merely impact on the extent of the increase, not on the increase itself (Schonteich ISS Crime Index)

Although it is a fact that there are consequences to AIDS pandemic, this dissertation disagrees with the idea that because of the impact of AIDS government can become powerless to thwart efforts of criminals. No government surrenders its sovereignty to criminals. South African government should tackle organized crime and their leaders responsible for recruiting children. If laws are enforced it doesn't matter whether products of crime are orphans or were never raised by biological parents.

Given the above challenges this dissertation advises the government to see into HIV/AIDS eradication programs to stem the growing list of orphans that would emerge in the country. At

the same pace strengthen the police and the correctional service to react against criminal orphans that may take advantage of the liberal laws to commit crimes.

It is left for government to initiate social policies to educate people about the growing threat of HIV/AIDS and how it is decimating populations and destroying the future of South Africa.

### **5.5 Reappraisal of Government Policies**

A review of South African government policy on violent crime control would suggest that RSA is a signatory to the Palermo convention on organized crime. The goal is listed below.

The Convention has two primary objectives. The first is to set standards for domestic laws to effectively confront organised crime. In this regard member states have committed themselves to take a series of measures, legislative and operational, to combat crimes committed by organised syndicates. Legislative changes include the criminalisation of four kinds of activity: A) Participation in an organised criminal group. B) Money laundering. C) Corruption. D) Obstruction of justice.

What remains baffling is why the Mbeki government is yet to take the Palermo Convention serious. Why not organize a massive protest against organized crime when it is a fact that drug lords and gangs operate freely in the Cape and Johannesburg metropolitan areas? It leaves to be seen if this government will stand the test of competence on other policy aspects that are discussed below.

Given the social policy control measures that are found in the second chapter, it is clear that it will take time for a social control measure of zero tolerance policy to take effect. This thesis argues that South African government policy initiatives have been sound. However, the failure to curb incessant rampant crime is because of lack of implementation that is not matched by actions and lack of the will power to embrace the reality. For example the issue of the death penalty is supposed to dissuade criminals from heinous crimes but the ANC led government is not yielding to this option even though the public demands its reinstatement. The failure of South African crime policies is due to the character of African states and their penchant to blame others for acts of incompetence. Take for example a policy initiative that ought to control violent crime in communities, rather than blame the problems of apartheid on a daily basis efforts would have been made to sort out the failure of the community police forums According to this corroborated statement. In his opening address to Parliament on June 25 1999,

President Mbeki committed government to take measures to '... strengthen the community policing forums to improve their capacity to mobilise the people against crime and to improve co-operation between the people and the law enforcement agencies.' More than two years later little has been done in this regard. Indeed, eight years after establishing community policing forums, government appears either unable or unwilling to provide clear direction or meaningful practical Support (Pelsler ISS Crime Index vol. 5 2001).

Given constrains that have already been outlined in the section on social policy gaps, South Africa crime control measures are either inadequate to tackle crime this is partly because the problem of RSA has defied solutions. South Africa anti crime measures may be in conformity with international standards, but the problem found in the section on gaps has revealed fundamental policy failures due to lack of zeal to enforce policies. In spite of the rhetoric at election rallies and failure to see incompetence on crime management and service delivery, the battle against violent crime is not just a talk shop where policies are rolled out with out implementation, but a forum for government to get fresh ideas from experts and critics, to enforce laws without fear or favor of the consequences. A careful reexamination of all government policies on crime has revealed that lack of will power to enforce policies has been

the bane of other African governments. Given the governments recognition of the Geneva Convention, the Palermo convention on organized crime and other agreements she signed with United Nations and other member states of Southern Africa Regional Development countries SADC, it is left for the government to take steps to enforce laws that have been enacted to keep the country safe.

## **5.6 Discussion on Challenges of Government Policies**

The challenges for government policies are diverse A) lack of will power to enforce the laws without fear or favor B) lack of resources for delivery of Reconstruction and Development Projects and Masakhane projects which includes decent and affordable houses, good road networks, provision of free education, good health care and social programs that are meant to alleviate the suffering of people and to give them hope. C) The most vital challenge is the net work of organized criminal groups that covertly plan to thwart government policies. As long as organized crime has perverted all sections of the country, it would remain a core challenge to the success of public policies on crime. D) The challenge of administrative cost in lean times: the world is undergoing recession RSA is not isolated from this global problem. Without resources it could affect the budget to correctional service departments E) The aspect of discipline among the rank and file of the police service is worthy of mention. When some police officers are convicted for violent crimes, it does not augur well for crime control policies. The police ought to lead by example and not to perpetrate violent crime. F) The violent character of South Africans can be a challenge and a drain to the resources of government. To keep prisoners in jail can be costly. Yet violence that have no bearing with core issues as rife e.g. taxi and township violence among groups are uncalled for. Apart from that crime and criminality gives the impression that investment and development in a crime area don't work together. G).The most vital challenge is the growing HIV/AIDS pandemic. According to researchers there is a growing danger of the fatal effects of AIDS on kids that are left without living parents. This time bomb would be felt in about ten years if government doesn't intervene to stem the spread of HIV and AIDS. The fear is violent crime would become accentuated and would cost the government more.

Given the above gaps and challenges of government policies, this dissertation is reiterating that government should continue to intensify policies meant to alleviate poverty and spread delivery so as to give youths a future. Diverting scarce resources to procure military hardware including submarines cannot be the solution to the problem of South Africa. Many citizens are yet to enjoy the benefits that were promised by ANC led Mandela's government in 1993. Resources should be channeled to social service delivery.

The consequences of violent crimes, the gaps that were identified in chapter two, the entire weaknesses of policy documents that were reviewed, the challenges of governance, the role and covert nature of organized criminal groups in the Cape, Kwa Zulu Natal and Gauteng provinces made worse by the hypothesis of government tolerance of violent crime and a youthful demography of kids zealous for crime are all contributory impetus for more crimes and a tough fight to win.

## **5.7 Recommendations**

There ought to be the realisation that violent crime whether stabilising or decreasing is in itself an endemic problem. The recommendation is based on the problem that confronts this

thesis, how to deal with the problem of organized crime and how to initiate a super crime theory to deal with violent crime. This thesis would adopt a holistic model in combating organized crime. A holistic approach ought to be adopted to fight crime. This means a multifaceted aggressive approach that incorporates disciplines and overlaps in an inclusive manner such that the structural alternatives that range from sociological, educational, religious economic and even brutal primitive approaches of third world countries (such as public executions) to match brutal crime scenes of South Africa, would be highly advocated. In this proposal human rights will be subject to the condition that the laws of the country are revered and observed. The people would be made to be aware that criminals would pay for crimes committed. Without any loss of purpose, this researcher realises that most petty crimes are at first triggered by hunger and shortage of jobs. 1) Given its ability the state should organise a social fund to cater for the unemployed. Religious organisations and voluntary agencies should be contacted and given the incentive to assist with daily feeding schemes or contributions to alleviate the plight of the very poor across designated sites in cities or metropolitan areas of the country. Registered recipient should benefit such that the actual number of those in need could be ascertained for future planning for social security fund. 2) The reorganisation of street children and those in orphanage homes would effectively solve the problem of street children. Once again designated centres or hostels should serve as social centres for assisting those under the scheme. The government should adapt social policy to assist kids. 3) Government should urgently prioritise educational programmes to meet the needs of all sections of the population. An example of this policy can be found in Sweden (and most Scandinavian countries) 4) Establish a special unit from South Africa National Defence Force SA.N.D.F) to ensure that weapons are not smuggled into the long borders of the vast country with all ports of entry able to detect import of weaponry. 5) Install South African borders with advance electronic equipment or central circuit television cameras to detect infiltrators. In addition helicopters should be on standby on routine flights such that officers can react with arrest and prosecution if the occasion demands. 6) Enact the stiffest penalty for violent crime such as the death penalty by public execution to serve as a reminder to potential criminals of such vicious crimes. However, a constitutional researcher Martin Schonteich argues that this would require a constitutional amendment—a most unlikely occurrence. Human rights should not be extended to repeat offenders of violent crimes. 7) Through the use of modern information technology, register all ex MK, APLA, and PAC veterans indicating all their known names, including acronyms with the following information: age, references, next of kin, home and office addresses. Government should appoint a special Chairman in charge of the veterans. It is his responsibility to appoint Provincial officers to coordinate activities in local branches such as monthly meetings to discuss general complaints or any matters arising and how the attention of the National Chairperson can be of assistance. There should be a serious thought to reorganise the entire ex liberation movements MK, APLA, PAC. Initiate a training program for most of them place them into viable vocations or skills rather than idling away at home. On completion of training there could be financially assisted by government to be self-employed or those who choose can take jobs in private security firms or public sectors can be assisted. It should be clear to them that it is necessary to report those members that are suspicious or are linked to other criminals that rob banks. Reward should be given to informants that give information to Police on diverse robberies. Such informants should be made to contact a hot line contact number without identifying themselves. The authorities should protect them from reprisal actions.

8) Set a separate Committee to liaise with gang leaders organized criminal kingpins' nation

wide. They should be urged to register. Then grant an amnesty for those gang lords and supporters that hand them or their weapons to the disarmament committee. This committee will be an S.N.D.F detachment empowered to crush gangs and pursue them to their bases for arrest if they fail to comply. 9) Reorganise the entire criminal justice system such that a standing committee would recommend to the office on urgent matters arising as well as general problems of the entire staff. This is to achieve an effective means of facilitating a smooth operation of Judiciary duties to encourage urgent investigation by Police and a quick appearance of suspects. 10) Place the police as a central focus of government policy. Set a fund to be contributed for the continuous employment of police staff, boosting their morale for investigation, and setting up insurance schemes, coupled with the state taking over the education and cost of sustaining the family of any police officer killed. Furthermore, set up strict standards for recruitment of police personnel so as to avoid the infiltration into the force by criminal elements. Already many have lost faith in the Police it is the responsibility of government to restore confidence on the force. 11) Adopt alternative means of transporting money. Rather than utilising the SBV vans, helicopters should be used to convey cash. There should hire security guards on board the helicopter and more security personnel to escort the vans to their respective destinations. Efforts should be used to encourage the employment of private security personnel empowered to supplement the role of police officers in certain cases. They should be trained and empowered to act as the government Police. 12) Re-constitutes the principles of the marriage Act with marriage allowance paid to those that are not divorced and have children. Legally bring down the high bride payments that presently discourage marriage of willing black South African partners. The chiefs and parents should accept whatever the law requires. The purpose is to bring back lost family values. 13) Send experts to advanced democracies of North America and Western Europe to find out why violent crime is low and continue to fall despite the fact that liberal democracy and human rights also exist in those countries. Also find out how social security and unemployment allowance works in developed countries and see how assistance can be given to the poor South Africans. 14) ANC as a ruling party should act by publishing rejoinders to deny reports of membership complicity in violent crimes. This helps to reduce the perception of government complicity in acts of its members caught in violent crimes. Because the ruling party is a corrective government it should publicly eliminate from its membership list those cliques known as "ANC select" responsible for murders of political opponents. The party should also penalize those behind taxi violence and gun running or are abetting robbery. 15) Take an uncompromising stern punishment on importers of hard drugs such as: crack cocaine, heroine, opium and mandrax and set up a social system to help those that come for treatment and rehabilitation and impose penalties on its use. Set up propaganda machinery to educate the public on the dangers of illicit drug consumption. Stiff penalty should be handed to consumers as well as the growers of (dagga) i.e. marijuana and the fields should be destroyed and owners prosecuted. 16) The vandalism of Public Corporation equipment such as: electricity and telephone equipment or the infrastructure should be addressed by a special task force charged with the responsibility to mobilize South Africans to preserve Public property for the betterment of the future. Furthermore, communities should be rewarded if criminals are handed over to the special task force set to deal with public property crimes. Those convicted should face long terms of imprisonment with hard labour repeat offenders should face the death penalty. 17) Government should revitalize companies that are in distress or have folded in an attempt to create jobs and boost the economy. 18) Government should review the policy on refugees and other immigrants in the country whose presence appears questionable. The department of Home

Affairs should screen false refugee claims and repatriate those whose status in the country is unnecessary. 19) Government should strongly tackle the problem of organized crime vigorously punish anyone or group without respecting sacred cows. In addition governments should coordinate against organized crime groups operating in and around Southern African nations to combat a common enemy. 20) Government should ensure that unnecessary amnesties are not granted to prisoners without recommendation from the Police, judiciary and prison personnel. Felons should not enjoy any amnesty. More so, the reckless manner of judicial acquittals in high profile cases as well as the escape of criminals should be taken seriously and stopped in the interest of the law abiding citizens of RSA. 21) Initiate policies to decongest prisons and provide space to inmates. Introduce tough prison conditions, eliminate certain privileges such as: the use of telephone, radio, television, and cell phones. For stubborn inmates and repeat offenders in jails, isolation of the inmate is recommended alternatively the use of corporal punishment should be the last resort for inculcating discipline while psychiatry test should occasionally be done to ensure the inmates are mentally normal and they don't constitute any risk to other inmates. 22) Government should stop the annual release of new crime policies rather implement the ones currently in place with dedication.

Other recommendation from concerned citizens: It had been suggested by sections of the press for the central government to declare a state of emergency. However, Nicolas Smith argues, differently that South Africa is used to past emergency laws reminiscent of the past when the police acted to maintain the hegemony of apartheid rule, he pointed out that obstacles currently exist constitutionally for the parliament to declare a state of emergency. It can only be possible if "the life of the nation is threatened by war, invasion, general insurrection, disorder natural disaster or public emergency" (Mail and Guardian May 16-22 1997). He terms the current crime wave as disorder. This thesis shares the same view as Nicolas Smith. However, a leading social critic of the government [who happen to be the leader of the Democratic Alliance—the official opposition in the South Africa parliament] Tony Leon has indicated viable recommendation that government should utilize as listed below; 1) the education and training of SAPS particularly in investigation and detective skills; 2) the introduction of modern management techniques into the SAPS and massive upgrading of information technology; 3) focused management driven solutions to serious crimes; 4) decentralised operationally driven anti crime operations; 4) proactive visible policing on a localised basis, the effective deployment of human and logistical resources; 5) He urgently addresses Gauteng police resources which is nearly half that of the National average despite leading the country in every major crime indicator; 6) allow the provincial police a much greater say in the determination of a provincial police budget process currently driven national. The consequences is that in policing matters the provinces will in future operate more as provincially based Community police forums (1996).

According to a South Africa financial institution Nedcor Project on Crime, the government should state unequivocally that effective crime prevention and controlling violence associated with crime is its single most important priority. 1) Call a general conference to discuss the big problem of crime. Then design ways to involve other non-government organisations in this fight against crime. The crime and violence prevention office should be responsible for motivating, assisting and partly funding crime prevention programmes at provincial, metropolitan and local authority levels. Such programmes should fall within the NCPS and receive earmarked funding from central government. 2) The office should assist metropolitan and local authorities in creating public-private sector "crime prevention funds", with contributions from government, business, funding agencies locally and abroad, and individual citizens, for funding specific crime

prevention programmes. These funds will be administered by representatives of all contributors and should also provide support to effective Non Governmental Organization (NGO) operating in crime prevention. 3) Improve the SAPS as a professional career option, by improving salaries at lower and middle levels, and a much stronger professional, technical and managerial focus in recruitment and training. In the long term, a fully professional South African Police Service is the only way to reduce corruption. 4) Improve management of the police services using existing staff. The required training should come from outside the SAPS set up in dispersed, under-policed areas internal investigation units, to limit corruption further in units that will achieve “saturation” of certain areas in respect of particular crimes. 5) International evidence clearly indicates that increases in crime can be combated using state-of-the-art technology. The Office of Crime and Violence Prevention should facilitate an agreement between business in South Africa and abroad. As well as police at all levels in the country, to ensure that SAPS can expand their use of technology to include: information technology (such as for the national crime information management centre), investigative technology, surveillance technology, and, response technology. 6) Private sector assistance should not be limited to provision of hardware, but should extend to software and support in the establishment and maintenance of operating systems. Among these should be a “crisis or 107” Centre in every metropolitan policing area. 7) Government and the private sector, in consultation with existing crime prevention agencies, should jointly establish and fund a ‘National Crime Prevention Institute’ (NCPI) with each party mobilising funds from abroad. Planning of the NCPI should include the possibility of submitting several existing crime and criminology research bodies, to avoid duplication. The NCPI should have two functions only. To scan international experience and evidence on an ongoing basis, identify ideas, approaches, programmes, partner- ships and other successful crime prevention activities and make these known to the appropriate crime prevention structures. To study the “culture of crime” and provide government with indicators of any circumstances which lead to such a culture and the steps needed to counteract it. This would involve considering establishing more appropriate role models for youth; re-establishing family systems; analysing gang cultures; creating alternatives to formal employment, and rebuilding viable community leadership. In addition to the joint ventures already described, business should enter into campaigns with other stake- holders in respect of two major crime prevention projects of immediate concern to itself: There should be crime prevention on the borders of the country and in the ports and harbours. It is a critical problem that is costing the government, business and the country enormously. The flow of stolen and illegal goods: arms and drugs have to be combated. Prevention possibilities include the use of private security, advanced electronic surveillance and secondments to the Department of Customs and Excise. Business against Crime (BAC) has already mooted a proposal for the project in which, business launches a campaign to control and progressively close down all markets for stolen goods.

## **5.8 Summary and theoretical Conclusion**

The last opportunity afforded the thesis to express itself about crime and criminality is this. RSA crime wave needs to be taken seriously because no where is safe from attacks. Given the data on violent crime in principal cities provinces etc, it is clear that the role of civil society is urgently needed to stem the tide of crime. RSA is at risk than any other part of the world because of the factors listed above. Without reordering priorities on social services matched by tough anti

crime measures enumerated in the recommendations including the death penalty by public execution against organized criminal groups, cities and municipal areas will continue to be unsafe.

This thesis will conclude with a discussion of the primary and secondary factors causing crime. The literature review, which has revealed some sociological theories of Robert Merton, Eric Goode, Karl Marx Emile Durkheim, and a few other theories in lecture series, should be taken seriously, as most of those factors actually contribute to the present violent crimes in South Africa. Take an aspect e.g. deviance it leads to a breakdown of societal norms. It is followed by frustration that is failure to attain a stated goal. It is also a fact that the love of money which Anomie theory emphasises remains the most moving cause of violent crime. However it is perceived, the fact is why criminals enlist in organized crime is because they chose to pursue the option of violent crime. However, this choice is not in isolation of the following variables: endemic poverty, noise, rowdy and filthy environment single parenting, gangs and the role of organized criminals and peer group pressures that influence their predilections.

The theoretical causes of the attacks on white farmers are linked to the command factor where ex-militant organization leaders of the Pan African Congress Party (PAC) still enjoy significant influence. In rural areas they can whip up ethnic or racial sentiments to attack farmers just to gain popularity and to be perceived as radical. These attacks would become more real considering the events in Zimbabwe with the seizure of the so called white owned farms by the old Dictator Robert Mugabe. Similarly the thesis acknowledges the relevance of the Chicago school, which attributes the growth of modern towns and cities to certain sociological problems such as lack of personal relationships or group-based trust, as a strong factor in the escalation of urban crimes. This analysis fits the crime chart that identifies Johannesburg, Durban, Cape Town and other key cosmopolitan centres of South Africa as the highest crime zones in the nation. In addition readers can theoretically link Robert Merton's 1938 Anomie theory, which gave a candid explanation of the true motive behind crimes in the USA. This veteran writer points out that the culturally perceived value that gives undue credence to material acquisition of money is the main cause of crimes. Apart from farm attacks that appear to be racially motivated or cases of rapes that are erotically motivated, all other major crimes seem to fit into Merton's analysis. It would take some time to dispel the factor of money as a cause of crime. Although initially blamed on apartheid migrant labour system and internal political conflicts responsible for family dislocation, the social and emotional effects of the lack of joint parental upbringing of children have serious consequences for families universally. In South Africa, just as among African American teenagers in the United States, most youths, arrested for petty and violent crimes, were raised by a single parent. Chances are that these kids have no role model or even knowledge of the other parent. The situation is worse if a lady raised such kids. This saga of single parenting is accentuated by very high bride payments known in Zulu as *lobola*, and irresponsible sexual activity among teenagers coupled with the death of parents from HIV/AIDS has left this theoretical conclusion predicting that crime would continue to rise in the future.

The high incidence of organized crime that has transformed South Africa into a hotbed of criminality remains the most important factor contributing to high crime. This ought to be tackled and stopped. But the greatest enemy of South Africa remains poverty and the related sense of destitution and hopelessness that is made worse by lack of skill in management or administration of public service delivery plans. From the hypothesis of government tolerance of crime, it suggests that criminal violence remains a grave danger to the present dispensation of

democracy, which unfortunately has been misunderstood by most people to mean freedom without restraints to act unlawfully or to subvert the system without prosecution.

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