

An Examination of Homicide Statistics in South  
Africa (1948-2003) using a Durkheimian Analysis  
of Anomie.

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I, James Douglas Scott Thomson, hereby declare that this Doctoral work is entirely my own, unless otherwise acknowledged.

Date: 20 / 3/ 2007

A handwritten signature in black ink, consisting of several loops and a long horizontal tail extending to the right.

## **Abstract**

This work provides a statistical analysis and interpretation of homicide rates and patterns in South Africa for the years 1948 to 2003. Compiled from data accessed from the South African Police Services, Mortuary Reports, the Truth and Reconciliation Commission and Non Government Organisations the patterns of homicide according to race, gender and age are analysed.

This thesis proposes that the anomic condition of South African society is a key contributor to the creation and maintenance of the high levels of homicide found in this society. The normalisation of inter-personal violence through the collective conscious of communities and individuals has resulted in the growth of homicide and its continued high levels ten years after the end of Apartheid. This hypothesis is further supported through a survey conducted upon teenage subjects in Kwa-Zulu Natal province of their attitudes towards the use of violence. This work demonstrated strong positive support for interpersonal violence by members of the police and state. The survey also showed significant racial and gender differences in attitudes.

The anomic conditions that continue to be present in South Africa will contribute to the weakness of the criminal justice system, and the willingness of individuals and communities to use their own resources to combat crime rather than rely upon the state and its agents for protection. The result being a continued high level of violence and a weak criminal justice system.

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## Chapter 1

### Introduction

“homo homini lupus”

[Man is wolf to man] (Simmel 1964, p. 28)

Homicide continues to affect the social stability of South Africa. In 2002 there were an average of sixty murders a day a rate of 47.8 per 100 000 (C.I.A.C. 2004), far exceeding the world average of 4 per 100 000 and the African average of 11.8 per 100 000 (W.H.O. 2002). The homicide rate in South Africa has remained over 10 per 100 000 since 1968, rising to over 60 in the early 1990s and only since 1994 has declined to its present level of 47 per 100 000. The social, economic, political and psychological costs are high (Emmett and Butchart, 2002; Human Rights Committee, 2000; Shaw, 2002). Understandably, South Africans have high levels of fear of violence and crime (Burton P., du Plessis A., Leggett T., Louw A., Mistry D. and van Vuuren H., 2004). The continued weakness of the criminal justice system and the police to deal with the continued crime and violence (Scott, 2002; Shaw, 2002) has resulted in a considerable growth in the private security industry (Schönteich, 2000b), and in vigilante activities (Sekhonyane and Louw, 2002), as individuals and communities rely upon their own resources to provide protection and safety.

This thesis proposes that the anomic condition of South African society is a key contributor to the creation and maintenance of the high levels of homicide found in this society. Commencing with a literature review of homicide research in South Africa, and the application of Durkheim's theory of anomie in international homicide research, the theories of anomie and the collective conscience are then explored within the context of understanding homicide in South Africa. This in-depth review of the theory illustrates how through the application of these theories that an understanding can be achieved of how violence and homicide

have become normalised within the society, and why the levels of violence have remained high ten years after the end of Apartheid.

Recognising that the factors that influence the level of lethality in an assault, determine if a homicide occurs, and are therefore also indicators of the anomic condition of the society, the theoretical review will be followed by an examination of societal factors associated with homicide in South Africa. Two societal factors: medical care of the victim and policing, and two "personal" factors: weapon use in assaults and alcohol use are examined in how they affect lethality levels. It is shown how a change in one of these factors can influence the lethality of an assault, and thus influences the homicide rate. Directly influenced by state policies, these societal factors are thus critical in the understanding of how homicide rates can be reduced.

An analysis of historical patterns also offers a means of understanding the present state of homicide in South Africa. Through a statistical analysis of South African homicide rates and patterns from 1968 to 2002, the distinct differences in homicide rates between the different race groups can be linked to the anomic structure of the society. This analysis of homicide victims is further developed with a study of the patterns of prosecutions and convictions of the aggressors – those who committed murder and culpable homicide from 1949 to 1996. This data shows how homicide levels increased dramatically in the mid 1970s, and have not declined as rapidly post-1994, even though race, age and gender patterns have remained generally similar throughout the study period. The data demonstrates the endemic nature of violence in the society, and illustrates how the violence pre-1994 was not of a purely political nature, but deeply structural, and thus has continued.

Statistical data of homicide victims and aggressors does not however allow for an understanding of individual attitudes and motives for using violence. To comprehend how violence is internalised and normalised within the collective



consciousness, a qualitative study is required. A survey of the attitudes of 580 teenagers in the province of KwaZulu-Natal regarding the use of violence by themselves and others is presented. The results of which illustrate how pro-violent attitudes are internalised and offer insight into the racial and gender differences regarding the willingness to support violence. How the internalisation of violence contributes to the anomic condition of South African society is further explored through two existing community oriented forms of social control: the private security industry and vigilante acts.

Legally homicide is the "killing of a human being. It may consist in the killing of one's self (suicide) or of another (murder or culpable homicide)." (Burchell J. and Milton J. 1991, p. 410). Sociologically, homicide is a far more complex act that provides a key with which to analyse society. Homicides are "social facts" (Messner S.F. and Rosenfeld R., 1999); they are social indicators of the structure of the society. Who is killed and how they are killed reflects the deeper racial, gender, economic, political and social structures of the society. Homicides reflect the social stability and divisions of a society, as well as giving an indication of the level of social control, ability of the state to effectively control, protect and punish its citizens.

The state and public's reaction to homicides allows for enquiry into their morality and beliefs of violence and community. The increase in vigilante killings in the 1990s in South Africa, and the continued growth in private security and gated communities has some of the reactions by the poor and wealthy to protect themselves from violence. The use of privatised and other non-state systems of control and protection from crime and violence by all economic communities demonstrates the internalised morality of relying upon their own resources rather than the state to provide policing and security. This continued community focused moral order serves to reinforce the anomic condition of the communities, as they rely upon their own abilities, rather than on the centralised state.

Homicide in South Africa has to be understood as part of the historical nature of the society. The state and liberation movements used violence and homicide as a tool to achieve their political aims in the struggle against Apartheid prior to 1994. The same behaviour is used in the post-Apartheid society to achieve economic goals which can be seen in the following examples:

- in the cases of violence to gain control of lucrative transport routes by taxi organisations (Dugard, 2001; Schoeder, 2001);
- in its use as a way of dealing with criminals, witches and others seen as a threat to the safety and security of the community (Schönteich M. 2000c; Minnaar, 2001; Harris, 2001; Valji, 2003);
- as part of the continuing violence against women and children (Vogleman and Lewis, 1993; Motshekga, M. and Delport, E., 1993); and
- as a form of social control (von Schnitzler A., Dithlage G., Kgalema L., Maepa T., Mofokeng T. and Pigou P, 2001; Schönteich M., 2000b).

Homicide has become part of the social framework, but it is only a part of the wider use of violence within the society, a behaviour that has been moulded and normalised by the structure of the society and the social and psychological forces that operate within it.

Homicide is the most accurate of crime data due to the high level of reporting to the authorities, and the general acceptance of what constitutes a homicide. Of all violent crimes, it is most likely to be reported to the police, and can be used to study the levels of violence within a society. There is general international agreement on what constitutes a homicide, i.e. the killing of one person by another, and thus cross-national and longitudinal studies can be accurately and reliably conducted, so that a clear understanding of the levels of violence in a society can be understood. For a study of South African crime, it is vitally important to use a measure that has retained the same definition through the changing legal codes that have occurred in the past sixty years. The key problem in South Africa was the lack of data from the Homelands, and the lack of accurate data on Black mortality prior to 1968 (Botha and Bradshaw, 1985;

Moon 2000). The political violence from the 1970s to the 1990s and the general lack of trust in the police meant that many non-lethal assaults would not have been reported, thus it is only through the use of homicide data that a reasonable picture can emerge of the violence in South Africa. In order to more fully understand the levels of social disorder in the society and the threat that it faces, it is also important to study a behaviour that can be compared to other nations.

Homicide is only one possible result of a violent act. There are a multitude of factors beyond the control of the aggressor and victim about the result of the violent act. The ability to get the victim to adequate medical care, the skill of medical staff, the distance to a hospital, and of course the simple very non-scientific aspect of luck and chance: luck in not being killed, the knife missing the vital organ, or just hitting it. This web of factors all combine to create the homicide condition. Wolfgang and Ferracuti (1958) showed that the actual cause of many homicidal acts is trivial, but there is a complex social structure that surrounds the act and gives it meaning. The motives for violence, for wanting to cause another person's death are integrated into the cultural structure of the aggressor. In order to understand the process of violent behaviour one must understand the social framework, and analyse the societal norms that create the behaviour.

Violence in South Africa has a long history, one that still influences the present society. The use of violence as a means of social control, as a form of punishment by the state, or as an act of revenge, passion or anger predates colonial rule (Davenport, 2000). The institutionalisation of violence and inequality by the state first under colonial rule, later elevated by the Apartheid system created a society wherein violence became normality. The state was willing to use violence to crush dissent and enforce order in the country. The Bambatha rebellion of 1906 and the Bulhoek massacre in 1921 were two such examples, where the state demonstrated its willingness to kill those who threatened social order. Violence, and the threat of violence was used by the

Apartheid state to crush political opposition, most infamously in the massacres in Sharpeville in 1966 and Soweto in 1976, as well as numerous individual assassinations of political leaders. The routine use of the death penalty, police torture, the establishment of death squads, and the use of the army to control civil unrest and the funding and arming of groups opposed to the liberation movements demonstrated the ease and normality of violence as a tool of the state. These actions were part of the Apartheid system that involved violence against specific individuals, as well as institutionalised violence within the social, legal and economic structures. The level of violence that was directed at individuals, the economic, social and political oppression that was created by the state was, as Coleman clearly argues, a "crime against humanity" (Coleman, 1998).

The use of violence by the Apartheid State resulted in the White population being isolated from the majority of the violence that occurred in the country. The Group Areas Act and the Pass laws of 1950, and other Apartheid measures ensured that the country was racially divided, and divided into high and low risk areas for crime and violence. The townships and Homelands allowed for the concentration of poverty and social disorder within these boundaries, and effectively isolated the White areas from the realities of life of the majority of South Africans.

The liberation forces also used violence to achieve their aims of ending Apartheid. The establishment by the African National Congress (ANC) and the Pan African Congress (PAC) of armed wings of uMkhonto weSizwe (MK) and the Azanian People's Liberation Army (APLA) respectively, along with the call to make the country ungovernable legitimated the use of violence against the state. The establishment of self Defence Units and People's Courts in townships created an alternative justice system, and legitimated community action against internal and external threats. Violence became a politically legitimated method of the liberation movement. The political rallying cry of "Kill the Boer, kill the farmer"

by the PAC and ANC is symbolic of the legitimated violence within the liberation movement. The slogan was only categorised as hate speech in July 2003 after initially being upheld as an act of freedom of speech by the Human Rights Commission ([www.news24.com](http://www.news24.com) 17/07/2003).

As the struggle against the state increased after 1976, so too did the homicide rate (Coleman, 1998). The homicide rate increased from 10 per 100 000 in 1974 to over 50 per 100 000 by 1982, and continued to climb to 69 per 100 000 by 1994. However, with the gaining of democracy in 1994, the use of homicide and violence did not drop as quickly as many had hoped. Since 1994 the homicide rate has only declined to 47 per 100 000 by 2002, and in the same eight year period after the end of Apartheid, the rate of attempted murder has increased from 71 to 77 per 100 000.

Although South Africa has an extremely high homicide rate – nine times that of the USA, and twenty nine times the rate in the UK – the demographic patterns of homicide are similar to those in Western nations. The majority of homicides occur, and have occurred, within a select gender and age group. Victims will generally be males aged between 16 and 35, and killed with a weapon of some sort, either a knife or gun. The aggressors are also in the majority male, unmarried, and will have a low education. Males are killed at five to six times the rate of females, and those between 16 and 30 have four to five times the chance of being killed than any other age group. Female homicide victims and aggressors have a similar profile to their male counterparts. The victims and aggressors are young adults, and the aggressors are in the majority single and poorly educated. They do however suffer a greater rate of homicide by beating and strangulation, which is expected when the aggressor is a physically stronger male.

Alcohol is found in a high percentage of both male and female victims of knife and beating homicides, less so for firearms. Race remains a key social indicator

of risk, with Coloured and Black rates exceeding White and Asian rates. Coloured homicide in particular is extreme, maintaining a rate of over 60 per 100 000 since 1980, compared to the national average of 48 per 100 000 for the period. These patterns of young male aggressors match closely those found internationally, where similar patterns of aggressor and victim occur (Campbell A. and Muncer S., 1994; Smith and Zahn, 1999). What is different is the rate of homicides in the South Africa.

Examinations of factors that affect homicide levels provide only a partial explanation of homicide in South Africa. The combination of weapon use, high rates of alcohol consumption, poor policing and medical care all exist in Western nations, so why are South African rates so high? Emile Durkheim's work on anomie provides a framework for the analysis of violence and homicide in South Africa. Anomie is a state of "normlessness" created by a lack of regulation in the society. The individual is "cut off" from the social whole, their normative beliefs unable to integrate them into the society.

South Africa is an anomic society. The Apartheid system, the racial, economic and ethnic divisions have created a nation of multiple and competing communities. The violent struggle for and against Apartheid, accelerating after 1976 ensured that the state was separated from being able to impose its own order upon the majority of South Africans. These communities are, or believe that they are isolated from the power of the state. They are more likely to use violence to protect themselves, as they cannot rely upon the state or any other agent to do it for them. This can be seen with the large-scale establishment of alternative systems of order within communities such as People's Courts, Self-defence Units, vigilante groups and private security.

In South Africa the existence of anomic communities, estranged from the greater society has increased the use of violence and homicide as a means of social control. Violence is used as a form of collective act of the community, a visible

expression of their anomic condition, as they believe that they cannot rely upon the state to provide an adequate system of social control and protection for them. Their exclusion forces them into actions that reflect their needs and desires. As Durkheim argues, the function of punishment acts to bond communities together, and the forms of social control on both sides of the struggle against Apartheid achieved just that. Communities relied upon their own resources, their own forms of social control in order to create stability. Many communities were alienated from the state criminal justice system prior to 1994, others after. This alienation and anomie were reflected, and continue to be seen in the use of violence to attack external threats, as well as to impose internal control within the communities.

## **Chapter 2**

### **Review of the Literature**

In order to place this work within a theoretical and research context, this literature review will examine the study of homicide in South Africa, exploring the various sociological themes and research methodologies that have emerged. The analysis of violence in South Africa can be divided into two broad time periods: the pre-1994 overtly political analysis and the post-1994 criminological. The pre-1994 research focused upon how the Apartheid system was instrumental in the creation of violence by the creation of racist and oppressive systems of criminal justice and policing. While the post-1994 research incorporated more criminological methodology, focusing upon the economic and social causes. Both periods must be reviewed to gain longitudinal perspective of homicide in South Africa.

The trends and patterns of homicide in South Africa can be understood through a review of the historical data. It is through the analysis of long-term trends and patterns that a clear picture of how and why present rates are occurring. The accuracy of data is a vital component of homicide research, as it is through the analysis of raw homicide data that long-term patterns and trends can be identified and valid social policy created. Homicide data was a much argued area under Apartheid, with the state and political NGOs in conflict over the classification of political homicides, in the post-1994 South Africa the debates remain, but over the accuracy and timely release of homicide data.

Research work conducted into attitudes towards the use of violence both within South Africa and internationally are investigated and assessed in their usefulness to an understanding of internalisation of violence within the South African context. This research is necessary in order to understand how pro-violent



beliefs are internalised and enter the collective consciousness of the individual and community, and thus sustain violence within the society.

## **Homicide Research in South Africa**

Homicide research in South Africa and Africa is still a relatively new field. Freed's work (1962) marks the beginning of criminological research in South Africa. In comparison, research in the USA can be traced back over eighty years (Hoffman, 1925; Brearly, 1932; Wolfgang, 1958), and in Europe into the eighteenth century with the works of Lombroso (1912), Ferri (1884) and Durkheim (1897).

The sociological analysis of South African homicide can be traced to Freed (1962), who researched the nature of crime in major urban centres in South Africa in the 1950s. Using a research methodology that was limited to anecdotal evidence presented in police reports and interviews with street people, Freed suggested a link between crime and community instability. In his study, Freed found that the majority of criminals were young Black males, who were under-nourished, poorly educated, urbanised and had low economic stability. The role of Apartheid laws and policies were not analysed by Freed as part of his research, although Freed indirectly blamed Apartheid for the crime rates amongst Black males.

Freed's work provides a necessary starting point for the analysis of homicide in South Africa. His work, although limited in nature, offers some statistical analysis of urban crime and violence giving an insight into the nature of reported violent crime. In particular, comparing the work to present data, it can be seen that the race and gender patterns of aggressors and victims have not changed in over fifty years, although the rates and weapons used to commit homicides have. Freed's lack of large-scale quantitative data however and reliance upon qualitative research limits its usefulness for the analysis of homicide in modern South Africa. The qualitative work lacks depth in its analysis of high risk groups. The reliance upon random interviews with street beggars to gain insight into urban crime is neither reliable nor does it offer great insight into the criminal

gangs that operated in the townships at this time (see Glaser, 1998 and 2000 for detailed analysis of gangs and crime in Soweto for this period).

The academic analysis and critique of Apartheid in the 1970s and 1980s produced a critical understanding of the creation of social instability, crime and violence within the society. These works can be seen as part of the wider political analysis of the Apartheid system, as they concentrated upon the impact of Apartheid polices upon the social fabric of the society. Bennett and Quin (1988), and Davis and Slabbert (1985) argued that the state was directly and indirectly involved in the growth of violence through the implementation of the Apartheid laws, and the militarised and racist society that was created. The use of violence by the police, and how policing in South Africa served as an agent of oppression rather than of protection was further analysed by the Catholic Institute for International Relations (1988), who argued that the SAP were a force of social oppression, and their actions encouraged violent opposition within the townships. The impact of the political struggle upon the society and the resultant violence and legitimatising of violence is set out in the works of Manganyi and du Toit (1990), and McKendrick and Hoffmann (1990). While the militarisation and internalisation of violence within the society is shown by the work of Cock and Nathan (1989), who argue that the state polices made the country an armed nation, operating as a society at war. The society was moulded into a violent, fearful and divided set of communities, by legitimising violence against members of other communities; pro-violent attitudes and beliefs were encouraged and internalised, to be used against those who threatened not just the security of the state, but also the security of the community and the individual.

Studies of violence by the state to uphold Apartheid include the works by Coleman (1998) and Cock (1989) who both expose the extent of the systematic and organised planning that went into the maintenance of the Apartheid system, as well as providing a litany of detailed reports on the scale of political violence.

Coleman provides a chronological study of reported acts by the state against South African citizens documented by the Human Rights Committee of South Africa, while Cock examines how the state supported violence against citizens through the use of the police, army and political groups. Both studies illustrate how the state justified the use of homicide to achieve its goals, this justification of violence went beyond state policy, and has to be seen as a significant factor in the legitimatised use of violence in the society. The research depicts a society racked with random and targeted violence, a nation divided where a minority was able to live beyond the daily risks of violence that were the norm for the rest of the society. The use of violence to achieve political goals contributed to the legitimisation of the behaviour, and normalised it within communities of all races, as well as the policy makers of the state and political movements.

The politically motivated violence was most acute in the KwaZulu-Natal province. The struggle for political control of the province was fought between the ANC and its supporters and Inkatha, supported by the state. The violence reached a climax in the four years before the 1994 democratic elections, with targeted assassinations and indiscriminate attacks of mainly ANC supporters. Aitchison (1993; 1998) and Jeffrey (1997) provide analysis of this violence. They expose its brutality, as well showing how the police had direct involvement in providing material and intelligence support for Inkatha. The violence divided the province into warring communities, increasing the number of firearms available and the justifications for using homicide.

The creation of a society of oppression is seen in the works of Mathabane (1986) and Lelyveld (1985), while the use of the police, the courts and the state to intimidate and kill is seen in the works of Woods (1978) and Lewin (1976). These personal accounts of the nature of political, economic and social, and psychological oppression and violence allow for a human perspective beyond the raw statistics of deaths. They are part of the comprehension of the complexities of violence, its justification and methods of dehumanising its victims. It is

however, the works of Pauw (1991; 1997) that exposes the level of brutality of violence that occurred in the country. His description of police death squads that operated with state support and political impunity expose not only the lengths that the state was willing to go to maintain power, but also the willingness of individuals to kill and torture when ordered. Pauw's works testify to the brutality of Apartheid oppression.

These works addressed and analysed how the political and economic nature of South Africa operated to create a society that was abnormal, violent and oppressive. The fundamental weakness of these works is their lack of analysis of crime and violence outside the political arena. The premise that the majority of violence in South Africa was a result of the political struggle and oppression failed when violence continued, and increased after the achievement of democracy in 1994. However, their political analysis places the cause of violence in South Africa upon the political structures of the society, thus assuming that the change in the political structures would result in a sharp decline in violence. If South Africa was to be seen as being in a civil war, then the end of the war would mean an end in casualties. This however did not happen, and after 1994, it was clear that the violence in South Africa was not solely a political creation, but one that was caused by factors that had not been considered.

Criminological analysis of South Africa was overshadowed by the more numerous and overt political analysis. However, Midgley, Steyn and Graser (1975) and Midgley (1977) do provide a critical analysis of crime and the role of the state. They detail the racial and gender differences in the rates of violence, and contend that the racial nature of the criminal justice system ensures the disproportionate punishment of offenders according to their race, thus further enhancing the racial system of social control in the society. They argue that there is a link between low socio-economic status and crime rates, as shown not only in South Africa, but also internationally. These works build upon Freed,

developing criminological analysis in South Africa, and developing a sociological, rather than political understanding of crime in the society.

Ndabandaba's work (1987) brings a necessary Black South African criminological perspective through his research into crime in the area of Umlazi, a peri-urban township in KwaZulu-Natal. Examining the community crime patterns including homicide, Ndabandaba found that the majority of crimes were related to socio-economic instability caused by poor housing, high unemployment, and low levels of relevant policing not violence directly related to political action. Ndabandaba paints a very bleak picture of the daily life in the community, where crime and violence were normality. He shows how violence is normality within these communities; violence is not a result of direct political action in the struggle for or against the Apartheid State, but as a result of the structural forces acting upon and within the Umlazi community. Ndabandaba shows that crime and violence in Umlazi is not a direct result of the political struggle, nor an aspect of the struggle against Apartheid, but instead a part of normal life. This normality of violence is an important aspect that is largely ignored by the more political studies, which by arguing that the cause of violence in the society was Apartheid, assumed that by ending Apartheid, violence would rapidly decline. Ndabandaba's work refutes this by showing how crime and violence were entrenched as part of the community, and to reduce this violence needed more than a political change, but economic and social change within these communities.

The rationalisation of violence by the individual and community is seen in the works of Glaser (1998) and Marks (1995). They show how violence was used and justified by township youth ostensibly in the fight against Apartheid, often in order to create social dominance and control in the community. The rationalisation of violence in order to create stability, control or order occurred within the wider political struggle. This change in morality has been a vital part of the maintenance of violence in the post-Apartheid era. The behaviours learnt

and justified are repeated in the use of homicide to gain control of transport routes by private companies (Schroeder, 2001; Dugard, 2001).

The Truth and Reconciliation Commission Reports (TRC) (1998) provide the greatest wealth of information of violence and homicide during the Apartheid period. It was established in part to uncover what happened in South Africa prior to 1994, and to serve as a means of reconciliation and allowing the country to move forward from its violent past. The reports provide more than 20 000 personal statements from victims and aggressors, and detail the number of political homicides that occurred. The reports detail the effects of violence upon the individual, as well as exposing the support for the use of violence from the leaders of the Apartheid State, the ANC, PAC and Inkatha. They are a liturgy to the rationalisation and legitimatising of violence by groups and individuals, as well as the willingness of many to forgive those who killed and injured in the name of politics.

In the post-1994 period there has been an expansion of criminological analysis, with the growth of research from several NGOs and academics. The research groups of the Institute of Security Studies (ISS) and the Centre for the Study of Violence and Reconciliation (CSVR) both have been crucial in this growth. They continue to produce critical analysis of crime, violence and policing both qualitatively and quantitatively. The ISS in particular provides a consistent critique of policing and other social policies in their impact upon crime and violence, as well as conducting research into the causes and impact of fear of crime and drug use. The work of Schönteich in particular is useful in his critical appraisal of crime and violence in South Africa. His work details the level of urban crime (2001), the failings of the criminal justice system to cope with crime reduction (1999), and the public's attitudes towards criminals and how they should be punished (2000a). He provides a comprehensive picture of the Criminal Justice System in crisis, a public angry with this failure and willing and able to use violence themselves to curb crime, or employ others to do so. The work

by the ISS and CSVR is a vital analytical source of data for the understanding of crime and social disorder in the country as they continue to provide detailed statistical and analytical analysis of crime in South Africa.

The ISS and CSVR work is further enhanced by the research of individual criminologists and sociologists; the works by Minnaar A. and Hough M. (ed.) (1997) and Shaw (2002) have produced key works in the understanding of crime and violence in South Africa. Minnaar and Hough's collection provide an analysis of different types of crime in South Africa, including "South African" acts of violence of necklacing and witch killing. This work is an important step in the development of a South African criminology. Shaw's work adds to Minnaar and Hough greatly. He presents a concise quantitative analysis of homicide, rape, aggravated assault and robbery rates and patterns since 1994. Shaw explores the challenges facing the changing South Africa concerning violence and the growth of the drug trade and organised crime, as well as the need and problems facing the creation of a democratic police and safe society.

Emmett and Butchart (2002) in their analysis of violence in South Africa argue that violence is best understood through a Foucaudian perspective. Contending that the understanding of the nature of violence has altered with the political changes in the country, it now rests within a public health perspective. They argue that social policies remain reactive to the violence, and will continue to do so. However, this does not answer the problem of why homicide occurs or continues, only how it is interpreted and how it should be addressed. They do not provide an understanding of the nature of the cause of homicide, and thus without this knowledge any solution will fail.

The growth of criminological analysis in South Africa will develop the understanding of violence, and in doing so provide effective methodologies in its reduction.



## **Attitudes towards Violence**

Research of attitudes towards violence in South Africa are mainly victimisation studies that provide insight into the general population attitudes towards the effect of crime and the ability of the police and courts to protect them and punish criminals. Louw, Shaw, Camerer and Robertshaw's (1998) study of attitudes towards crime and policing in the city of Johannesburg shows that the public have a great fear of crime, and a continued lack of faith in the police and courts in solving the problems. This work has been updated by the Burton, du Plessis, Leggett, Louw, Mistry and van Vuuren (2004) National Victims of Crime study conducted in 2003. This paints a depressing picture of the realities of crime in South Africa. The majority of respondents believe that crime has increased, in spite of the police evidence to the contrary, and that the state is not coping with the crime problem in the country. Segal, Pelo and Rampa's (1999) research into youth attitudes towards crime and justice expresses the strong desire for crime to be reduced, but a continued lack of faith in the state's ability to achieve it.

Research of attitudes towards violence amongst South African school age children are mainly of youth gangs and other high-risk groups. This field is crossing into psychology, but the investigation remains grounded in the criminological. There are numerous works on youth gangs: Segal, Pelo and Rampa (1998), and Marks (1995) providing the most comprehensive studies of gang attitudes towards violence. Both works show how violence was internalised and justified while bound within the political struggle framework. The gang activities were both political and criminal in nature, allowing for the justification of violence in the political arena to be used in the criminal one. Wood K. and Jewkes (1998; 2000) explore the use of violence within teenage sexual relationships, again showing the internalised normality of the use of violence. Burnett's (1998) research into violence within a single South African school in the 1992-95 period argues that there is an interweaving of the violence within the

school and the greater community. The children learn to view violence as a form of empowerment, internalising and justifying its use.

International research on attitudes towards violence of teenagers has sought to understand why there is such a significant racial difference in homicide rates. The work in the USA is the most useful, as although the high risk communities are the racial minorities, i.e. African American, they experience degrees of social and political marginalisation, high crime, poor economic conditions and weak family and social stability that occurs in South Africa. The link between a positive attitude towards using violence and engaging in violence is shown in the work of Funk, Elliott and Urman (1999), Flores, and Mock (1999), Velicer, Huckel and Hansen (1989) and Kraus S.J. (1995). Their research shows a strong positive link between individual attitudes and the risk of violent behaviour. The research shows how living in a violent environment causes pro-violent attitudes to be internalised and normalised. These attitudes are not only a predictor of behaviour, but also an indicator of the nature of the communities in which the subjects live. If the individual's attitudes towards using violence can be determined, then predictions can be made as to the likelihood of the subject engaging in violence, and policies implemented to try to alter these attitudes.

This field of violence prediction has to be expanded in South Africa. It can provide vital insights into the future trends of violence in the country, and allow for risk prevention programmes to be initiated where they are needed. Understanding attitudes alone is not enough, the full scale of the levels of homicide and violence need to be accurately documented and critically analysed in order for violence prevention measures to be undertaken. For these measures to work an understanding of why homicide occurs in South Africa is needed, and for that a theoretical understanding is needed of the concepts and applications of Durkheim's theory of anomie and the collective conscious is needed.

## **Statistical Data Analysis**

If homicide is to be understood and reduced, accurate statistical data is vital in developing a clear picture of the scale and character of the issue (Maguire, 1995; Riedel in Smith and Zahn, 1999). In South Africa the accuracy of the data and access to it has always been problematic. There has yet to be data collection and publication along the lines or level of sophistication of the Uniform Crime Reports collected by the FBI in the USA. Data has been collected by two key sources: the South African Police Services, who recorded the number of murders, culpable homicides and attempted murders, along with all other crimes reported to or investigated by them; and the hospitals who record the manner of death recorded in death certificates. This data was available on an annual basis through the Police Commissioner Annual Report, and Statistics South Africa annual reports of causes of death for South Africa. Prior to 1968, Black South African deaths were not required to be recorded, and deaths in the Homelands were not recorded by Statistics South Africa, creating a gap in the data for the period. As Botha and Bradshaw (1985), and McGlashan (1985) argue, this lack of data creates significant gaps in knowledge needed for health planning. Inaccurate mortality and morbidity data will not allow the state to allocate resources to those areas in need.

In the 1970s, 1980s and 1990s, various NGOs and political groups collected their own data on the number of deaths from political violence in the country (Human Rights Commission 1994, 1999, 2000; Coleman 1998), which provided an alternative to the official reports of political violence. Their data however is only restricted to those deaths that were seen as being political in nature, and thus can be open to interpretation of what was a political homicide. The determination of what was "political" was always difficult, at no time did any of the NGOs or police or government agree as to the exact number of "political deaths". Although useful in creating a database that can be used to understand

the levels of political violence, the data from these sources do not cover all homicides in the country.

After 1994 there have been significant changes in data gathering. Firstly the S.A.P.S. centralised their data collection into one division: the Crime Information Analysis Centre (C.I.A.C.), who did publish crime data for the country on a monthly basis until 2001, and has published annual data from 1994 to 2002. The release of crime data has however been stopped by the government on several occasions, firstly from July 2000 to May 2001 when the methodology of crime data collation was altered and improved, and then on several occasions in subsequent years. The Safety and Security Minister Charles Nqakula stated that the regular release of crime data would be "demoralising" ([news24.com](http://news24.com) 10/05/2002). This lack of transparency of data has been countered in some way by the National Injury Mortality Surveillance System (NIMSS) within the Medical Research Council (MRC) who have added greatly to the understanding of the levels of violence in South Africa by conducting annual research since 1999 into mortality rates, gathering data from mortuaries in the country (Butchart, 2000). This provides data on homicide rates that can be compared accurately to the police and government data – a vital resource in the analysis of homicide in South Africa. Unfortunately the MRC research has yet to cover the entire country, and provides as yet only a sample of the homicide patterns for South Africa. The NIMSS data has come under criticism from the S.A.P.S., as the NIMSS data shows higher levels of homicide than the police record. The problem of accurate data collection will continue until it is seen as a public need, rather than a political football.

## Chapter 3

### Durkheim and Anomie

#### i. Durkheim and Homicide

An understanding of the causes of homicide in South Africa can be gained through the application of Durkheim's theories of anomie, the collective consciousness and morality. It is through these theories that an understanding of why South Africa is anomic and thus why homicide rates have remained high.

Durkheim is rightly seen as the founder of a Functionalist conception of morality and society (Lukic, 1974). His theories argue that societies strive towards stability and order, and it is through an analysis of social facts that an understanding of the deep structure of the society can be gained. His work on suicide (1897) is one of the first systematic statistical analyses of deviance, arguing that it is through the observation of behaviours that the strains upon the society can be understood.

The first application of Durkheim's theory of anomie in the analysis of homicide in Africa is that of Bohannan (1960). Bohannan's qualitative research on ten African tribal groups in 6 countries used Durkheim's theory of anomie to explain how homicide was constructed as a normal event within these community groups. He showed how homicide was an integral part of the social framework of communities, and was regulated within these structures as a normative behaviour. He observed that violence was closely tied into the structural frame of the community, with the belief in the spirit or ancestor world playing a significant role in the acts of suicide and homicide. Bohannan showed how any understanding of the causes of homicide and suicide in Africa had to be conducted with an understanding of the micro and macro social and world views of the communities. Imposing Western ideas and theories of deviance, without

an understanding of local beliefs and norms in order to study homicide will not work. He argues:

“To study African homicides...we must study not merely African ideas of what is wrong (i.e. social pathology) but African ideas of British law and African evaluation of that law in terms of their own ideas of right and wrong.”

(Bohannan P. 1960, p. 21)

Bohannan suggests that the imposition of colonial law does not change the community system of beliefs and normative structures, the communities will continue to use their own belief structures to guide their behaviour. This is a crucial aspect of any study of homicide; it is only through the understanding of the function of homicide within the community in which it occurs will it be understood. He argued that homicide served the function of social control within communities, and was directly tied into the cultural morality of the society. However, Bohannan's work relied upon qualitative research, and lacked any broader statistical analysis of homicide in these tribal groups or their wider societies. This wider range of research is necessary if the work is to be useful beyond the specific geographic area and time period. There is a concentration of research of homicides within traditional tribal groups and a lack of research of homicide within the more organic, urban African societies. The work is set within a specific social and timeframe, and it is thus difficult to use outside these parameters, particularly to understand homicide in urban, industrial Africa

The application of the theory of anomie to violence and homicide has been most prominent in the USA. Merton (1968) successfully adapted and applied the theory to analysing crime in the United States in explaining why deviance increased as individuals were unable to achieve the “American Dream” of economic wealth through legitimate means. His interpretation of anomie is however firmly fixed within the structure of the economically goal driven USA

society, and thus not sufficient to explain homicide in South Africa in all its various forms. The use of homicide in order to secure taxi routes (Dugard, 2001) is one area where Merton can be applied, but in the case of witch killing, vigilantism and political killings it fails to explain the motives and reasons for continuation.

Messner and Rosenfeld (1994) further adapted the theory of anomie into the concept of institutional anomie theory (IAT). This theory argues that non-economic familial, educational, and political institutions to produce a more complete explanation for serious crime. Their work has been widely applied to the study of homicide both in the USA and internationally (Maume and Lee, 2003; Bernburg, 2002; Savolainen, 2000), arguing that rapid economic and social change have increased homicide rates in counties and communities in transition. These studies support Durkheim's original concepts of the impact of social instability upon the levels of deviance, and bring a greater level of analysis to the understanding of why homicide rates increase as social change occurs within societies and communities. The cross-national research has significant flaws in the wholesale acceptance of the data from the WHO and UN on rates of employment, economic development and homicide. This uncritical approach ignores the problematic nature of much of data on crime, violence and homicide, particularly in low-socio economic countries, and the emergent democracies. Botha and Bradshaw (1985) and Louw and Schönreich (2001) detail the problematic nature of mortality and crime data in South Africa, and argue that there has been and continues to be a significant gap in official data. The IAT theorists assume that the societies analysed share similar paths of economic, political and social change. To ignore the individual historical patterns within the society, and accepting state data for homicides creates an erroneous picture of the realities within the society.

The role of changing forms of social solidarity was studied by Clinard and Abbott (1973), who argue that Durkheim explains crime in terms of urbanisation and

industrialisation in terms of the change from mechanical to organic solidarity. This shift involves a change in the methodologies and perceptions of deviance control, from a system based upon a strong collective conscience and repressive laws to that of restitutive laws and less strict collective conscience. When the social system changes too rapidly for the normative and regulative systems to deal it, crime will occur. Urbanisation will also weaken familial and community links, freeing the individual from the traditional forms of social control, which although less legislated are more pervasive.

This analysis of the changing forms of solidarity is further expanded by Kim, Burke and Milner (1993) who studied 116 US metropolitan areas and showed that deviance (rates of crime, suicide, alcoholism and illegitimacy) and conformity to social norms (charity work and voter turnout) comprise a single latent dimension. They argue that economic diversity increases deviance through indirect means via mechanical, organic and domestic solidarity. Mechanical solidarity is decreased further by racial diversity, and increases crime indirectly, but decreases other deviance by increasing domestic solidarity. However, Austin R.L. and Kim (1999) argue that studies of societal development have shown weak negative relations or no relationship to homicide rates. The role of development as classified as mechanical or organic is a contentious criteria to accurately determine. The mechanical forms of social structure found in rural South Africa are far removed from those studied by Kim, Burke and Milner in the USA, and thus reduce their value outside the context of the USA. All these studies, although useful in the understanding of the application of Durkheim to homicide, fail in their wider application to homicide in South Africa. Both mechanical and organic forms of solidarity exist together, interacting within the same community structures within South African society. The change between the two forms is not definitive, but a continuum.

Einstadter and Henry (1995) argue that the causes of crime are an aggregation of the breakdown of the traditional moral structures, the forced division of



labour, heightened individualism and the unsynchronised adaptation of social structure to accommodate rapid social change. The melding of these factors causes an imbalance in the levels of regulation and integration within the society, increasing the chances of deviance and crime. This moral view can be seen within the South African context, with a forced racial division of labour and the systematic shattering of traditional mechanical communities. However, this argument if applied to South Africa means that homicide should continue to increase as the division of labour in the country will continue to be forced for the majority, and the traditional forms of community wither.

There is a strong and expansive collection of Marxist and critical analysis of the state and the institutional violence that it created. Violence interpreted through the Marxist lens exposes the use of the state apparatus in the protection of industry and the capitalist class (Kraak, 1993; Dison, 1989). This economic analysis is important in the understanding of the structural nature of the social conflict and the importance of economic conflict within the society. However, the limited economic analysis fails to interpret the complex social dynamics present in South African society, as violence and conflict arose based upon ethnic, cultural and most importantly racial lines. The class conflict that Marxists interpret was only a part of the wider social structure, and the racial divisions in the society overwhelmed any economic divisions.

Lukic (1974) criticises Durkheim for developing theory that was imprecise in terms of defining precisely if a social fact contributes to the self-preservation of a specific society or of society in general. He also criticises Durkheim for the lack of explanation of how a moral society is created in the first place. Is morality only functional during certain times? This moral flexibility, that Durkheim fails to account for can be observed with the support or opposition to homicides, depending upon who the victim is. The racial bias in the punishment of convicted murderers in Apartheid South Africa reflects this shift in morality.

Those who killed White victims were always punished to a greater degree than those who killed non-White victims.<sup>1</sup>

Finally, Roshier (1977) opposes Durkheim's view that crime is functional and inevitable, arguing that he confused inevitability with necessity. The penal policies and crime preventative measures undertaken by criminal justice systems, Roshier argues, is far more humane than Durkheim's theory of crime being created and then punished to maintain social stability.

The application of Durkheim to homicide has remained as a reinterpreted theory within the USA criminological field. It should however not remain there, as Durkheim can be used to explain the nature and structure of homicide in South Africa and other emergent democracies. The work by Merton and Messner and Rosenfeld has provided a wider application of Durkheim, but does limit the work within the industrialised USA and the "American Dream". The application of Durkheim's concepts to understanding homicide and social structure in South Africa is a further development of this process.

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<sup>1</sup> See Chapter 5 for more detail on the racial bias of sentencing of murder and culpable homicide cases.

## ii. The Creation of Violence

It is in conditions of social instability that social disorder will occur, and from social instability will come violence. The role of regulation within a society is crucial in the creation of stability or pathology. Durkheim argued that problems arise when there is not just a lack of regulation, but the wrong regulation. Imposed regulation, not one that has been allowed to evolve within the social structure, creates a forced division of labour, and thus an unstable society. The solution to which is a change in the established order.

Anomie is an indicator of deeper structural problems. Muller argues:

“...whereas anomie may indicate a transitional state of absence of relevant rules, forced regulation indicates an illegitimate order, whose unjust rules systematically create an asymmetrical division of power which favours a small elite at the expense of the mass of society.”

(Muller 1993, p. 99)

This is reflective of the system developed under Apartheid. Regulation was a constant factor in Apartheid policy, and this was not only for non-Whites, controlled by the myriad of laws and regulations, but also for Whites. They were controlled to a lesser extent, but still their daily lives were regulated, in particular through the direct methods of the law, conscription, and apartheid measures – also more subtly through the education system, church and media. Severe regulation inhibits solidarity, instead of reinforcing them. The use of force to apply the rules goes against the natural order of the division of labour and the internalisation of the normative structures of the society. It is this point that is vital in the application of Durkheim’s ideas to the South African context. The society had a forced division of labour placed upon it, regulated by laws that did not reflect the majority’s collective consciousness. The racial division of labour was an extreme beyond the class divisions seen by Durkheim in France. South

African society was constructed to be divisive, to ensure that the White minority were able to maintain political, economic and social power over the Black majority. The labour laws were part of this wider Apartheid system (Davenport, 1987)

The division of labour served the racially elite at the expense of the majority. The laws that were implemented were based upon this un-natural consciousness of the minority, and imposed with high levels of coercion.

In South Africa there has been a massive collapse in the systems of regulation and integration. For most of the country's history the system of regulation has been oppressive, racist and destructive. The state's forms of control were organised in order to control the population, both Black and White, but in varying degrees of severity. However, all were controlled.

For Durkheim it is the absence of society that causes deviance, i.e. control. The absence of society does not free them to pursue their needs and desires; rather it lifts the goals out of their reach – driving the individuals into deviance. It is not a "freeing" from moral restraint, but the shackling of the individual into a role not of their control, where they can never achieve the goal that is expected of them.

"The intense anger/frustration described by Durkheim is not realised by the absence of society, it is created by the absence of society." (Agnew in Passas and Agnew 1997, p. 31). The individual is forced into a position of deviance by the lack of controlling agents. They are not "free to be deviant" as the control theorists postulate, but instead forced into deviance due to the lack of control and social order. For Durkheim it is the absence of regulation and integration in the society that creates the strain. The lack of regulation results in the production of unobtainable goals, as the individual is unable to limit their wants.

However, the question must be asked if individuals can limit their needs and desires? If this is so, then do those individuals not engage in deviant acts?

The political violence in South Africa is more complex than just the result of a lack of norms. The activities of criminal gangs can be seen as part of this lack of regulation and integration. Gang activities are an old problem, first emerging in the aftermath of the gold rush on the Rand in the late 1800s, and continued to flourish in the townships in the 1920s and 1950s as the migrant labour system, urbanisation and poverty increased (Mokwena, 1991; Vogleman and Lewis, 1993). The violence associated with these gangs was not of a direct political nature; that is they were not active in attempting to gain political power, even though the political system of Apartheid had created the conditions that assisted to create their existence.

There was a systematic campaign on the part of the liberation movements to politicise people, and after the banning of the ANC and PAC in the 1960s, a shift to the use of violence as a means of achieving political goals.

Durkheim argues that in order for the individual to avoid strain they have to have set goals that are obtainable and they must come from an authority that they respect; that is society or part of it. This however ignores authorities that are feared. Society however, often does not regulate properly. Rapid social change or the dominance of non-economic institutions do not provide limits to the goals that are meant to be achieved – the absence of adequate social structures that serve to regulate and integrate the individual, and regulate their desires. If the society encourages the pursuit of goals that are unobtainable, this will also create conditions fertile for frustration, and deviance. Rapid social change is a catalyst for this. The absence of regulated society, a lack of an evolved division of labour and the failure of social institutions to adapt to the change in the society all contribute to create a situation wherein the individual will be more

likely to engage in acts that are illegal, not based within the society's legal structures.

A lack of recognition of the legitimacy of the state or its institutions will create further problems. Individuals may reject the goals set by the society – because they do not respect the society, or are not attached to it. It is the legitimacy of the societal structures that greatly influences whether or not the individual or community will abide by the laws.

The traditional systems that brought the populous integration, regulation and meaning altered, changed and sometimes vanished altogether. This sudden shift in the formal and informal structures was not recognised as a problem. The ruling ANC believed that it would be able to continue as before, while the non-state agencies that had previously given some form of regulation had now altered. In the past the structures were relatively easy to identify and classify as belonging to the Apartheid State, or those that opposed it. Thus, it was a relatively easy process in choosing which agency one would ascribe to, and whose norms one would follow.

The move to violence has been a path of legitimated morality and rational actions. The actions of the individual in engaging in acts of violence are created in their social environment. It is this social environment that has to be understood as the key influencer and agent of behaviour creation.

Durkheim argues that the observable qualities of the individual are not the explanation for or origin of social organisation, but that social life is both the cause and end of these "individual" attributes. The individual does not generate their own morality, but takes on the morality of the community in which they exist. The actions and expressions of the individual are the expressions of the collective (Campbell, 1981). Their morality and behaviour is that of the community, there is no pure individual action, only that which has been

generated from the collective consciousness of the broader community in which the individual exists. The behaviour of the individual reflects the morality of the community. Thus, the act of homicide reflects the greater collective consciousness and morality of the community.

It is problematic to suggest that South Africa has a single moral order, or that the morality of the individual is a perfect reflection of the morality of the community in which they live. Durkheim's idea of the collective consciousness leaves gaps as to the interrelationship of the consciousness of the individual, the community in which they live and the greater society. South Africa is a clear example of a society with widely differing types and forms of consciousness, which clashed consistently during the nation's history. The dominant political consciousness was not that of the majority of the population.

The idea of the willingly accepted collective consciousness being reflected in the individual's behaviour ignores the role of coercion and fear. In the violence in the 1970 to 1990s there is great evidence of this form of pressure placed upon all sections of the society, and the creation of a consciousness that better suited the more politically powerful than as a reflection of a legitimated authority.

South Africa has a long history of low-level continuous violence and resistance against the state from the 1920s. Violence increased with the introduction of the Apartheid laws after 1948, with resistance to the new regime being met with violence by the state. In Pondoland in the Transkei open revolt occurred in 1960 against the imposition of a Bantu Authority. Nearly 5000 people were arrested. The Sharpeville massacre of 21 March 1960, where 69 people were killed by the police in a protest against the Pass laws resulted in the imposition of a State of Emergency, and the subsequent detention of over 18,000 people. This was followed by the banning of the ANC and PAC, and their move towards armed conflict against the state.

Sharpeville marked a turning point for violence in South Africa. The state showed what it was willing to do to maintain control, and the resistance movements had run out of non-violent options, and began armed conflict against the state (Davenport, 1987).

The state imposed increasingly draconian measures in order to contain political and social unrest, while the liberation movements increased their resistance to the state. The 1976 student uprising against the imposition of Afrikaans in Black schools accelerated the use of violence in the country. As will be seen in the following chapters, recorded levels of homicide increased dramatically after the mid-1970s as the political violence increased as the state increased its repression, and the liberation movement and student movements increased their fight against Apartheid and the fight to take control of the townships.

The violence in South Africa in the 1980s and 1990s was not a new phenomenon, but developed out of the combination of the struggle against Apartheid, and the struggle to protect it. The creation of poor, ill-policed townships added further to these pro-violence factors.

The economic, social and political pressures imposed upon the majority of the population undermined the moral basis of the society. The migrant labour system was integral in the breakdown of family and community structures in rural areas, and for the creation of imposed divisions within the hostel system (Johnstone, 1976). These pressures and breaking of family and community structures weakened the social order, destroying the traditional structures of rural society and created almost perfect grounds for the creation of violence in the mine hostels and urban townships (Segal, 1991).

The Apartheid economic and social system destroyed the traditional bonds of communities. The combination of urbanisation and migrant labour weakened the collective consciousness of the traditional social structures, creating anomic



communities, estranged from control over their labour, their families and their lives.

## **ii. Morality and Society**

Morality is at the heart of Durkheim's work (Watts-Miller, 1996; Hall, 1987). The quest for an understanding of the moral nature of society is a key underlying thrust in his main works on the Division of labour, religion, education and his research on suicide.

When any form of deviance is studied one must ask questions regarding the morality of the offender who engaged in the act, and the morality of the wider society in making this act deviant. With an act that is apparently as severely deviant as homicide the morality of the society has to be studied closely. South Africa has had a consistently high homicide rate, as well as extreme levels of assault and other forms of violence against the body. The failure of the violence to end with the coming of democracy in 1994 belayed the hope that the violence was purely political in nature, and left the problem of how to explain and account for the continued violence that South Africans act out upon each other. The question that has to be asked and hopefully answered is: "What is the nature of the morality of the South African society that creates this situation?"

At the core of any action is the motivation for engaging in the act and the boundaries set by the society for that action. The "morality" of an act is tempered by the "morality" of the society. The moral basis of a social system will determine how certain acts are perceived by the individual and the community. This in turn will affect the rate that these acts occur.

The deviance that occurs is tied closely to the attitudes within communities regarding the acceptance of using violence. In South Africa violence was used as a means of attaining control and power. The high levels of violence that became a constant part of life for many in the townships resulted in many being not only traumatised, but also inured to the violence (Ball, 1994; Olivier, Roos and Bergh in Bornman et al., 1998; Marks, 1995). There was a lack of respect

for life, a cheapening of the value of a person, as long as that person's death was morally acceptable. This could mean the membership or lack of membership of a political party, or being related to someone who belonged to the wrong political group.

For Durkheim morality lies within the society; this in itself is more than the physical construct:

“It is the source of morality, personality and life itself at the human level. It is something on which we all depend whether we know it or not.” (Bellah 1973, ix)

The morality that exists within the society is a reflection of that structure. The actions of individuals and the reaction of members of the society to their actions will uncover the moral structures of the society. Individuals are intricately tied to one another whether it is in a mechanical or organic social structure. Their morality is internal to society as well as internal to themselves. The “moral act” is however an external action, behaviour that is fundamentally altruistic (Hall, 1987).

“Morality begins with disinterest, with attachment to something other than ourselves.”

(Bellah 1973, p. 151)

This altruism does not have to be a positive act, but can be one of violence, but justified in the morality of altruism and thus benefiting the group.

The behaviour of the individual is limited by this “morality”; they will engage in behaviour that they believe is moral, justified; even if this is homicide. Morality and moral action are functional for the community. For Durkheim, society has to seek moral ends and goals, and thus the individual has to do so too. This

individual action is bound within the moral framework, influencing every action, justifying and making it acceptable to the actor. Every action, even those classified as "duties" have to be seen as "good" in order for them to be undertaken. The creation of the moral end assists in justifying the act (Lukes, 1973; Isambert in Turner, 1993).

For deadly violence, the moral justification for such an act has to be significant. The process of the formation of a moral code that allows for the tacit justification of homicide is crucial in the understanding of the crisis that faces South Africa. The acts themselves are significant in terms of the deeper social issues, the normative structure of the society, the norms held by the members of the society that create the process in which deadly violence is common place. The moral order of South Africa was one based upon violence, where homicide was used as a moral act to further political, social and economic ends. The matrix of structural forces that interacted to create a violent morality has to be understood within this "Durkheimian" analysis. When the moral order of a group supports homicide, then it will be a moral act. The action of killing will be justified as protecting and supporting the group, and the act will be one of reducing a threat to the safety of the group, but also one that increases the internal cohesion of the group by this act.

The actions of the "People's Courts" and vigilante groups demonstrates this moral function. Homicide and violence were justified within a moral framework, firstly as acts of political control wherein political opponents, government agents or sell-outs were targeted and killed, then of crime control where the focus shifted to criminals (Minnaar, 2001; Harris, 2001). The use of the "necklace", i.e. placing a fuel soaked tyre round the victim and setting it alight, as a weapon of political homicide in the townships demonstrated how violence was used within a moral frame. The use of the necklace started in the early 1980s (Ball, 1994) and was continued into 2003. It was used as the ultimate form of punishment for those suspected of assisting the state, and later used on

criminals. The initial morality of this method was a form of social punishment and social control: it would stop others from betraying the liberation movements. It was also a means of social change, a weapon of terror to fight Apartheid. As Winnie Mandela said at a funeral in April 1986: "With our boxes of matches and necklaces we will liberate this country" (The Guardian, London 15 April 1986).

Necklacing acted as a means of "cleansing" the community of political and criminal threats (Nomoyi and Schurink in Bornamann et al., 1998). The act itself required that several people had to be involved in the killing process, thus creating a strengthened bond between them in the act of punishment, reinforcing their normative values and de-individualising their actions. The act of homicide was one of creating a moral order, and thus was moral in itself. As Durkheim argued there are no straightforward "moral facts", instead the morality of the individual is created within the context of the society's norms, values, customs and beliefs (Lukes, 1973).

Moral choices are for Durkheim the result of societal forces; their function is to maintain the social world in which they live. For an act to occur those actions have to be justified in some way; some goal must be set and the actions for achievement of that goal learnt and practiced. These acts are based upon a system of normative codes. Actions do not occur in a vacuum, but in accordance with the morality of the community. "Something of the nature of duty is found in the desirability of morality." (Ibid. p. 413) The acts that are justified externally in the morality of the society, and internally by the internalisation of that morality will be practiced.

"Doubtless the morality of the time is to be found in social practices, but in a degraded form, reduced to the level of human mediocrity. What they express is the way in which the average man applies moral rules, and he never applies them without

compromising and making reservations. The motives on which he acts are mixed: some are noble and pure, but others are vulgar and base.”

(Durkheim, 1920 in Lukes 1973, p. 421)

The morality of a society must be viewed within the context of the specific time and place of the act. The needs of the society will determine the justification of the acts performed. But, what are the needs of the society, and what occurs when the society is divided in what is perceived as a moral act?

Durkheim does not address the inner complexities that face many societies. His theories support the idea of a single society that operates, and not a set of competing communities each with divergent and convergent normative and moral traits. For these communities in South Africa, they all fall under the same national legal code; however, it is obvious that the moral basis of behaviour for these communities differs widely from the codified norm.

“Moral codes are grounded in the social conditions of existence, such that the forms of morality appropriate to one society would be quite inappropriate in the context of another.”

(Giddens 1978, p. 21)

Durkheim sets up an ideal type from which to work. One can see in the South African context the establishment of differing moral codes that are based on the norms and values, not of the entire society, but of the differing communities. An “ideal type” is difficult to imagine let alone achieve in such a system. The varying communities enhance and entrench their own systems of moral codes and normative systems. These are both internally created and externally introduced.

It could be argued that the basic morality in regard to the use of violence as a means to achieving a goal was used throughout the society, it just differed in who the victims could be.

The moral actions of the individual are directed towards the community, rather than the society at large. The schism of apartheid has divided the society into fiercely competing groups, and this divide has yet to be fused. The result is that the communities compete with each other, and turn the moral order inwards – altruism occurs inwards, rather than outwards to the whole society.

Within a social system, the individuals are intricately tied to one another through the systems of norms, values and mores of that social system, as well as the society at large. We are not debating here the intricacies of how this comes about, that is best left to those more skilled in that area, but instead we are trying to investigate how these norms structures enable the individual and the society itself to engage in seemingly deviant acts with little apparent regard for the deviance of their actions or beliefs.

For Durkheim the morality of a society is closely tied into the nature of the social system, the increasing freedom of the individual within societies that have organic solidarity is not complete, as with the change in economic and political structure comes the constraining of the individual in other ways. There is still a need to belong to the society in some way. These freedoms are tempered by the norms, values and mores of the society, no matter what the social structure. The morality of a society will determine to some extent the rate at which acts are engaged in. The moral nature will change over time and in particular as the society moves from a traditional to an organic system of solidarity. The shift to a legal-rational system of morality based within an organic framework will mean that there will be a shift in the morality of the society.

In South Africa, it is apparent that the moral basis is not a fixed or a single entity shared by all. The legal system is based upon a rational-legal process. However, this is a far cry from the actions of individuals and communities outside the courts. There is much evidence of a long and continued belief in traditional forms of social justice. The action of "witch-hunting" is relatively common in some areas, as is the belief held by many in the justification of vigilante activities against criminals (Minnaar et al. in Bornman, van Eeden and Wentzel, 1998).

The moral codes set down by the political parties in the conflict in South Africa were subverted in their practice. The high moral ground that the ANC was able to hold both internally and externally to the South African society was not always replicated on the ground. The moral justification for killing was available, but more than this the practice of killing was present and resolute before the political struggle turned to violence.

In South Africa there is a situation of competing social forces. The urbanisation of the population, and the shift and the competition between the mechanistic and organic is ever present and visible. There is a strong power struggle that continues with the old holders of power, and definers of morality in the mechanistic community structures and the new political organic urbanised power base.

The actions of the communities in supporting their members when they break the law are another element in this argument. When people are caught in actions that violate the law, i.e. breaking the codified moral rules, at times members of their community view their acts as moral, as good for the community. A case in point here is the actions of PAGAD (People Against Gangsterism and Drugs) in the Western Cape. They have engaged in actions that have broken the law in order to defend the morality of the community as they see it. Can their actions be viewed as justified? If this is so, and within their community their actions of killing those who they perceive as threats to



their community are viewed as moral, then is this not further exacerbating the situation within which the society becomes further divided, and internally antagonistic. Each community seeks to define what should be conceived of as morality, and these moralities at times not only contrasting with each other, but also violating the national laws.

To engage in a moral act, one has to have internalised the values of the society, or of the community. The "moral act" allows for the absolution of responsibility for the act. Killing to protect the community is a moral act – as can be seen in the actions of those who kill suspected witches. They are willing to admit their acts, as they do not view them as violations of law, but an act of moral behaviour, altruism in protecting the community from harm. This traditional practice of using extreme violence in order to protect the community from a perceived serious threat is viewed as a moral act, in spite of it violating the law of the nation.

The morality of an action depends upon who is committing the act and against whom. The morality of an act is far more than Durkheim suggests it is. It is more than just an act of altruism, born from the need to benefit the community. What happens when an act is committed that the community perceives as a moral act, but the wider society, and the recipient of this "moral act" does not perceive it as so? What should happen to the actor whose moral act violates the nation's laws, but benefits their direct community? They are acting for the good of the community, is this a moral act, even though it is an illegal one? If one can view it as moral, then the act is justified by the community and the individual, and will be repeated, either by the individual, or by other members of the community. A later ripple effect will occur in that members of other communities could justify their acts as moral, as the initial community had done.

Once the law has been broken once, the act of breaking the law will happen again, and not this time restricted to the same act. If one act can be justified as

a moral act, so can others. If an act that is illegal can be justified as an altruistic act for the community, then so can others. Then a shift could occur in the perception by other communities about what is justified and "moral". It is here that the key to the problem remains. Under Apartheid, the state was able to use the law, and other aspects of the state, including religion to make the racial inequality, and it is upholding a moral act. Defending the state against enemies of the state was couched in moral terms – fighting the "rooi gevaar" was a justifiable act, an altruistic one, not only for the South African State, but also for "Western Civilisation".

The confessions of those involved in the various acts of terror show clearly that they saw their actions as just and moral – as they were engaged in a fight against evil, a moral battle in which their altruism was justified, even though this altruism involved the killing of others (T.R.C. 2000). For those opposing the state a similar process occurred – their struggle against the state was also a moral one. The actions of the youth in the townships were not only dangerous, but also necessary in order to end oppression. They too were able to lay claim to a moral shield with which to use in the justification of their actions.

"Violence is needed in our country so that we can remove all the bad things that are there. This present regime is like a sickness that must be destroyed violently so that better things can exist and the society can be healthier. So violence is necessary." (Marks M. 1995, p. 13) This statement from a youth involved in the political conflict in the Soweto township in the early 1990s reflects well with the justification of violence used by those who supported the Apartheid state.

The morality of killing was couched in terms of either liberation or protection – as a means to a justifiable and moral end.

Violence was perceived to be a vital part in the "cleansing" of the society. Bloodshed and liberation were linked. The morality of the violence was

encouraged by its framing in a political scheme. The “community” norms of the townships, driven by calls from the ANC and PAC to make the country ungovernable, as well as the norms of violence from the state and its agents worked well together in the normalisation of the use of violence as a legitimate means of achieving a political goal. From this came an internalisation of the violence, and a spill over of the use of violence for purely political ends to those of more social goals of control and punishment.

It is clear that a process of normalisation occurred in regard to the use of violence, and the community was not in a position to readily control this.

“It is a fact that during apartheid, anti-human attitudes developed, and there is an old culture of violence in this country because of the brutalised conditions under which people lived. Elements of the police still participate in crime. Everywhere there is a culture of impunity.” (Omar D 1990, p. 57)

### **iii. Cultures and Sub-Cultures of Violence**

Wolfgang and Ferreuci's seminal work on homicide argued that homicide occurred mainly in sub-cultural groups that had norms and structural values and perceptions that differed from the wider society (Wolfgang and Ferracuti, 1967, and further developed by Sampson, 1985).

This argument was well supported by the statistical evidence that they were able to gather of homicides that showed clear economic and geographic markers for higher rates of violence. The arguments have been further supported by other theorists and evidence, but also attacked as ignoring the wider role of a culture of violence existing within a society, that can have sub-cultures of higher violence within them. Wolfgang and Ferreuci's work is important in any analysis of violence in South Africa. The continued rates of homicide in the country point to the normalisation and rationalisation of violence within a sub-cultural or cultural aspect. They argue that it is the acceptance of norms and values that accept violence as a non-deviant act that increases the risk of violence occurring. This can be clearly seen in the South African context. The violence in the 1970s and 1980s was heavily influenced by a change in norms and values about the use of violence. A low-level war occurred, and although it was hoped that with the end of Apartheid the violence would end, this did not occur. If a sub-cultural argument is made here, it is clear why the violence continued due to the internalised acceptance of violence as non-deviant and rational. However, Wolfgang and Ferreuci's arguments fail to provide an answer to the wide scale of violence in South Africa, and a greater structural argument is needed. The sub-cultural arguments are insightful, but only to a certain degree. They are able to demonstrate how violence became normalised within the society.

The increase in homicide in the country after 1976 can be understood within Wolfgang's framework. The creation of normative values that encouraged the use of violence in situations that previously alternative behaviours would have

been used can be seen. The legitimisation of violence through the political process was crucial in this process. However, if the violence in South Africa was along a sub-cultural level, and bounded within a political frame, then after 1994 the violence should have dramatically reduced. If the violence was politically motivated, and was used only to achieve political goals, then with the achievement of such goals it should have ended. As with any war, the achievement of political and military victory signals the end of the military conflict. The violence in South Africa prior to 1994 was viewed as part of a military struggle, non-conventional, low level conflict, but a war nonetheless. Violence in such a conflict is sub-cultural with a few of the population being trained as soldiers to perceive the killing of certain others as not only legitimate, but necessary, and that their actions in engaging in this homicide is not only legitimate, but will be well rewarded for doing it efficiently and effectively. The rest of the society is also taught to view the soldier's actions as legitimate, honourable and non-deviant, helping to reinforce their behaviour. However, this violence has limited legitimacy, only operating within the war environment. In low-level wars however, the boundaries of the conflicts are very vague, with civilians moving in and out of a military role. The war in South Africa was made more complex by the struggle within the townships between the state and the political supporters of the ANC, PAC, Inkatha, UDF, and state supported vigilante groups.

The differential between civilian and soldier were minimal, with membership of an ethnic group often being sufficient evidence for attack. The numbers of trained soldiers involved were a small number, with civilians withstanding the worst of the casualties. It can be argued that within the townships and across the wider community pockets of sub-cultural groupings used violence and homicide as a rationalised means – legitimating it within a political and military struggle, but internalising its use. What is more important however is the altering of the wider society's attitude towards the use of violence by those given legitimacy in its use. The presence of sub-cultures of violence within a society

that are allowed to continue show to some degree that the rest of the society has accepted their presence and rationalised their actions. A group that engages in certain acts of deviance is accepted to some extent, but it does depend upon the nature of the deviance, and the social status of the group.

In South Africa, it is apparent that violence within non-White groups was tolerated, as long as Whites did not become involved as victims. This sub-cultural aspect was tolerated, as it did not threaten the social order of Apartheid. The structural nature of the migrant labour system,<sup>2</sup> the Dop system<sup>3</sup>, and the oppression of the Apartheid system all contributed to the creation of an almost perfect situation for high levels of interpersonal violence to occur. These policies have been long recognised as problematic. The 1937 Report of the Commission of Enquiry regarding Cape Coloured Population of the Union stated that the children:

“...grow up in an atmosphere of drunkenness and crime, may be taught to beg and steal by their elders, and come to consider such modes of life as normal, all the more because they find them repeated in the lives of many families around them, while the pressure of social disapproval in these matters on the apt of those with whom they come into contact, is often so weak as to have no deterrent effect.”

(Report of the Commission of Enquiry regarding Cape Coloured Population of the Union 1937, (UG 54-1937) pp. 19-20)

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<sup>2</sup> The mass migration of male workers from rural areas and "homelands" to the mines and industries of the Rand (now Gauteng). They would remain there for up to 11 months in single sex hostels and return to their rural homes for Christmas. It is no surprise that in certain areas the rates of violence increase during these periods.

<sup>3</sup> The paying of workers on vineyards partly in wine. These areas have very high rates of alcoholism, and of arrests for gross bodily harm, assault and drunkenness, but surprisingly relatively low rates of homicide. It has been suggested that the workers get too drunk to actually kill, but enough to fight and injure each other. (From interview with L. Jewitt, Social Worker) This system has been in operation for as long as the vineyards have operated, and only recently have attempts been made to stop the practice.

The report identifies the key problems as the social disorganisation of the communities, the extreme poverty and no way of alleviating it. It also calls for the abolishment of the tot system, the improvement of the housing, economic, educational and social situation of the communities. It is certainly clear that this report was never heeded.

The problem of how exactly this sub-culture arises in the first place has not been clearly answered by Wolfgang and Ferracuti (Hawkins, 1985; Prothrow-Smith, 1991; Turner, 1994). The creation of sub-cultures of violence are connected to the greater social structure, and the influence of family structure, economic deprivation, social dislocation are crucial in the maintenance of these social groupings. Much of the work in this area has been done on homicide in the African American communities in the USA. Their high rates of homicide, social dislocation, economic deprivation, and social exclusion fit well into the sub-cultural thesis (Pouissant, 1972; Oliver, 1989). However, in spite of the large volume of work, there are still problems, especially in the translocation of the theories from the First World into South Africa. The economic situation of African Americans is mirrored in South Africa, the urbanised ghettos, high rates of unemployment, and political disempowerment. However, the situation of Black South Africans is in many areas very far removed from the social environments of African Americans. The strong traditional mechanical social structures of rural and in some cases urban life, extreme poverty in squatter camps and the migratory lives of many males create a very different social structure in South Africa. It can be argued that the "Coloured" population in South Africa share more similarities to African-American social systems. Both are in the minority, urbanised, suffer from high rates of arrest, crime, social dislocation and political disempowerment. The social and economic structures created under Apartheid assisted greatly in the creation of geographic enclaves that assisted in the creation of a sub-cultural mentality within the "Coloured" communities. The social dislocation and its results are clearly visible in their long history of high rates of arrest, violence, and crime. It is however difficult to

assess the true accuracy of the crime data prior to 1994, or even after that, due to the extreme bias in the criminal justice system. The creation of PAGAD as a force opposing the state after the establishment of a democratic nation it can be argued shows that for some in this community they are still operating within a political and social sub-culture. The economic and social system has not changed to any great extent for this group, and thus the sub-cultural forces remain to influence.

Turner is able to put forward a more succinct argument stating that "many residents of the ghetto neither support nor reject violence; they simply view it as part of the everyday phenomenon of life" (Turner 1994, p. 6). This overarching theory of a culture of violence is more suited to the South African situation. A society that has a normality of violence cannot be seen to have sub-cultures of violence, but instead a culture of violence is created and maintained through the actions of the few in committing the acts, and by the majority in their tacit support of the violence as justified acts, or in their violent responses to the threat of violence. Turner suggests that it is a weakening of the social norms, not their rejection that creates a fertile field for the acceptance of violence, a very Durkheimian perspective. The norms that usually reject the use of violence are not used, as they are seen as irrelevant to the individual's situation. The norms of non-violence and humane treatment of others is soon deemed irrelevant when the environment changes to one of high risk.

The macro-level violence, state organised and sponsored under the Apartheid government has helped to create an acceptance of the use of violence, and at the same time create a culture of denial and excuse for the use of violence. As Arendt stated, "Rule by sheer violence comes into play where power is being lost" (Arendt 1969, p. 53). Moreover, in South Africa as the state increasingly lost control over the population so the levels of violence meted out increased with both highly organised focus, and random terror. When the structures of power were substituted by violence, the vanquished and vanquisher were both affected.



The danger of violence is that “the end is in danger of being overwhelmed by the means which it justifies” (Ibid. p. 4).

The failure of the institutions to provide for the needs of the individual and the community results in a separation from the state. An anomic system prevails wherein the individual lacks integration in the wider society, and the community lacks integration in the greater nation state. For each the social dislocation is critical. For the individual there is an alienation from the society, a lack of belonging and cohesion. For the community the separation from the greater nation results in a far greater predicament. It will seek to adapt and form its own system of moral codes and social ethics based upon the internal values held within that group, a moral system based upon the in-group values is often more conservative and constrictive than those imposed by the wider society. It can be argued that this occurs in any case in all communities to some degree; however, for the communities in South Africa the level of marginalisation is great. The opportunities and experience to establish alternative forms of social order are well established. The separation from the central state had been encouraged under the National Party, and this continuance of the pre-eminence of the community is a logical continuation of that social flow. The political acts of setting up systems that differed from those of the state have seemingly been continued in various forms. For some communities it has seen the subtle change of former political groups, for others it is a more formal arrangement with the hiring of private organisations to engage in private security.

The key problem with this community division is that it fosters a large-scale sense of anomie, not only with the individual, who would feel cut off from the institutions that are meant to serve them, but also by the communities in which they live. This is a far greater problem. An anomic individual may well engage in deviant acts against themselves, or others. However, the state Criminal Justice System or the closer community will control these acts in a stabilised society. When a community becomes anomic, however, the deviant acts by the

individual which can be viewed as productive for the community will be tolerated and even encouraged.

This can be seen in many societies, even highly stable ones, wherein a community engages or encourages deviant or criminal acts in order to further the aims of that community. Generally, these acts are short lived, short-term vigilantism, before the state reinstates control. For a society that is unstable the situation is more problematic. The members of a community who are in an anomic state will seek to create and impose a moral order that is best suited to their own interests, even if this is in conflict with the laws of the state. The community will seek to maximise its benefits for itself, and perceive actions taken by members of other communities as either supportive or oppositional to its aims and goals. This can and does include the actions taken by the state. The cases wherein community action has occurred in order to "protect" community assets, whether these are housing, schools or economic opportunities. The actions to protect "community interests" range from mild protest to deadly action. What is deemed to be a "community interest" varies. For many of the previously designated White communities it is the integration of their schools and residential areas. A legacy of the years of apartheid "swart gevaar" still bears fruit.

The "needs and interests" of the community are seemingly easily manipulated to protect vested race and class interests. However, it goes further than this in that the actions can and do become violent and deadly relatively easily. The actions taken by various White communities in "protecting" their schools from racial integration are based upon a similar belief structure in the actions of members of a community protesting and threatening members of the judiciary when members of their community are on trial. Both are attempting to impose their power upon external agencies in order to further their aims. It is clear that for both groups they do not believe that the state or its agencies have their interests at heart, and thus perceive the need to take direct action in order to ensure a

result that they would consider favourable. For both their actions demonstrate that they are willing and able to resort to actions that are considered deviant and illegal, however, for them this action is justified as being necessary for the "good of the community".

These very public and well-recorded actions are only part of a greater structure of anomic communities. The actions taken by the individuals within the communities can be seen to be disassociated from a sense of greater moral obligation to the "greater good" of the society. Violence against those who are not members of the community is more readily accepted than violence within the community. The acceptance of the normality and possible necessity for violence as a means of private control and protection is supported by the separation of the individuals in the community and the greater state institutions. The role that the state should play in protecting citizens from harm, and providing them with adequate support has been taken back to within the community.

Under Apartheid rule, the White communities received preferential treatment concerning all services and policies from the state. It appeared that the state was designed to serve just them, and provided basic services and institutions for other racial groups as a very secondary measure. For the White communities this ended with the 1994 election and the dramatic shift in the power and racial structure of the new state. The actions taken by various communities, in particular White Afrikaner communities showed that they felt that they were able to and could succeed in creating a community separate from the greater society. The establishment of the town of Oranje is a case in point. The calls for a "Afrikaner Homeland" made by the various right wing groups was an effort to try to maintain their cultural identity, but also to create separate community clearly split from the society in which they dwelt. The government allowed the establishment of the town based upon purely racial lines, but would not allow for the establishment of a greater "homeland". The historical evidence of the impoverishment caused by the Homeland system is evidence enough of the

dangers of creating a more federal system of nation, the disunity of the past had to be eliminated through the unity of the political and social future. The economic communities can also be seen in the various cities in the country, with an increasing number of "gated communities", walled and secured suburbs in the wealthier areas. These "communities" are not distinct in their racial enclave, but economic. The social control maintained by private security, not the S.A.P.S. These communities are not viewed as a threat to the stability of social order in the society; however, they are a visible creation of the division of the society into separate communities. The oddity is that in a country with such a history of racial divide, these enclaves are based upon economic power. The gated communities rely upon the work of private security to impose control, the state police playing a secondary role. Although these communities are not the sole preserve of South Africa, as they are well founded and growing in many First World countries, in particular the USA, they emphasise a different phenomenon here.

These communities have to be viewed within the greater social structure of a divided society, based upon the primacy of the community, and the under reliance upon the state. For the previously advantaged communities a sense of marginalisation has occurred. A belief in the loss of access to the centre of power, and this lack of influence has spilt over into the creation of separate institutions to provide for their needs, and thus relying less upon the state for their needs, and less upon the traditional institutions for the sense of community and integration and regulation. The shift away from the core institutions is understandable as they have changed rapidly and for many they perceive those institutions as no longer serving their needs or reflecting their interests. Combined with this is the lack of belief in being able to bring about any change for their interests by the state, so instead they seek to establish and protect their own institutions that will serve them and further reduce any links with the state or wider community.

The social changes that occurred in the 1990s created several expectations for the South African society. For many it was the hope that their needs and aspirations would be addressed, that as "their" political party was now in power, that the state institutions would now serve them as a priority. The failure of the criminal justice system to deal with crime, and the continued levels of daily violence.

For the individual there exists a dual set of consciousness, as Gramsci postulated in his prison writings. A "popular morality" of tradition, and another of "official morality" (Gramsci, 1971). This duality allows for the individual to operate both in a mechanical and organic universe. The calling for varying forms of justice will depend upon the nature of the offence, the victim, the offender and the actions by the state. The willingness to move outside the boundaries of the state criminal justice system and to rely upon the actions of "tradition" fit into this matrix.

As in the situation of small groups that are based upon mechanical forms of solidarity, the systems of moral order are created and reinforced within that mechanical context. The more fluid aspects of organic solidarity were luxuries for the majority.

## Chapter 4

### Factors Influencing Homicide

Research shows that there are a complex set of social factors that affect homicide rates and patterns in society (Sampson, 1987; Smith and Zahn, 1999; Wolfgang, 1958; Brown, 1999). Economic discrimination and inequality (Neapolitan, 1994; 1996; Messner, 1989), family structure (Gartner, 1990), age of population (Heide, 1999) and race (Wolfgang, 1958; Hawkins, 1999) all affect the homicide rates in societies. The effects of state social control through the use of the death penalty upon homicide rates are widely argued (Baily and Peterson, 1999; Bowers, 1988), as are other forms of social control. The factors that directly influence homicide are linked into the wider social nexus, the mere presence of these factors on their own is not enough for homicides to occur, what is needed are further social pressures to act upon the individual.

Within South African society specific pressures have ensured that certain factors play a greater role in the creation of the homicide environment than others. The affects of firearm use, alcohol consumption, policing and medical care all interact in South African society to influence the nature of violence and homicide. These factors are crucial in understanding the complex nature of homicide in South Africa, as well as predicting in what manner it will occur in the future. These factors demonstrate the unique contribution and impact that the Apartheid system has had upon the society, and how the present nature of homicide in South Africa continues to struggle with this legacy. The anomic nature of the society is shown and enhanced through these factors.

Homicide occurs in a social environment. That environment is directly and indirectly influenced by a series of forces that will positively or negatively affect the homicide rate. Cross-national and national research has shown that economic inequality is the most consistent of factors in positively affecting

homicide rates (Messner, 1989, 2001; Neapoliton, 1996), while unemployment was not found to have an effect (Kapuscinski et al., 1998; Smith et al., 1992). The level of urbanisation was found not to be a factor (Messner, 1980, 1982; Neapoliton, 1996) while research on the impact of the age structure of the population on homicide rates varied from a positive relationship (Ortega et al., 1992), a negative relationship (Bennett, 1991) and no relationship (Messner, 1989; Neapoliton, 1994).

In the case of firearms, there is overwhelming evidence of the positive impact they have upon the homicide rate (Kellerman, 2001; Miller et al., 2002). Alcohol consumption has a similar effect (Shaw and Louw, 1997), while the impact of policing (Smith and Zahn, 1998; Garland, 1985) and medical care (Harris et al., 2002) can have both a positive or negative impact upon homicide rates. In South Africa the four factors of firearms, alcohol use, policing and medical care are all crucial in the understanding of the past rates and patterns of violence, as well as allowing for a greater understanding of the nature of present and future trends.

These factors are not unique to South Africa, but they are critical in achieving a clearer understanding of homicide in that country. South Africa's present homicide rates and patterns are the result in part of the country's past. The racial divisions, the legal, social, economic and political constructs of the Apartheid system continue to influence the present. The intentional and unintentional constructs that were created prior to 1994 assisted in the building of an extremely violent society where a culture of violence was maintained and encouraged.

Four key factors in the creation of homicides will be studied in this chapter: weapon use, alcohol consumption, medical care and policing. All these factors have been found to affect the rates of homicide in international research, however for South Africa they are particularly important due to their historical

construction and continued impact upon the levels and patterns of homicide in the present society.

The police in Apartheid South Africa operated along the lines of a para-military force, tasked to crush political dissent and social unrest rather than solve and reduce crime (Catholic Institute for International Relations, 1988; Coleman, 1988; Cock and Nathan, 1989). Their expected policing functions were usurped by the political demands of the state. The police were not able to reduce levels of violence in the country, partly because they were the cause of some of the violence. The majority of the South African population did not trust or support the SAP, adding to their failure to solve crime. The creation of alternate policing structures by the ANC, PAC and Inkatha within townships and Homelands were a response to the politicisation and militarisation of the SAP. These alternate structures also did not function adequately as defacto police, but instead as instruments of political control and influence. The creation of a credible, effective and representative police force has been a priority for the government since 1994. The ability to achieve this will greatly affect future levels of violence and homicide in the society.

Medical care will often determine if an assault results in a death or not (Doener, 1985, 1988; Gaicopasi et al., 1992). The ability to get an injured person to adequate medical care within the first hour is recognised as crucial in the determination of their survival. This post-facto element in South Africa is again influenced by the historical divisions of Apartheid. The creation of a medical service that was designed primarily for the benefit of the minority White population to the detriment of the other race groups affected morbidity rates. The difference in available care would affect the survivability of assaults and thus affect the homicide rates. The level that this occurred is however unknown. The transformation of medical care in South Africa, like the police, has been a priority for the state. The health service however faces new pressures from the AIDS



epidemic that once more will affect the ability of hospitals to provide adequate care for assault victims.

An estimated half of South African adults drink alcohol, those that do drink consume the equivalent of 20 litres of pure alcohol per year. Many consistently consume the equivalent of over 30 grams per day, or over 100 litres per year. The world average is 6 litres per year (WHO Global Alcohol Database, 2004; Parry, 2000). This consumption is further exacerbated by the historical practice of the Dop system in the Western and Northern Cape, which involved the part payment of farm workers in alcohol. This practice, now illegal, helped create an environment of poverty, abuse and violence amongst the farm workers. The drinking trends of South Africans continue to play an important role in the creation of abusive and dangerous familial and social situations. The entrenched nature of alcohol abuse and binge drinking helps to maintain a violent structure in the society. Alcohol acts as an enhancer of high-risk environments. The results of the excessive consumption of alcohol in South Africa can be seen in the extreme rates of assault and violence in the areas where this pattern of consumption is the norm.

The nature of homicides has changed dramatically in the last twenty years. Prior to 1990 the majority of homicides were with a stabbing or cutting weapon, less than 10% of all homicides were by firearm. Only Whites were killed in significant numbers with firearms, these mainly by other Whites. Legal firearm ownership meant that the majority of firearms were owned by the White population, and the result of this can be seen in their homicide patterns. Although many political killings were carried out with firearms, their use was limited. Since 1990 homicide by firearm has rapidly increased to just less than 50%. The increase in firearm ownership in the 1990s combined with an influx of illegal weapons and a high number of lost and stolen firearms entering the society have all contributed to this shift. This dramatic change has to be understood as a significant and dangerous long-term trend that will help to keep homicide rates at a high level.

These four factors are crucial in the understanding of the present nature of homicide in South Africa and how it will change in the future. They are not only important influencers that can be influenced to affect the levels of homicide, but also indicators for the state of violence in the society. Each of these factors will be analysed individually in terms of how they directly and indirectly affect the rate of violence and homicide in South Africa.

## **i. Weapon Use**

A weapon is not necessary to kill someone, but using a weapon will increase the chance that the victim will die. A weapon of some form causes the vast majority of homicides, be it a knife, firearm or blunt instrument. Weapons increase the lethality of the violent act, and research has clearly demonstrated the direct correlation between the carrying of a weapon and the increased risk of violence and homicide (Wolfgang, 1958; Kellerman, 1993; Cummings et al., 1997; Perkins, 2003). The act of killing is made, in relative terms, an easier task. When firearms become the most used weapons in homicides, the society faces a serious long-term problem.

Killing another person is a difficult psychological task. The ground-breaking work by Marshall (1978) showed that only 15 to 20% of US soldiers in the Second World War fired their rifles at the enemy. These men, trained to kill, armed with sophisticated weapons that allowed them to kill at a distance (an "easier" task than being within knife range), and in a situation that ensured that if they did not kill, they had a very good chance of being killed, did not act. This low rate of killing has been seen throughout history, and in many armies (Grossman, 1995; Dyer, 1985; Holmes, 1985). The use of improved training techniques in modern armies has improved this rate of firing, but there is still a lack of desire to kill another human being (Grossman, 1995). There are those who enjoy killing, some soldiers have relished the act of killing another person (Bourke, 1999). In addition, there are far too many cases of soldiers and civilians engaging in acts of senseless brutality against those they consider to be the enemy (Grossman, 1995; Jeffrey, 1997; Pauw, 1991, 1997; Fromm, 1973).

Prior to 1990, the majority of homicides in South Africa were committed with knives or other cutting instruments. Firearms were the weapons of choice in only White on White homicides. This pattern has changed since 1990 with

firearms increasingly used across race groups, to the position in 2002 with just under half of all homicides being performed with a firearm of some type.

The rise in firearm-homicides has coincided with a decline in the rate and total number of homicides in the country. It could be argued that there is a correlation between the two facts, and that an increase in firearm ownership and use has reduced the levels of homicide. Lott and Mustard (1997), and Lott (1998) argue that a better-armed society (i.e. greater ownership of handguns) provides a greater deterrent to criminals and a lower risk of victimisation; an armed citizen is a safe citizen – able to provide self-protection, and thus increase the risk to the criminal of harm. However, to apply their argument to South Africa ignores the political and social changes that have occurred since 1990 that have played key roles in reducing homicide rates. Lott and Mustard's work has been further critiqued and criticised for flawed research and analysis (Webster, 1997; Zimring and Hawkins, 1997; Webster, Vernick, Ludwig and Lester, 1997). An increase in firearm ownership increases the risk of violence and death, and does not reduce it.

The work by Kellerman et al. (1993, 1995, 1998) and Cummings et al. (1997) in their exhaustive studies of the relationship between firearm possession and fatality rates in assaults in the USA have clearly shown that owning a gun increases the risk of being a victim of homicide by a factor of up to 2.7 (Kellerman et al., 1993). This is due to several factors, including the weapon being used upon the owner, the owner taking a more aggressive stance in a confrontation, "standing ground" and fighting back, rather than escaping from the situation. The study by Kellerman et al (1995) showed that owning a gun does not provide protection; in only 1.5% of cases was a gun used successfully to defend the homeowner, while 3% lost their weapons to their attackers. Owning a gun makes people react differently to how they normally would in threatening situations, increasing their willingness to engage in high-risk behaviour, and thus increasing the risk of death (Kellerman, 2001).

Further work by Miller, Azrael and Hemenway (2002) on the impact of firearms on female suicide, homicide and unintentional deaths in the USA showed a clear elevated rate of risk of death in those states with a higher level of firearm ownership. The elevated rate of death was not explained by the levels of poverty or urbanisation, and was driven by firearm violence, rather than non-firearm violence. They conclude that although firearms do give some women some benefit, in general firearms only increase the risk of violent death.

Wells and Horney (2002) found that guns increase the risk of lethality, independent of the individual characteristics of the assailant. However, as with the work of Kleck and McElrath (1991) it was found that there was less risk of injury in an attack with a gun. This is due to the assailant missing their target. Wells and Horney (2002) point out however, that the majority of these attacks would not have occurred if another weapon such as a knife were used. Hansmann (2000) has shown that in the case of robberies in South Africa the armed victim has a lower chance of having possessions stolen than the unarmed victim (34.1% to 65.6%), but has an elevated risk of injury (34.1% to 17%)

Oosthuysen (1996) argues that the large number of weapons in the hands of South Africans poses a serious threat to the long-term peace and stability of the country. He points to the high rate of firearm loss and theft. Between 1993 and 1995 an estimated 169 783 firearms were stolen or lost, many would enter the illegal weapon market directly.

Minnaar (1999) paints a violent picture of an armed South Africa. With an estimated 20% of households with a gun, and the cheap cost of purchasing an illegal firearm (an AK47 assault rifle for R150) creates a dangerous environment. Minnaar shows that weapons have entered the country from Mozambique and Angola that were originally supplied by the South African government to the rebel groups, as well as local government issue. The weapons issued to

homeland leaders and police were not returned, and there was no disarmament of the SDUs and SPUs; only a withdrawal of political and economic support, leaving these groups highly armed, but with no political or social direction, leaving them open to a move into crime. Further weapons have entered the illegal market through loss from the SANDF. The results of this were a significant increase in the use of firearms in robberies, homicides and other crimes. Of the 879 police killed between 1994 and 1998, 86% were by firearms (Minnaar, 1999).

This influx of weapons decreased in the late 1990s as the political, social and policy changes have occurred in South Africa and its neighbours. The S.A.P.S. has worked with the government of Mozambique to find and eliminate the weapons left there from the war (Smit, 2002). Internally, the S.A.P.S. and the state are actively trying to make South Africans less armed, and thus hopefully reduce the homicide rates. The Firearm Control Act of 2002 has limited ownership and the number of firearms and amount of ammunition that an individual can own. This has been a very significant step, whether it will result in a decrease in homicides is still to be seen.

Altbeker (2001) shows that South Africans are not responsible gun owners, with lost and stolen guns moving quickly into the criminal market adding further danger to the society. The use of firearms has increased in non-homicide crimes, particularly robberies. This change in the nature of crime can be seen in the increase in the use of firearms in homicides. Prior to 1990 only Whites were killed in any significant numbers by firearms, the majority of homicides for all other South Africans being knives or other stabbing weapons. Since 1990, firearms have become the weapon of choice. From being used in less than 5% of all homicides in 1990, firearms were used in 49.3% of homicides by the year 2000. This is ironically in conjunction with a decline in the rate and total number of homicides. However, the large number of firearms in the country, both legal and illegal continues to pose a serious threat to the society.

Gun ownership has strong supporters. The pro-gun lobby in South Africa is not as prolific or as influential as the National Rifle Association in the USA, but is still vocal. They repeat the arguments used in the USA, in that the restriction of the number of legal weapons will not reduce the number used by criminals. Moreover, that reducing the legal availability of guns will make the armed criminal more dangerous.

It can be argued that the increase in use of firearms in robberies in South Africa is due in part to the high level of gun ownership. A successful criminal will ensure that they will get away with the crime and not be killed in the process. If they think that the victim may be armed, then it is easier to kill them first. The high rate of homicides in farm robberies points to this conclusion, as there is a very high probability that the farmer will have access to a firearm, and thus killing them before robbing them is a method to ensure that the criminal is able to commit their act successfully. Due to increased fear of victimisation, South Africans are arming themselves to be protected from this violence; and thus continue the cycle. If they cannot be armed they will attempt to engage the services of someone who is. The proliferation of the private security industry can be seen in part as the use of the unarmed of the armed. The levels of crime in the society will ensure that the public will want to be protected in some manner, and if the state or other agency cannot do so, the public will do so themselves.

The state needs to continue to reduce the availability of firearms. This will impact upon the rates of homicide, as the reduction in the number of lethal weapons in circulation will reduce the lethality of assaults.

## **ii. Medical Care**

Homicide does not just involve the aggressor and victim. Others play key roles in the determination of the act. Once the victim has been injured, the role of medical care plays a key part in whether or not the result will be classified as an assault or a homicide. Not all assaults result in the death of the victim; the number of serious assaults are many times the rates of homicide in all societies. Access to swift and adequate medical care is a strong independent variable in homicides (Doerner, 1985, 1988; Giacopasi et al., 1992). This factor is often ignored or overlooked in studies of homicide, as it only plays a role post-event. However, the ability and willingness of medical staff to treat victims of violence can and does affect the rates of homicide and other forms of mortality. Injuries that were life threatening fifty years ago can be treated with ease in a well-equipped modern medical care facility. Skilled and reliable trauma care is vital in the reduction of mortality from injury.

Researchers in the USA have studied the impact of medical care and the ability to access it upon homicide rates (Doerner, 1983, 1988; Barlow and Barlow, 1988; Long-Onnen and Cheatwood, 1992; Harris et al., 2002). These works have shown that while the rates of serious assault have increased in the USA over the past fifty years, the lethality of those assaults has decreased, and thus impacted the homicide rate as an independent factor. The improvement of trauma medicine has had a direct effect upon the homicide rate. The improvement and advancement in practices of medical and emergency personnel, transportation of the injured, communication with medical aid have all decreased the lethality of assaults in the USA (Hawkins, 1983; Norwood et al., 1995; O' Keefe et al., 1999; Harris et al., 2002). The need to get the injured person to medical care is imperative in their survival, the longer the delay, the greater the chance of death (Barlow and Barlow, 1988; Giacopassi et al., 1992). The Giacopassi et al. (1992) research into the link between medical care and lethality in Memphis USA showed a reduction in lethality from 11.4% to 3.2%



from 1935 to 1985. The improvement of medical care, speed and practice all contribute to the reduction of mortality of victims.

The Apartheid hospitals were designed to provide the best care available for the White population, the least care for the majority. This racial and economic division has had to have an impact upon morbidity rates between the races. The state of health care is still very unequal; the provinces showed marked differences in numbers of doctors, hospital beds, and funding and critical care facilities available. What is not known however is the impact of that divided care upon the victims of assault. It can be postulated that the reduced access to critical care for Blacks, Coloureds, and to a lesser extent Asians, have had a major role in the levels of mortality of assault victims. Interviews with South African trauma doctors in previously "Black" and "White" hospitals has shown a marked difference in the levels of trauma care given to Black and White trauma victims, and this will impact their survivability and thus the rate of homicides.<sup>4</sup>

Critical care has increased for the majority of South Africans, with an increase in hospital funding, beds, and access to skilled medical personnel (Chetty, 1994). Combined with this is an improvement in road networks in rural areas, decreasing response times for ambulance crews and thus increased chances of survivability for victims of assault. As the various independent factors of transport, communication, and medical care improve, so the mortality rates for assaults will decrease. This shift in a multiplicity of factors has to be maintained. The increase in private hospitals shows the continued divide in health care, and a continued social and psychological divide along more economic lines of access to medical care. However, the increase in the cases of AIDS is threatening to eradicate any advances achieved, as the pandemic absorbs a greater percentage of available resources.

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<sup>4</sup> Interviews with Dr M. Birch (Edendale hospital, KZN), Dr R. Natrass (Edendale Hospital and MediCity, KZN), Dr R. Liddell (Edendale Hospital, KZN)

The AIDS epidemic adds further pressure upon the state's ability to provide medical care for assault victims. The increasing number of cases of HIV and AIDS related disease not only is killing a vast number of young adults, but also impacting directly upon the economic stability and growth of the society. An estimated 23% of the skilled labour force and 13% of the highly skilled labour force is expected to be infected by 2005 (Mattes, 2003, p. 7). An estimated 23% of workers in the public sector are expected to die from AIDS related disease by 2012 (Mattes, 2003, p. 7). The state has been unable to recruit and train enough nurses to cope with the demand, (Ensor, 2001) and it can be expected that very soon South Africa will follow the patterns in Zambia and Malawi where deaths of doctors and nurses exceed the rate of replacement (Cheek, 2001, p. 12).

The increase in AIDS related medical cases have meant the shifting of resources to these patients, taking money and resources away from other areas. As more hospital beds are filled with AIDS cases, less are available for other patients. There is only a limited amount of medical resources available for use. Trauma care will be less important to a hospital that has a majority of AIDS patients; this will mean a reduction in adequate care, and a subsequent increase in mortality of the trauma victim, and an increase in the homicide rate.

The migration of medical staff to other countries is a further factor in the threat to the medical system. The report reported that 60.9% of doctors who graduated between 1985 and 1994 have emigrated. The reasons are numerous, poor working conditions, high crime rates and higher salaries on offer in the other countries. The remaining doctors have ever-increasing workloads placed upon them, increasing the risk of their leaving the profession. The loss of skilled staff will reduce the ability of hospitals to provide adequate care. The loss of staff is also an indicator of the immigration of South Africans, reflecting the lack of faith they have in the future success of the nation.

The economic burden will have a significant and direct effect upon the rates of crime. An increase in the number of orphans in the society, without the structure of family to provide support, comfort and control will increase the rates of crime. The impact upon the family structure will be more serious than the effects that the migrant labour system has had.

### iii. Alcohol

“Seven people from Eastern Pondoland were killed last week at a peace ceremony after a fight over beer ended in a bloody battle with spears and old hunting rifles, followed by a shoot out with police.”

Mail and Guardian Oct 13-19 2000, p. 12

The presence of alcohol in homicide victims is testimony to its role as an agent in the creation of a high-risk situation. However the direct correlation between alcohol use and homicide is still relatively little scientific research on the subject (Auerhaun and Parker in Smith and Zahn, 1999). The problems are multiple; the alcohol/violence link is often studied through the victims and aggressors of violence. Their high rate of alcohol consumption does not however clearly demonstrate the actual risk of homicide and violence amongst drinkers. The isolation of alcohol as a causal factor ignores the wider social nexus in which the drinking and violence occurs. Poverty, family stability, crime and race will all affect the relationship between alcohol and violence. In bars and taverns the risk of violence increases due to the high number of intoxicated young males present, as well as overcrowding and permissive social environments, factors often encouraged by the bar owners (Finney, 2004).

Isolating alcohol as a direct causal factor is highly problematic. In the case of drunk driving, there is a direct causal relationship between alcohol consumption and impaired ability to drive. Alcohol consumption on its own however does not make all people violent, or victims of violence. However, the use of alcohol and other drugs will increase the risk of violence or other crimes occurring.

The interpersonal nature of the majority of homicides shows that when alcohol is consumed then people will engage in violence, and take that violence to a deadly level. It acts as both an agent of disinhibition of violent behaviour, and helps to

restrict the choices that the intoxicated person can make. The intoxicated person will make decisions that are not rational, and will engage in more high-risk behaviour. On its own alcohol does not cause violence, but like firearms and poverty assist in the increase in risk. Adult South Africans consumed an estimated 11.5 litres of pure alcohol in 2000. In comparison, citizens of the UK and USA consumed 9.7 and 9 litres respectively, while the high homicide rate countries of Brazil and Russia consumed 4.7 and 10.7 (Data from WHO Global Alcohol Database). However, research has shown that half of South African adults do not drink, while a third drinks to excess in binge type episodes (Parry, 2000). This would increase the alcohol consumption up to at least 20 litres of alcohol per year, giving a clearer picture of the real problem of alcohol consumption. Alcohol by itself will not cause violence, but it is involved in the process. The gross amount does not tell the full picture. It is how the alcohol is consumed and the social situation of its consumption that influences the effects it causes upon behaviour.

There are strong links between the use of alcohol and interpersonal violence in South Africa (Shaw and Louw, 1997). The role of alcohol is important in the creation of high-risk situations, reducing social controls and increasing the risk of violent behaviour. The large-scale illicit alcohol trade and the use of the Dop system; paying deciduous fruit farm workers in part with alcohol, has in particular created a large scale public health and crime problem. The Dop system, although now illegal, continues in the Western and Northern Cape amongst at least 20% of workers (London, 2000). This system demonstrates the culture of alcohol in the society, where it became a commodity of payment, entrenching alcohol use within the society. In the provinces where the Dop system was prevalent, the Western and Northern Cape, high levels of alcoholism, family violence and serious assault rates remain, in spite of dramatically improved medical and social welfare conditions (Leggett, 2004). The interaction of drinking and associated violence often leads to homicides, the majority being described as "assaults that go too far" (Shaw and Louw, 1997, p. 8).

Research analysis carried out by the National Injury Mortality Surveillance System (Peden, 2000; Matzopoulos, Cassim and Seedat, 2003) of a sample of homicides in 1999 and 2002 found that more than half of the homicide victims had alcohol present in their systems. The average concentration was 0.1g/100ml in 1999 and 0.17/100ml in 2002. The legal limit for driving is 0.05 g/100ml, while a concentration of above 0.16 BAC will result in dysphoria and nausea. The high level of alcohol in the victim can be related to the nature of these homicides, that being non-planned assaults, with the aggressor being in a similar state of drunkenness (Parry, 2000). Studies of trauma victims admitted to hospitals in the Western Cape found that over 60% were alcohol related injuries (Leggett, 2004). The impact of alcohol is evident; its consistent presence in homicide victims points to its role in the act. Alcohol is found in similar levels in transport fatalities (Matzopoulos et al., 2003), and although there continues to be a concerted campaign to reduce drunk driving and educate the public to its dangers, there is not a similar campaign to address the role of alcohol and violence.

The consumption of alcohol by itself is not sufficient to explain the rates of assault or homicide. White South Africans are the most prevalent alcohol consumers, with over 80% of adults drinking alcohol (Parry, 2000); however this group does not have the highest levels of homicide nor of assault. It is the pattern of drinking and the social situation in which the drinking occurs that creates the danger. There is not a direct causal link, but instead alcohol acts in combination with other factors to increase the risk of violence and homicides occurring. The disinhibition caused by alcohol does not automatically result in violence, if this were the case there would be far more homicides than present. Alcohol is a contributing factor in the creation of a high-risk environment, a factor that can in part be altered and controlled, but never eliminated.

Alcohol consumption continues to present a serious and long-term threat to the health of the society. Alcohol consumption on its own cannot be taken as a factor or indicator of anomie. However, when present in communities that show signs of anomie, or the social conditions for anomie, alcohol consumption can then be seen as an indicator of community problems, and will function in conjunction with other social factors such as weak family and social structures to increase anomic conditions and the risk of homicide.

#### **iv. Policing**

A nation's police force is meant to act as an agent of social control, a visible facet of the criminal justice system. The police are meant to protect the citizens of the society, and their presence to act as a form of inhibitor to criminal behaviour. Their role in the control of violence, but also in the creation of violence is well-documented (Smith and Zahn, 1998; Wolfgang, 1958; Reiner, 1997; Garland, 1985). Police forces can create order, as well as disorder. In South Africa the police have a long history of upholding and enforcing a brutal system using violence, threats and coercion, which only helped to increase the levels of violence and homicide in the country. The S.A.P. was not engaged in crime prevention, but political suppression.

If the police are unable or unwilling to prevent crime and violence from occurring, crime and violence will increase. The acts of social control by the police serve to punish and protect, but also to create increased levels of social cohesion within a society. When those who commit crimes are not caught or punished, the cohesive function of social control will weaken. For Durkheim one of the functions of crime occurs when criminals are punished. It allows the society to observe social control in practice and see the moral order upheld. When this does not happen, the society and their greater collective conscious are under threat from the crimes. The police and the other agents of the criminal justice system have to perform to protect the beliefs of the society in which they serve. If the society does not believe itself to be protected from crime, it will seek out alternate methods to achieve this.

The police under the Union of South Africa, and subsequent Apartheid governments used force to enforce racial divisions, to maintain the Apartheid system and oppression, and to act as agents of violence. The South African Police (S.A.P) was moulded into an oppressive force, highly militarised in nature,



and oppressive in practice. (Cock and Nathan, 1989; Brogden and Shearing, 1993; Cawthra; Catholic Institute for International Relations, 1988)

For many the South African Police were the faces of the Apartheid system, people to be feared and avoided, rather than relied upon to ensure safety and security. The police themselves were involved in the assault and murder of civilians and members of the ANC and PAC (Weitzer and Beattie, 1994; Truth and Reconciliation Commission, 1998; Minnaar A. et al., 1994; Pauw, 1991 and 1997; Coleman, 1998). Specialised units such as the riot squad were created within the S.A.P. to be used to crush political and social dissent. Units of the S.A.P. and SADF were incorporated into specific assassination squads, trained and used to kill leaders of the liberation movements (Pauw, 1991, 1997; O'Brien, 2001). They helped to create a climate of fear within the country against the police. They were a key element in the creation and maintenance of a state of violence in the country, and thus did not create the levels of trust and reliance amongst the majority of the population that a police service requires in order to perform their duties. In order to be effective police have to have the trust of the people that they serve. The S.A.P. did not have that trust.

This method of policing discouraged reliance upon the police to provide basic levels of crime control. Low levels of crime reporting, and a decline in the levels of success in solving crimes are all indications of the failures of the S.A.P. to police the society (see Chapter 5 for prosecution rates for homicide). They were agents of control, rather than of justice. The liberation movements actions in creating alternative forms of policing point not only to the failure of the S.A.P., but also to the recognition of the need for some form of recognisable and legitimate agent of social control. The creation of the Self Defence Units (SDUs) and Self Protection Units (SPUs) by the ANC and Inkatha in the townships were the result of this. They filled the gap, but also acted as more than a police force, but also a militia to protect the community from attack from opposition political groups. The SDUs and SPUs however acted as more than just a policing unit,

but also as militias for the communities guarding against attack from opposition forces, and as agents of social control and punishment within the community did. The operation of these units within the townships would have further ensured the decline in reliance upon the police, as well as been the agents of some of the politically motivated homicides that occurred prior to 1994.

The S.A.P. acted as a police force and as a para-military agent of oppression. To change the force into a representative and effective police force required time, resources and effort. Not all of have been available. The establishment of a democratic state in 1994 and the change of the South African Police to the South African Police Service set new challenges for the agency. The government sought to bring about change in the force to change it from an oppressive agent into a police force that not only protected the people, but also was directed to solving crimes. The S.A.P.S. has had to transform while in operation, and had to deal with a massive loss of manpower, as many White officers resigned and moved into the burgeoning private security industry. The transformation of the S.A.P.S. has had to occur internally, with the racial, political and psychological transformation of the force, as well as an external change in convincing the public that the S.A.P.S. has changed into a legitimate agent of the state that will protect the public.

The creation of Community Police Forums was created to assist in this transformation. They, and community justice initiatives were established in areas where community structures were severely damaged under Apartheid have had mixed results. The community based policing forums it was hoped would be able to create communities that were willing to support and encourage the concepts and practices of restorative justice (Brogden and Shearing, 1993; Geulke, 1995; Mbehle, 1998). The forums were often hijacked by local gangs, or were controlled by one political group, and thus seen as biased. Their judgements were violent and more retributive than restorative. The problems of

changing a society from one of deep-seated oppression to an open democracy were clearly exposed in these forums.

The police have also not significantly changed their operating procedures. Between 1997 and 2000, 1548 people died as a result of police action while 626 died in police custody in South Africa (Bruce, 2000). Bruce (2001) estimates that the police injured another 4332 people in that period. This compares to the 239 who died in police custody in the UK, and the 136 in Australia for the same period (Home Office 2002; Collins, 2002). This level of violence cannot be sustained if the police are to be seen as protectors of the public.

The police are high-risk targets for violence. They are killed in the course of their duties and off duty with frightening regularity. Between 1994 and 2003, 1732 police officers have been killed, the majority off duty, and the majority by firearms. This in comparison to the 50 police killed by suspects in Britain since 1980 (C.I.A.C., Home Office 2002).

The ability of the S.A.P.S. to solve crimes and act as effective agents of social control is still limited by a lack of resources and skilled officers, as well as a sustained perception that they are unable to compete with the crime in South Africa (Louw and Schönsteich, 2001). In particular the low numbers of skilled and experienced detectives severely hampers their abilities to solve crime, and thus continues the cycle of low prosecution rates for serious crimes. The continued weaknesses of the S.A.P.S. are reflective of the greater criminal justice system, and the public's attitude toward social control. For the public the S.A.P.S. have been unsuccessful in their fight against crime (Shaw, 2002), this lack of faith in the police's ability to fight crime is serious. If the public do not see the police as able to fight crime, they will be more willing to use alternate methods, which are clearly happening. The growth of the private security industry continues to demonstrate the weaknesses of the S.A.P.S. and their inability to provide adequate policing and safety. The private security industry threatens to reduce

the effectiveness of the S.A.P.S. further, as those with the financial resources will rely increasingly upon private options, reducing their support and need for the S.A.P.S.

The S.A.P.S. has had to "transform under fire" (Shaw, 2002). They have changed dramatically from the oppressive, militarised force as the S.A.P.; however, they still have a long road ahead before they are able to reduce crime levels in the country. They are fighting a difficult and often losing battle against crime and the perceptions of the public of their performance. The S.A.P. was a key agent in the creation of anomic communities in the past, if the S.A.P.S. are unable to protect communities, the anomic responses will be used to protect themselves. A lack of adequate and effective policing in a community will result in the creation of alternative forms of social control. These will function to protect the community from real and perceived threats and serve in the case of South Africa as a symptom of anomic communities. As well as an impetus for greater levels of anomie as the community becomes more reliant upon their own social control based upon their own morality and less on the state and the criminal justice system. The police in South Africa have to reduce crime and violence. However, they cannot achieve this without the support and trust of the public. The transformation and specialisation of the S.A.P.S. has assisted in this process, but the continued high levels of crime in the country are constantly eroding public perceptions of the S.A.P.S.'s abilities.

## **v. Conclusion**

In order to reduce homicide levels a multitude of factors have to be addressed. The complex nature of homicide ensures that the addressing of a single issue will not have a significant impact upon homicide rates; a more effective method is a multi-task approach, dealing with both crime and social issues. The factors detailed above are important in predicting how homicide will change in the future, and how the state can influence these changes. It can be postulated that the reduction in the rate and number of homicides since 1994 has been the result of state efforts in the limitation of firearms, the restructuring of the police and the improvement of medical services. Whether this trend will continue will depend largely on the ability of the state to continue to provide safety and security for the majority of the population. Just as the homicide rate dramatically increased from 10 per 100 000 in 1970 to over 50 by 1982 (see chapter 6 for more detailed statistics), it can do so again.

The divisive past is reflected in the present nature of violence in the country. The politicised nature of policing and medical care increased the level of anomie in the society, as well as increasing the risks of homicide. Individuals and communities want to feel safe from external harm. If the state is unable to perform this task through the police, the communities and individuals will do so themselves by arming themselves, or the use of others who can protect them; i.e. private security or vigilantes. The shift in firearm use is a reflection of the continued weakness of the police, the growth of vigilante groups in the 1990s and the continued expansion of private security is also a result of this failure in the state's ability to provide safety and security for South Africans. The current position of the nation is one of continued economic and racial divisions, with anomic communities still separated from the core of the political state. The anomic condition will continue as long as violence and crime threaten the social fabric of the society.

Each of the above factors plays an important and influential role in the causation of homicide. Homicide is a multi-causal act, influenced by a multitude of factors, societal, individual, pre and post the violent act. Each one can be directly and indirectly influenced by the policies and actions of the state in order to reduce the levels of homicide in South Africa. The ability and willingness of the state to act is however another factor. The change in one factor might not reduce the homicide rate, as other factors may well come into play to negate the effect. These factors are also indicators of the level of social stability. In the case of policing and medical care, it is demonstrated to what extent the state is willing and able to protect its citizens from harm. The trust of the individual in the ability of the state and its agents to protect them is shown in the changing rate of firearm ownership and use, as well as the effectiveness of the police. Alcohol consumption on its own is not an indicator of social rupture, but in combination with the other factors plays a key role in the creation of a lethal environment.

The four factors discussed above are not the only factors that influence homicide in South Africa. However, these factors are crucial in the determination of state social policy. They are the ones that can be altered, improved and thus have an impact upon the rates of homicide and violence in the country. They are also key indicators for a shift in the social cohesion of the society. A more effective police and medical service will have the effect of a reduction of the levels of homicide. The continued restriction of firearm ownership will bring about positive results, but only if the public believe that they can rely upon the police or others to protect them from crime. Alcohol use will continue to create violent environments, and increase the risk of homicide and less lethal violence. All these factors have to be addressed if homicide is to be reduced. Dealing with one alone will not have a significant affect, but only in conjunction will any change be effective.

## Chapter 5

### Homicide Data Analysis

#### i. Statistical Issues

##### a. Accuracy and Validity

"Homicide victims are notoriously poor respondents to Census Bureau interviewers."

(Benjamin Renshaw, Former Acting Director of the Bureau of Justice Statistics; quoted in Mosher et al., 2002, p. 135)

Statistics in any country reflect in part the nature of the social system and the political biases and perceptions that stem from it. The statistics rarely reflect with great accuracy the events on the ground, instead showing the biases and effectiveness of the police and other state services. Slabbert (in Davis and Slabbert, 1985) emphasises the need for caution with the relative nature of crime statistics, particularly in the case of South Africa with its long history of racially motivated and structured police services.

The accuracy of official statistics has been always considered suspect. As Mosher et al (2002) shows if it is not just the problem of defining what is under study, but also the relationship between the cause and effect of the crime. What is counted is the result, the homicide, the arrest or the conviction; however, the relationship between the police arrest records and the initial act are not always in conjunction. When official data is studied, it is often the bias of the police and recording officials that is being shown, and not the actual reality of crime in the society.

Sutherland states, "the statistics of crime and criminals are known as the most unreliable and difficult of all statistics." (Sutherland, 1947, p. 29). The initial problem is that of the definition of the act as criminal or not, and the dividing

line between the various acts. When does serious assault become grievous bodily harm, or culpable homicide become murder? The accuracy of the homicide statistics is always in question, but is the lesser of the many evils of crime data due to their simplicity and universal consistency of definition.

Official data will always be at the mercy of political and social pressures. The changes in crime rates due to changes in police practices, police performance incentives, the linking of result to pay for police, as well as political needs to "lower" crime rates will all have a direct effect upon the data. (Seidman and Couzens, 1974, McCleary et al., 1982, Mosher et al., 2002, Black, 1970) Crime "waves", "epidemics" or "drops" can be easily constructed with minor alteration of the data and data collection. The efforts by the S.A.P.S. in 2000 to make the police methodology more accurate by placing a moratorium on the release of crime data for a 3-month period only led to derision on the part of the public and press. The gap between the data showing declines in crime and the public's experience of crime became clear. The efforts by the state to reduce fear by altering the statistics of crime did not result in a decrease in their fear, or their efforts to control their fear.<sup>5</sup>

Statistics can be used to create a picture of one's own choosing. The numbers that exist on the paper are a social creation and interpretation of a physical event. The various state and private agents place a select meaning upon certain activities and then gather that data, turning it into information about the society's behaviour. Studying deviant acts is always a fraught process, and attempting to make an accurate appraisal of violence in a society is even more difficult.

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<sup>5</sup> The official decrease in crime has not resulted in a decrease in the growth of private security, vigilante attacks or the public's fear of victimisation.



## **b. Race and Statistics**

From 1990 onwards, the South Africa Statistical Services and the South African Police Services have limited any release of data based upon racial classification. Race has been a part of the Apartheid system, a cornerstone of its identity and policies. The "New South Africa" has been attempting to classify itself as a "rainbow nation", one that is moving beyond its racially identified past.

Racial breakdown of data can be used to discriminate against groups, the data can be used to create a false picture of risk and increase prejudice. The South African government has taken a stand that the society has to move past its racial past and the stopping of data collection based upon race is part of this process. It is understandable that any research using race as a classification will come into difficulties, as this work has done in gathering accurate homicide data. In conducting the qualitative research, opposition was expressed in two schools towards the use of racial classification of the subjects, and permission was denied for the research to be conducted. Race exists as a social reality, and has to be researched in that manner. The American Sociological Association has emphasised this issue in a statement that reads in part:

"Refusing to acknowledge the fact of racial classification, feelings and actions, and refusing to measure their consequences will not eliminate racial inequalities. At best it will preserve the status quo."

(American Sociological Association, 2003, p. 4)

Race is a constant factor in South African life. The colour of a person's skin will affect how they are viewed and treated. Race is still a determinant of health, wealth and education in this country. Just as gender is a powerful social factor in affecting how and why lives are lived. Racial categories are used in daily life, ignoring them in official statistics will not change this. People will continue to live in racially homogeneous communities, marry intra-racially and will have

different life experiences and expectations due to the affect that race has upon them, their education, health, employment and the manner and time of their death.

The lack of racial classification of deaths will not alter the actuality of mortality patterns. The work by the Medical Research Council on mortuary data supports this argument; their data is presented along racial and gender lines, an acknowledgement of the continued importance of race and gender as an indicator of risk. Different races die at different rates, patterns and methods. Blacks and Coloureds are more at risk from violent death than other races; by compounding all the death data into a single category creates a false picture, one that reduces apparent morbidity for the high-risk groups. If race is to be ignored, then why not gender? Males die from violence at a far higher rate than females, and in different ways. They face different risks, gender, as with race, is a social determination, it is a social fact that affects how and where and when we live and die. The South African Police Services has stopped compiling their data according to race to show that they are not racist, the British Home Office data on arrests is also not broken down according to race, but deaths in police detention are, to show that police actions are non-racist. The same methodology has been used by the Australian government since 1992 according to the recommendations of the Royal Commission into Aboriginal Deaths in Custody (1991).

Ignoring race in South Africa will not eliminate racism, or improve the lives of the majority. Race, gender and economic status will be significant factors in determining risk of violent death, and have to be recorded. To ignore race will not lessen the risk, only create a false picture of the reality of violence.

### c. Classification of Homicides

Statistics SA (Stats SA) record homicides according to the following classifications:

Code	Cause of death
960	Fight, brawl, rape
961	Assault by corrosive or caustic substance, except poisoning
962	Assault by poisoning
963	Assault by hanging and strangulation
964	Assault by submersion
965	Assault by firearms and explosions
966	Assault by cutting and piercing instruments
967	Child battering and other maltreatment
968	Assault by other and unspecified means
969	Late effects of injury purposely inflicted
889	Violent death, unspecified as to whether accident, suicide or homicide
970-978	Injury due to legal intervention and legal execution
980-989	Death by other causes
990-999	Death from acts of war

The SAP recorded homicides prior to 1994 according to the following classification:

Murder
Culpable homicide
Infanticide
Faction fighting
Assault
Public violence
Other

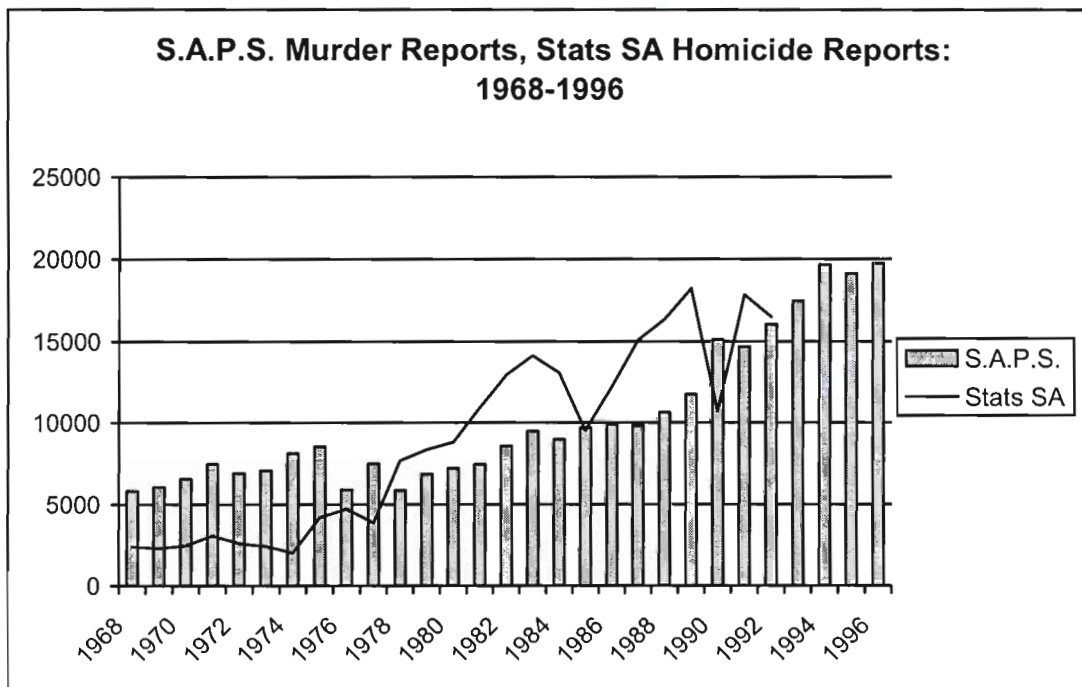
After 1994 the S.A.P.S. reported only "Murders".

This differing classification system raises significant problems in the accurate comparison of data and the accuracy of the available data. The data sets are meant to be of the same homicide victims, but due to the lack of directly compatible data, this is not possible. The method of classification of homicide prior to 1994 by the SAP demonstrates the political nature of much of the violence, as this would have been classified as "public violence" or "faction fighting", which are very broad, catch-all classifications. However, the post-1994 data is as difficult as only giving data for "murders" can thus exclude a high number of homicides that are not classified as murders by the police, but in a different context would be seen as such.

These differing methodologies have to be taken into account when comparisons are conducted. The political use of homicide and crime data by the state can result in the data being skewed or reclassified. Thus for this thesis the use of death records from the Central Statistical Services is used for the more detailed study and the S.A.P. and S.A.P.S. data used to provide a necessary validation.

## ii. Homicide Pre-1994

The data that is available on homicide pre-1994 comes from Statistics South Africa Annual Reports of Causes of Death from the Department of Health and annual Prosecution and Convictions of Crime from Home Affairs, the South African Police, in their Annual Police Commissioner's Report, and from non-government agencies that collected death and violence reports. The data is different as each agency is counting for a different purpose. The S.A.P. were investigating crimes, the Department of Health mortality, and the non-government agencies political oppression. There is little agreement between the agencies, even with the two main sources from the state, as shown below.



Prior to 1994 the political and social construction of the country created problems in the accurate gathering of vital statistics. The creation of the Homelands was possibly the most crucial of these problems. The severe lack of information

about the populations within these areas, coupled with a lack of willingness on the part of the state and its agents to change the situation.

Prior to 1979, it was not required for Blacks to register deaths, a serious problem for data collection. Botha and Bradshaw (1985), make this very clear in their assessment of the "black hole" of Black death rates, showing a large gap in the officially recorded death statistics for Black deaths. McGlashan (1985) makes a similar point, stating that the discrepancy of recorded and actual deaths might be as high as 40%.

This lack of data cannot however limit the analysis to deaths only after that date, neither is it useful to only use data after 1994, or after 2001, or any date. In order to understand the conditions of the present a historical analysis is vital. As Kaplan argues: "The greater the disregard of history, the greater the delusions regarding the future". (Kaplan 2001, p. 39)

### **a. "Other Violence" Homicide by Assault or Accident**

The accurate tabulation of cause of death is vital in any analysis of the state of the society. The causes of non-natural death have to reflect accurately the reality of the patterns of methods and numbers of violent death. Unfortunately, for the South African data a serious problem of homicide classification arose with the use of the classification of violent deaths as being caused not by assault but by "other violence".

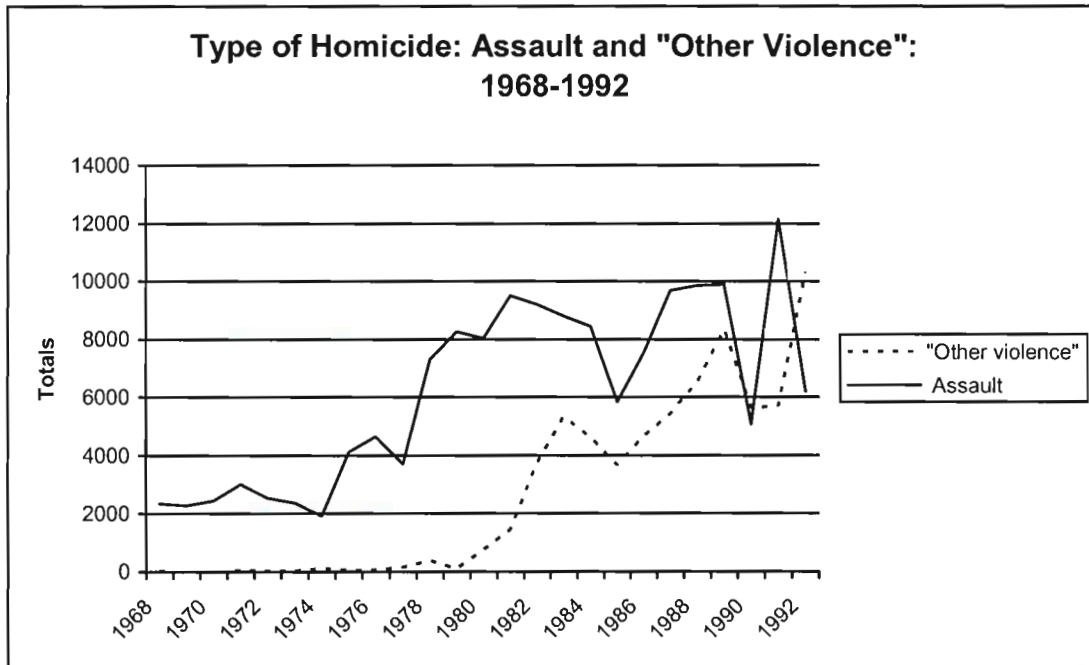
The classification of homicide falls into three main categories, within which are various sub-categories according to the weapon (if any) used: homicide by assault, by legal means and finally "other violence". This final category is a variable one, including deaths that are unable to be classified as it is unknown as to whether or not they are due to assault, accident or suicide (code 889), and "injury due to accident" (code 980-989). The rates in these categories vary considerable from 1968 to 1992. One would not expect a nation to become more "accidental", but if this classification did demonstrate accurately the levels of unusual death, it will show the nature of policing and the perceptions that the state has towards homicides. A rise in the level of deaths by "other violence" will show that they are not being investigated for whatever reason.

"Other acts of violence" is defined as follows:

"[It] include[s] unnatural deaths, deaths resulting from mine and industrial accidents, railway accidents, air crashes and other cases where circumstances were such that death of the people concerned could not be imputed to any specific reason."

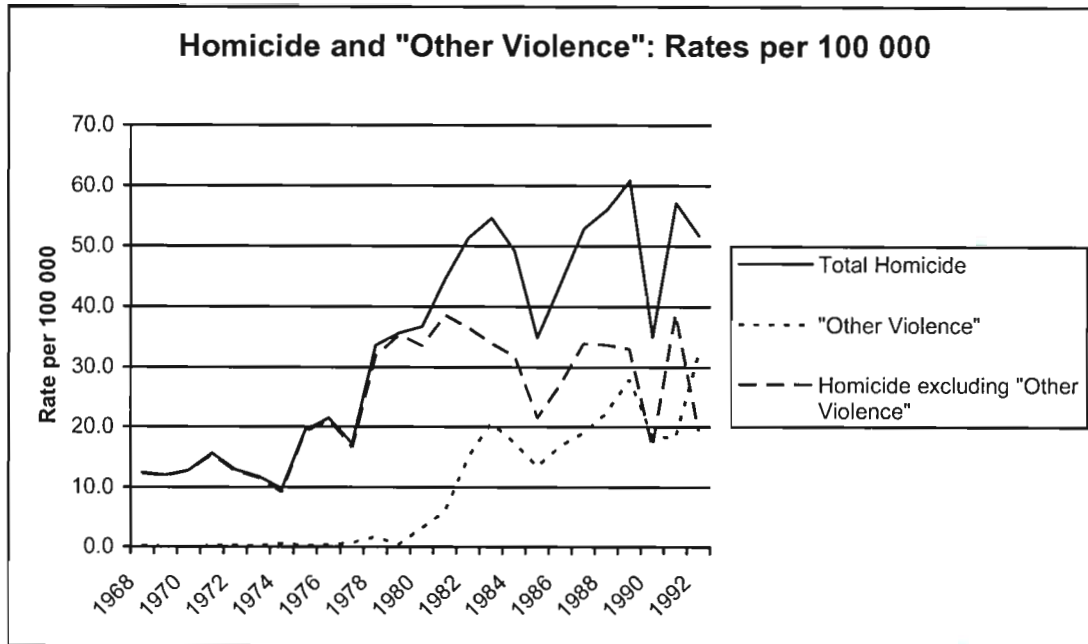
(Annual Report of the S.A.P., 1975, p. 8)

The changing rates of "other violence" call into question the validity of the classification. The increase in the deaths in this classification matches the increase in political violence, and raises concerns about the validity of this classification.



The increased rate of death by "other violence" can significantly alter the homicide rate, as if these forms of homicide are excluded from the total, then a rather different picture of homicide emerges, as shown below.





If we assume that the "unspecified" deaths are the result of a violent act, then they should be included in the analysis. However, suicides have to be excluded, as they should not be included in a study on homicide. The nature of the acts are different, as well as the causes. However, it is impossible to determine from the data what percentage of the "unspecified" deaths are suicides, so we are still left with the original problem. To ignore the data will give a false picture of the rates of violence in the society, but it can be argued that their inclusion will do the same thing.

The classification of deaths changes as the system changes. Once more, this is more a reflection of the nature of the state and its agencies, than the events on the ground. One cannot assume that the change in classification means an increase in accuracy; merely a different picture will emerge from the different statistics. In later years, this problem re-emerges in the classification of unnatural death that is not classified as homicide or suicide, but merely left as "injury", which are then compiled into the classification of "other violence". A rather nebulous term, which serves more as a catch-all for much of the violent deaths. The problem remains of whether or not to include this data in the

analysis. In the 1990 data, 41% of White unnatural deaths were in this category; if one excludes suicides, then it is 76%. This means that the homicide rate could be either 15.9 or 3.8 per 100 000 depending upon which figures are used.

The level of non-classified deaths tells us much about the nature of the violence and police response. To have such a high level of deaths that cannot be classified can be seen as a weak police investigative system, and this has been the case for South Africa.

The data presented will include the homicides from "other violence" – to exclude them will give a false picture of the levels of violence in the country. A lack of police investigation does not mean that the homicide rate declines. As the police service improves its methods, then the statistics will become more accurate. However, with the data from the past the information has to be understood in the context of the wider society. To exclude these figures will give a false impression of the levels of violence, but the rates produced have to be seen as an inaccurate picture of the real levels due to the incomplete data available.

## **b. Political Homicide**

The number of deaths as a direct result of political action will probably never be known. Unfortunately, the nature of the armed struggle and the methods of State oppression meant that violence was widespread and often unfocused. The nature of the violence meant that much went officially unrecorded as political acts.

The definition of what is a "political" and what is a "non-political" homicide is problematic. It can be argued that political causes can be used to hide more "normal" homicides, or that homicides that were of a political nature were not classified as such to lessen their political nature. This is obvious in the various

reports of political violence during the 1980s. During the period 1984 to 1986, the number of "political deaths" were counted by two non-government agencies and two government departments as follows:

Agency	1984	1985	1986
Indicator South Africa	149	922	1352
SA Institute of Race Relations	149	879	1296
SA Govt. Bureau of Information	0	407	397
Minister of Law and Order	0	398	586

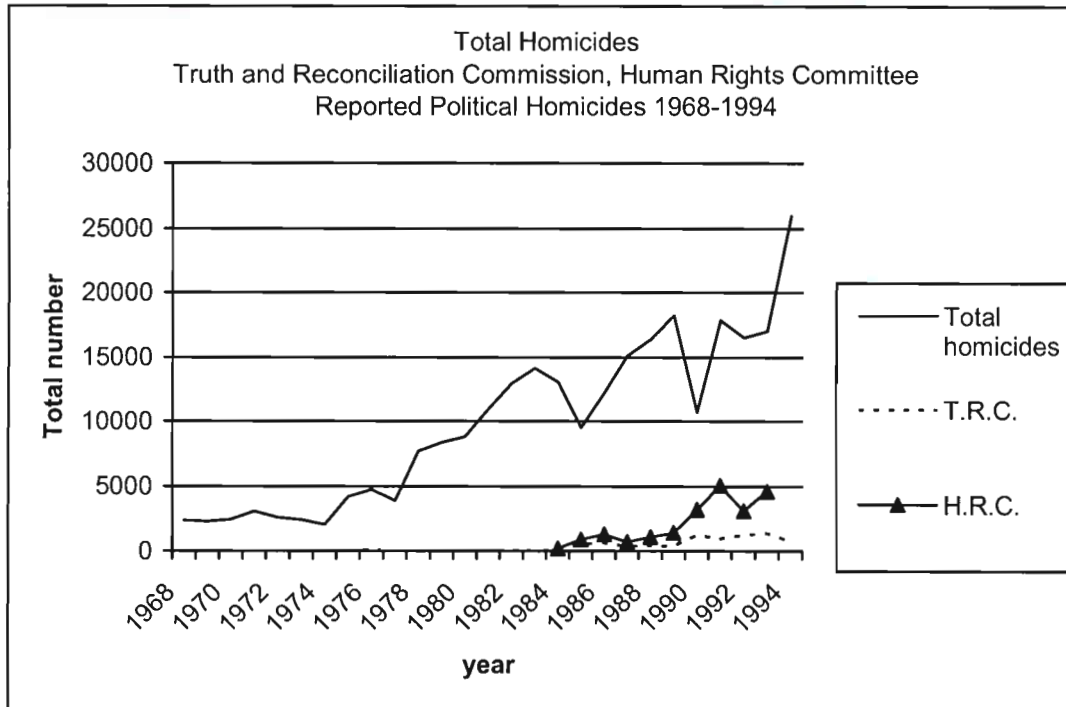
(From Bennett and Quin, 1988)

Each had their own agenda and classified deaths as political or non-political according to their own aims. For the state, it is obvious that counting low numbers of political deaths suited their purposes, while for those who opposed the state sought to highlight the political nature of the violence that was occurring in the country.

The Truth and Reconciliation Commission (1998) cited a total of 9043 people killed for political reasons during the period 1975 to 1994, with an estimated (but unreported to the TRC) 15 000 more deaths due to political violence in the period 1990 to 1994. Of the total number of homicides for the two periods (1975 to 1994, and 1990 to 1994) the political killings comprise 3.7% and 22% of total deaths for the period (T.R.C. vol. 3 1998). The TRC recognised that they did not investigate all the violence that occurred, and thus gave the estimated number of killings for the 1990 to 1994 period. Prior to this there would have been many killings that would not have reached the TRC, and are thus lost to analysis.

Further analysis by the Human Rights Committee of South Africa (Coleman M., 1998) of political killings produce a different set of figures. They record a higher

total number of political deaths, with a total of 21527 deaths from 1984 to 1994, comprising 12.9% of all homicides for the period.



The impact of the political violence was far beyond the direct political victim. The significant increase in all homicides has had to have been influenced by the political killings.

The T.R.C. report gives some detail of the victims of political violence. A total of 83% were male, and 67% were in the 13 to 36 age range. Firearms were used in 60% of cases. The political affiliations of the victims were unknown in 47% of the cases, of the remainder 70% were members of the ANC. The majority of the killings occurred in KwaZulu-Natal (53%), and members of the Inkatha Freedom Party were sited the most as aggressors (T.R.C. vol. 3, 1988).

These patterns match those of more general homicides, with young males being the majority of victims. The key difference is the higher rate of firearm use in political homicides, during the period of 1968 to 1990 only 5% of all homicides

recorded were by firearm. However by 1994 this had risen to 41.5%, a very significant change in methods, and one that has to be linked to the use of firearms in political homicides.

From 1994 to 2000, the homicide rate has declined by 19%, the same percentage that political killings formed of the total homicides from 1990 to 1994. However, new forms of homicide emerged in the post-1994 society, with an increase in taxi violence, vigilante killings and crime related deaths.

### **c. Homicide as a Percentage of Total Deaths**

The accuracy of the death rates per 100 000 are dependent on several factors:

- The accuracy of the police reports.
- The accuracy of the national census.
- The classification process of the acts.
- The level of reporting of deaths, whether violent or non-violent.

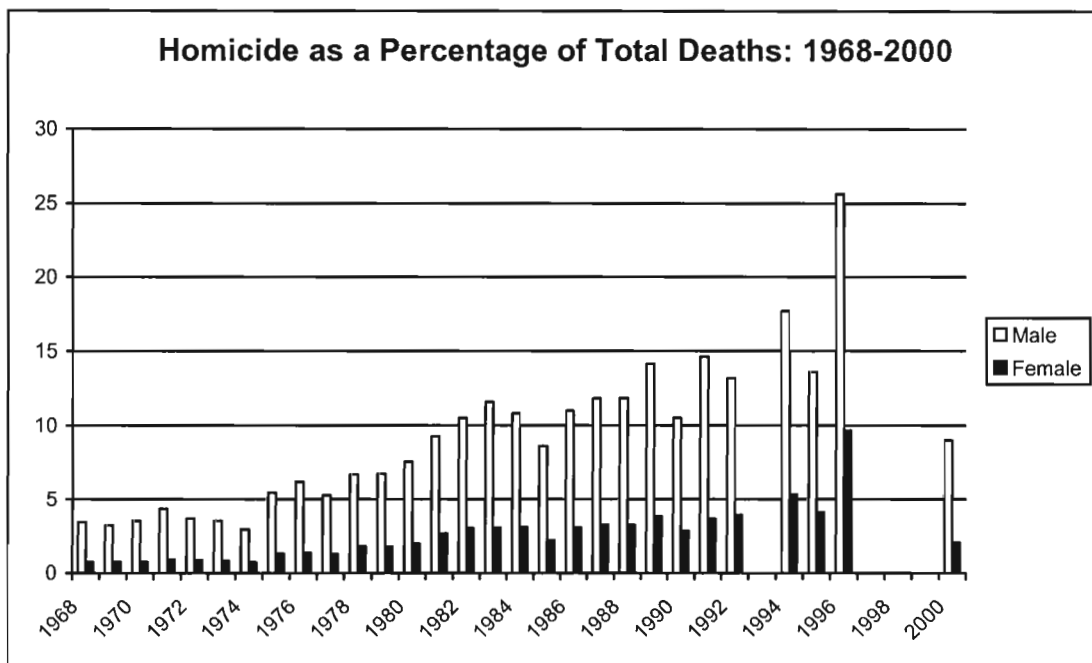
Due to the nature of many of the deaths from violence, i.e. politically motivated, there were many reasons why reporting of the acts would be inaccurate – a lack of faith in the police to solve the crime or catch the perpetrators; the involvement of the police or other state agents in the killings themselves. Killings by other political groups could also result in a low reporting rate. For a homicide to be reported there has to be some level of motivation for the act to be reported. If the homicide was committed by someone connected to the police, or by the police themselves, the obvious result is that the cases will not be reported. If people fear the aggressors, the cases will not be reported, or if they have no faith or trust in the police to take the necessary action, the case will not be reported. The classification system is closely tied into the broader political structure of the society.

Combined with this is a lack of accuracy in the national census. This is particularly true for those who are most at risk from violence, the poor and the marginal in the society. A lack of the reporting of normal deaths is also a problem. Thus the scale of the error is not known, however these tables can be used in comparison with other data to get a clearer picture.

In order to compensate in some way for these errors, a slightly different system will be used in this section to analyse the patterns of violent death. The scale at which various groups are killed in relation to their total deaths will show the level of violence within that group. It will compensate for the inaccuracy of the

census data. However, it does not compensate for the inaccuracy of the data of total homicides, and thus the data presented has to be viewed with the research conducted on the total rates of homicide.

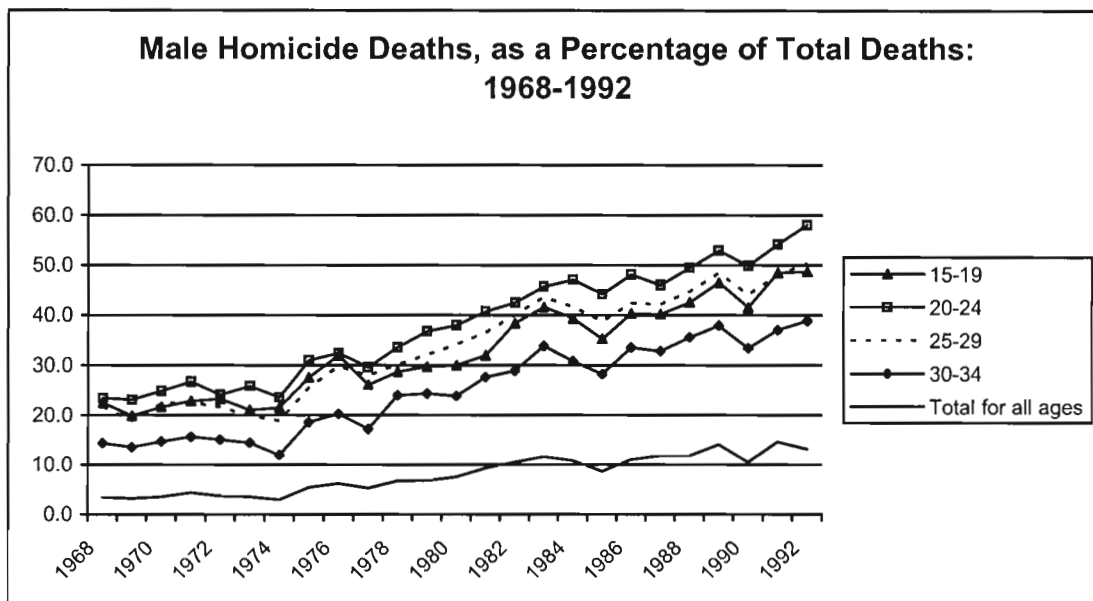
The method used for the following graphs was to analysis the percentage that deaths by violence make up of the total deaths recorded. These are broken down into age, gender and racial categories. After 1990, the Department of Health no longer reported deaths according to racial categories, only gender and age. Thus the data presented falls into several differing categories according to the type of data available.



This graph shows the changing scale of homicides from a longitudinal perspective. Broken down according to gender and year the graph clearly illustrates both the high level of risk that males face from violent death and the increasing percentage that violent death occupies in the mortality of the population. A clear increase can be seen occurring in the mid-1970s. An event that matches the increase in the violent struggle against the state, this is of course most marked in the male population. The worrying trend is however the

continuing rise in the graph. This can be attributed to several factors: the decrease in other forms of mortality, the reclassification of the nature of death, or more importantly the rise in the use of violence in the society. This graph in itself however does not tell a fully detailed picture, but it does give a clear overview of the shift in nature of the scale of homicide in the county.

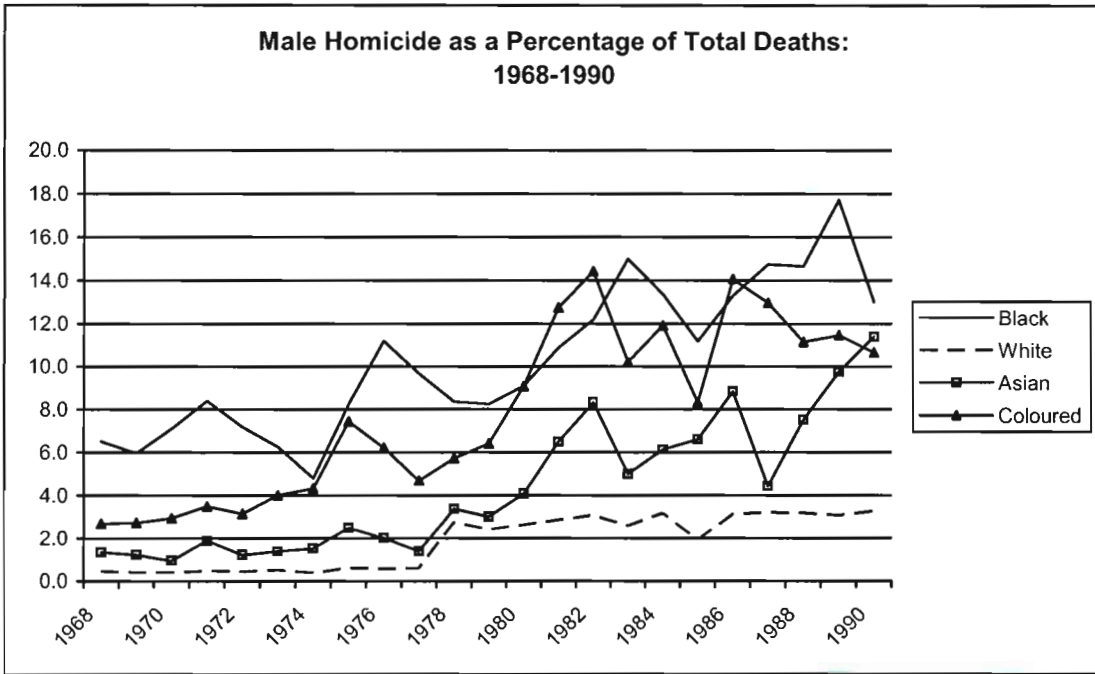
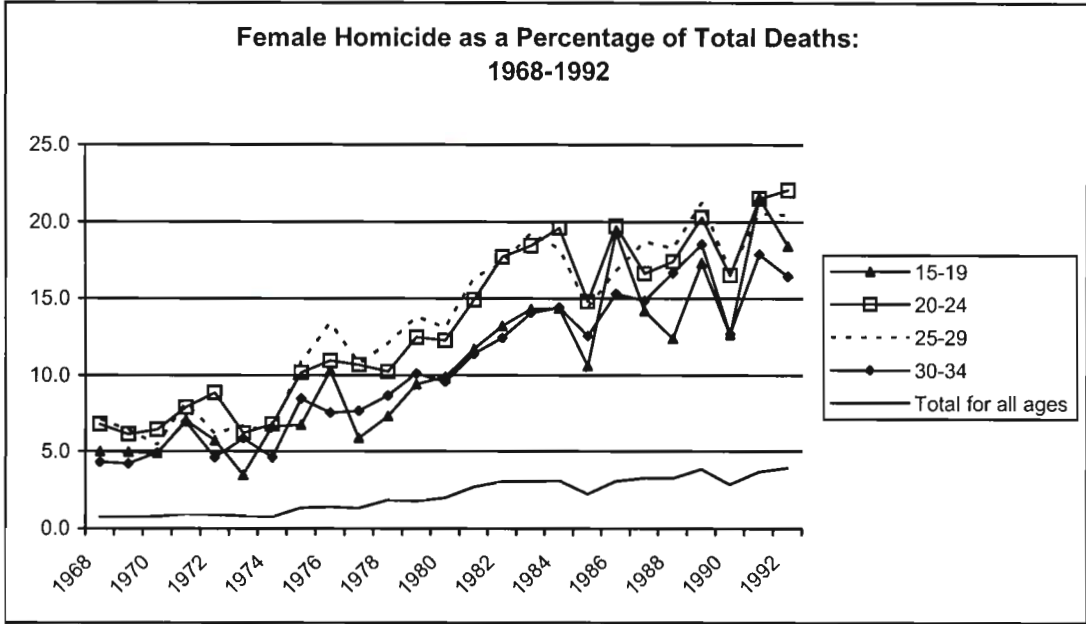
For certain race and age groups the percentage of death by homicide is particularly of concern. Males between 15 and 30 have experienced a very high percentage of violent death.

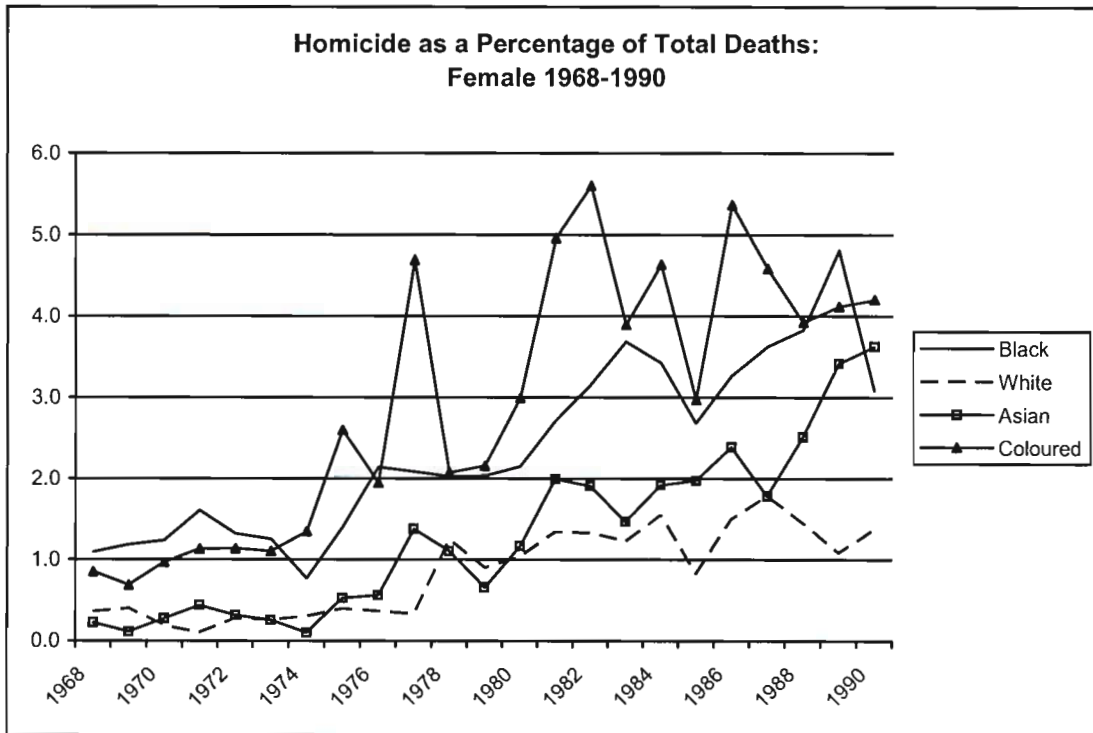


The changing percentage reflects the increase in homicides for the period. The extreme levels of homicides for the 15 to 30 age groups are of particular concern, a rate of over 50% is indicative of an extremely violent society.

For females a similar pattern, but at a much lower percentage is observed.

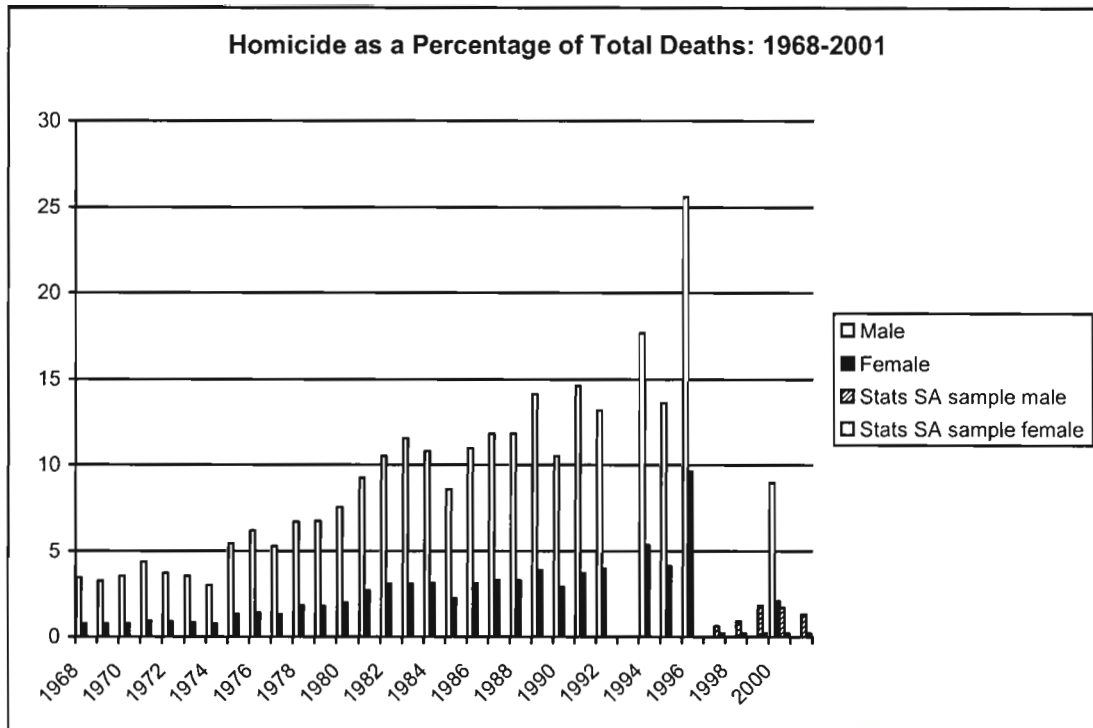






For both male and female there are similar racial patterns, with Black and Coloured death by homicide having the greatest percentage of total death. The racial patterns are similar for males and females of each race group, indicating similar risk patterns and changing levels of homicide.

The problem with analysing homicide as a percentage of total death after 1990 is the increase in the rate of HIV and AIDS as a cause of death. AIDS related deaths are the most frequent in the age groups most at risk from homicide and other violence. (Statistics South Africa, 2002, Dorrington et al., 2001). The Statistics South Africa report on a 12% sample of causes of death for 1997 to 2001 (2002) shows a very different picture for deaths by homicide.



The significant difference in the patterns of data shows the problems of accurate data collation. The report used the category of “unspecified unnatural causes” which included death by “assault, hanging and drowning” (2002, 6), as well as death by assault. Bradshaw (2000) and Bradshaw et al. (2002) argue that this problem of classification is due to a lack of cause placed upon the death certificate. This would occur when:

- the medical practitioner does not have access to the full medical record for certification;
- the diagnostic tests have not been done prior to the death;
- the autopsy has not been done; or
- the Death Report form has been used and the death as been certified as natural by a traditional leader or headman.

(Bradshaw et al. 2002, p. 13)

Until these issues are solved, death data will not be one hundred percent accurate. However, no social research can ever be that accurate and the best use has to be made of the data that is available. To not use the data would be

as problematic as to use it without question. The research of homicide in South Africa, as in any society has to recognise that the work will be conducted with some degree of imbalance. It is this recognition that allows the research to be reliable.

#### **d. Homicide and Race**

The racial nature of South African society allows for some broad assumptions to be made about the nature of intra-group violence. Homicide that occurs within racial groups is more likely to be between people who know each other, than interracial homicide. The changing nature of the racial profile of the aggressor and victim shows a changing social structure and motives for homicide.

There are clear racial differences in the rates of homicide in South Africa, and these can be traced back to the beginning of the twentieth century. White and Asian population groups have had far less homicides in rates, as well as a percentage of total death than those members of the Black and Coloured communities.

For the accurate figures for all population groups in 1968, the rates of homicide per 100 000 for the racial groups and along gender lines was as shown below:

	Black	Coloured	White	Asian
Male	21.4	44.2	4.8	11.2
Female	2.3	11	2.8	1.4

The differences in the rates are startlingly clear. The Coloured population, both male and female having an extremely high rate of homicide, dwarfing the other population groups. Unfortunately, due to the methodologies employed by the Central Statistical Services the race of all the aggressors of Coloured victims cannot be determined; the only data that can be used are the prosecutions and convictions for the period.

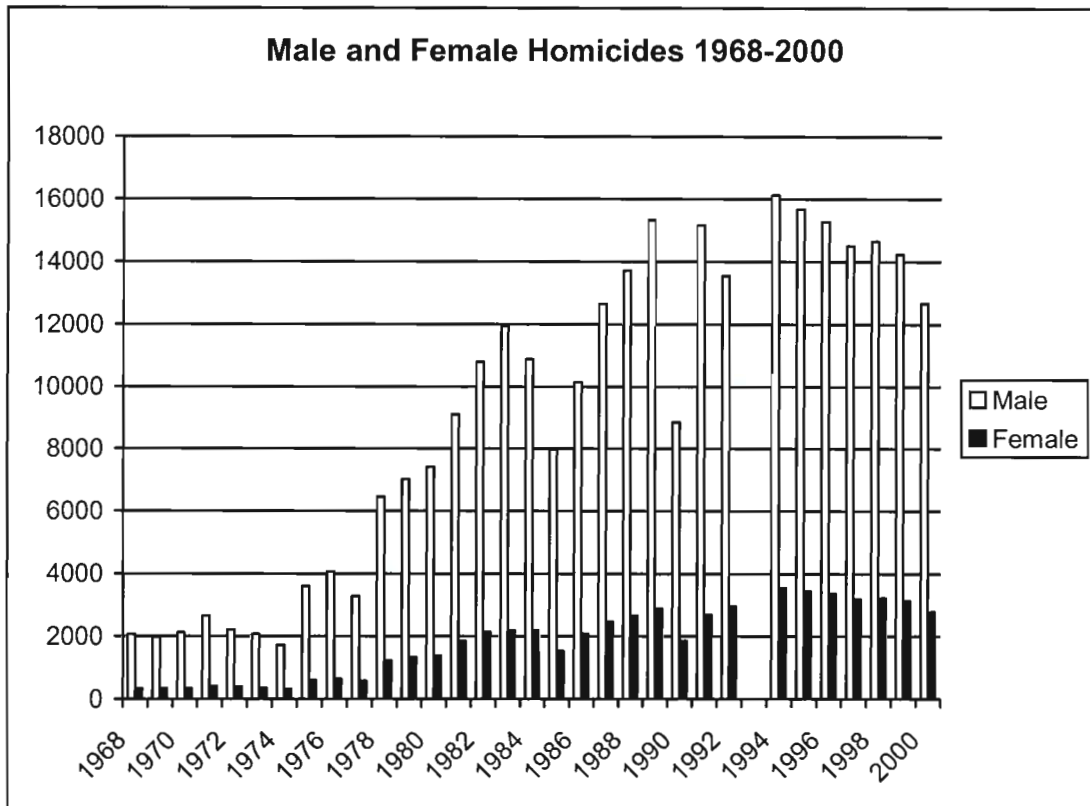
In spite of this problem the death data demonstrates that homicide in South Africa is influenced by race, race in South Africa is a key indicator of economic and social opportunity. For higher rates not to be recorded within the Black and

Coloured communities would be an anomaly due to the nature of the social system.

All the racial groups experienced an increase from the period around 1976. This can be linked to the changing nature of violence within the country with the increase in political destabilisation and associated violence.

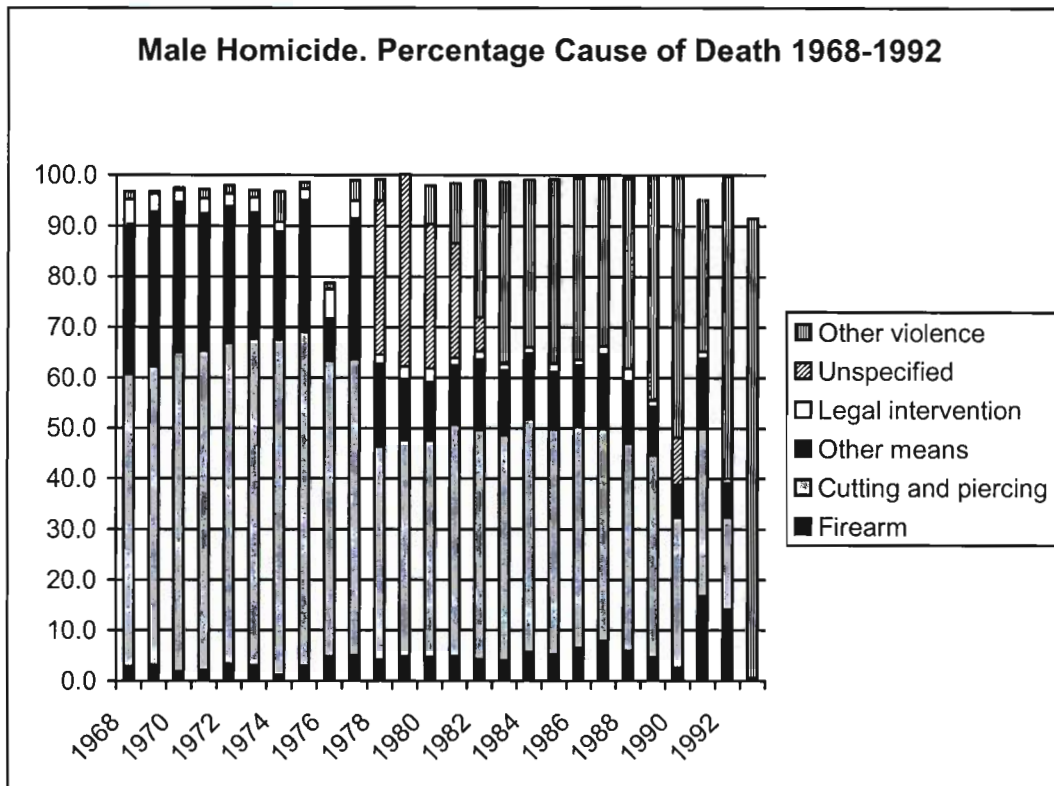
### e. Male and Female Homicide

As with other research, there are consistent and important differences in the homicide rates and patterns of male and female homicide.



From 1968 to 2000 males were killed an average of 5.4 times more than females. Males were more likely to be killed with a gun or other weapon (ratio of 1.3-1, and 1.6-1). Females were killed without the use of weapons at a greater ratio than males (0.7-1). This pattern is indicative of the nature of violence in the society, with females being more likely to be killed by a man using his fists, whereas male on male violence has a greater use of weapons, as the use of these will give the aggressor a greater advantage over his victim. The physical differences between males and females will lessen the need for a male aggressor to make use of a weapon to successfully assault a female.

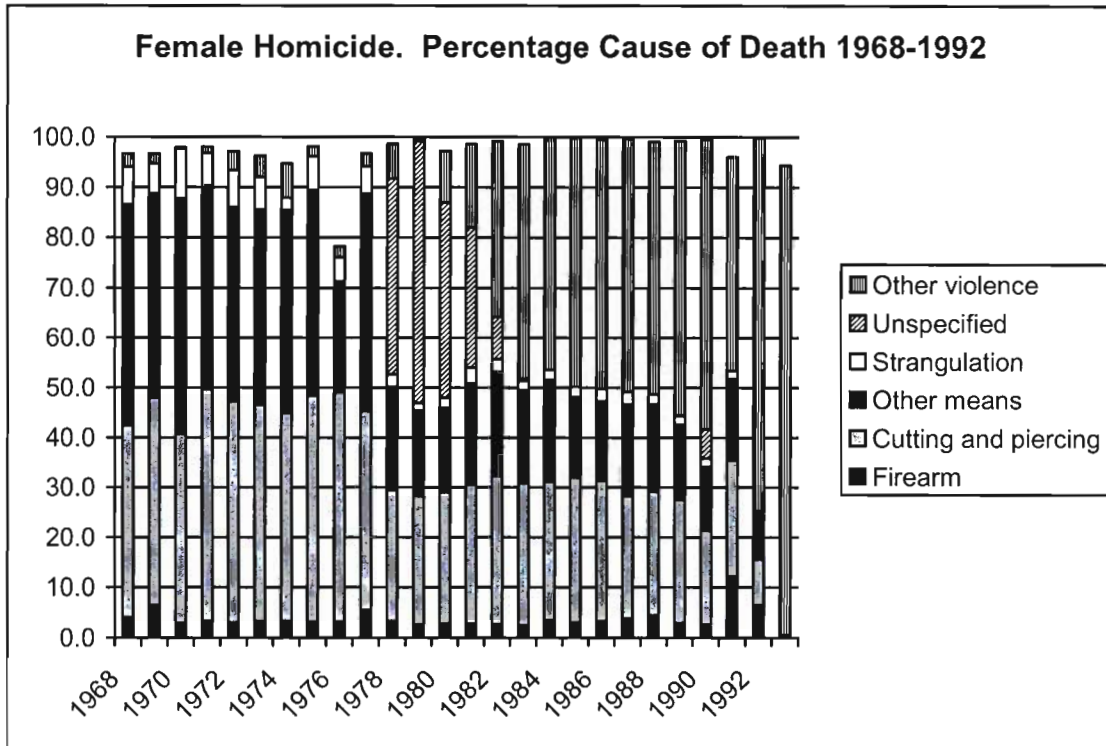
The methodology of homicide reflects the different types of homicide that males and females experienced, and gives an indication as to who was the aggressor.



Male homicide has been dominated by assaults with cutting and piercing weapons, such as knives. A significant number of homicides have been caused by "legal intervention"; this would be state executions as well as police shooting males.

The percentages of homicides that are unclassified and thus difficult to analyse coincide with the increase in the number of homicides that occurred. This lack of classification will be related to the increase in cases that the police and coroners had to deal with, as well as giving an indication of the declining ability of the criminal justice system to cope with these deaths.





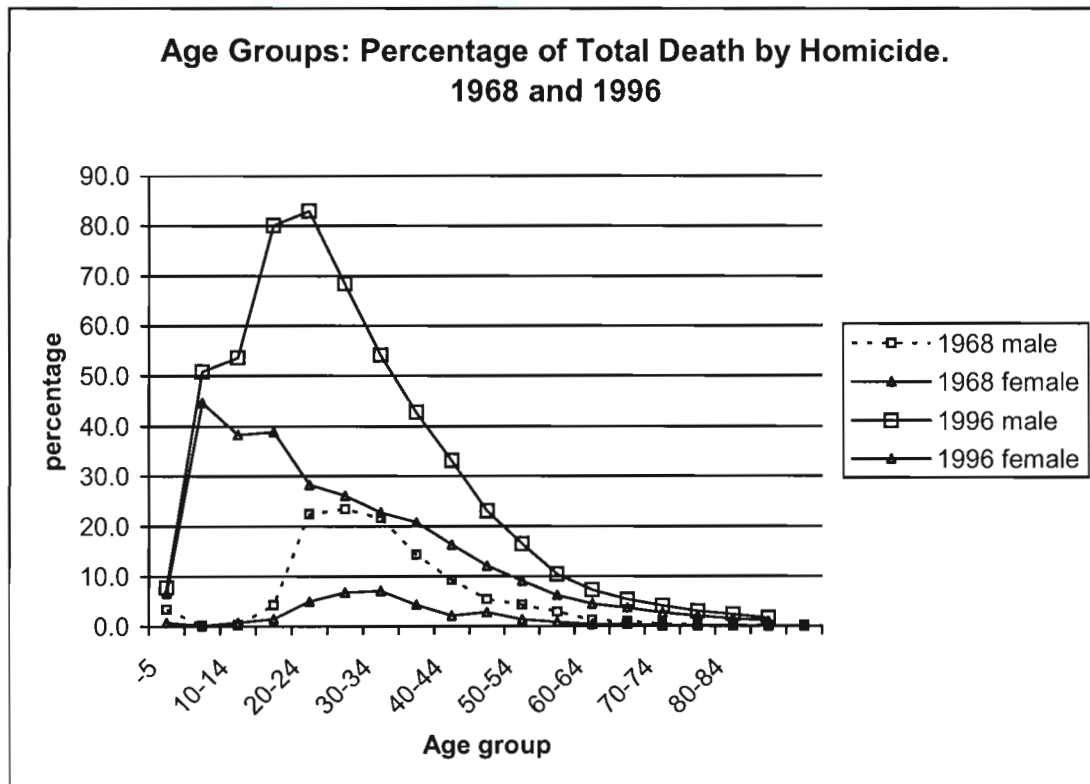
Female homicides share the high rate of assault with cutting and piercing weapons, but also have a significant number of homicides by strangulation and drowning. These homicides must be understood in the context of the “normal female homicide”, which will be caused by a male partner. The male is able to use strangulation or drowning as a means of homicide due to the differences in physical strength. The very low numbers of male homicide by strangulation or drowning emphasises this key difference in male and female homicides.

The lack of significant numbers of female homicides due to legal intervention demonstrates the differences in risk taking behaviour, with males more involved not only in crime, but also under apartheid were executed more than females.

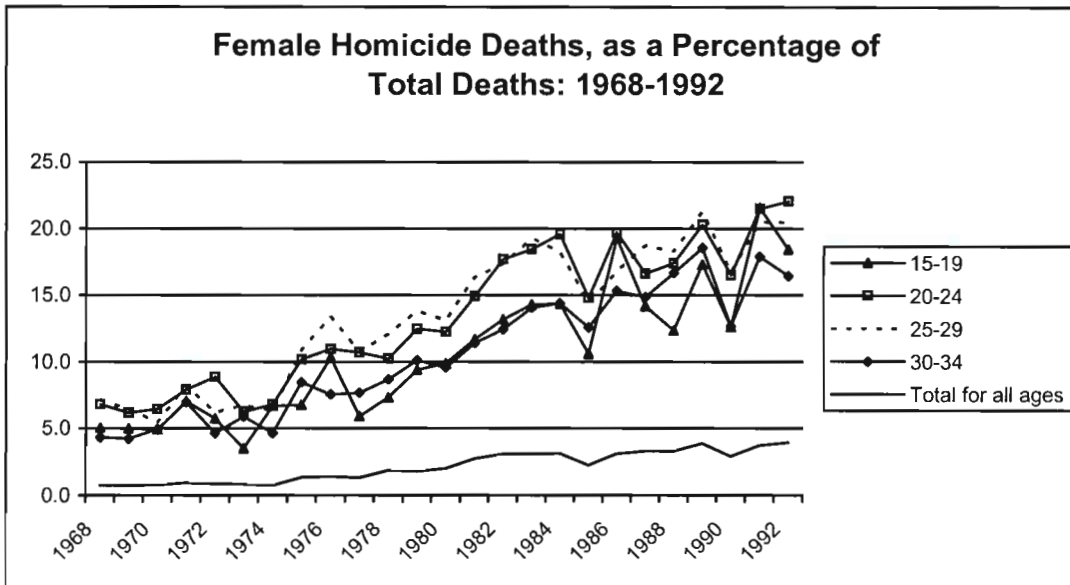
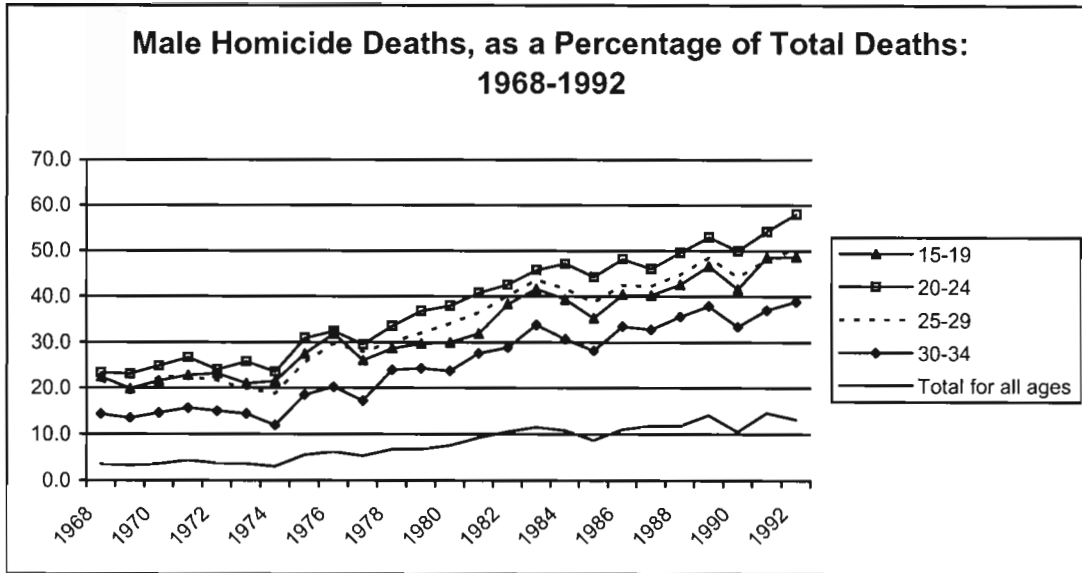
The homicides by “other violence” and “unspecified violence” create the same problems that confront the analysis of male homicides.

## f. Age Groups

An individual will be a variable risk of being a victim of homicide dependent upon their age. Age itself is not a cause of homicide, but an indicator of life style. Under 15 years of age, the individual will not engage in behaviour that will increase their risk of violent assault. However, between 15 and 30 years the individual will be at greatest risk from violent victimisation, as well as be at high risk for other non-natural causes of death, such as motor vehicle accidents and since 1990 death from AIDS. This age group will be more likely to engage in activities that will take them to areas of high risk, such as bars, and be more likely to consume excess alcohol.



The comparison above of the percentage of deaths caused by homicide in 1968 and 1996 demonstrates the increased risk of those between 15 and 35 years of age. A more detailed examination of the high-risk age groups shows the nature of the high level of homicides that occur in this limited age range.

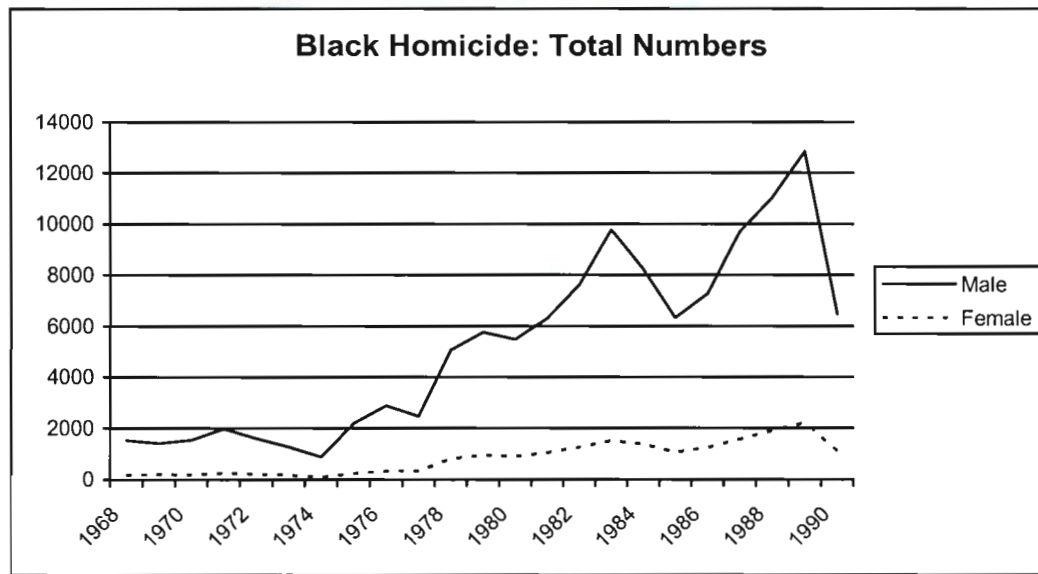


Homicide has played an increasing part of the deaths of males under 35 years. The rise in the late 1970s can be explained by the increase in political violence, and its subsequent effects upon the use of violence within the country. These age groups die from homicide at a far greater level than males over 35, which has to be linked to their lifestyle, increased risk taking and willingness to use violence.

For females, the pattern is similar, although the percentage of total deaths by homicide is lower. The same age pattern is present, with those in the 20 to 30 age groups being most at risk from homicidal death.

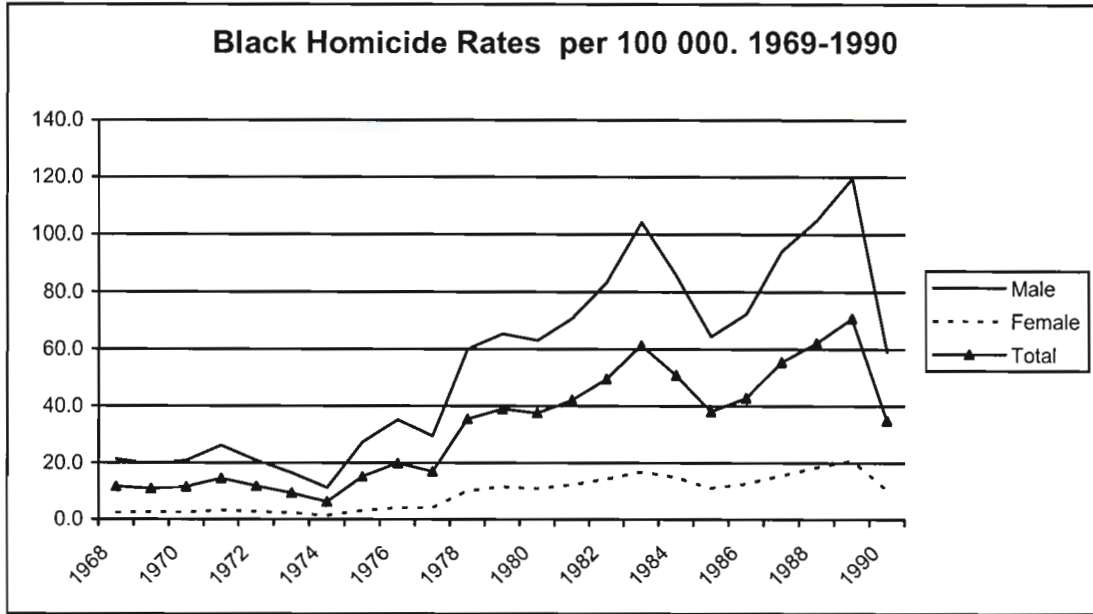
For both males and females, the number of deaths from homicide is extreme, and this trend has continued into the 1990s. However, this age group is also most at risk from AIDS, and thus homicide has been reduced as a prime source of death. This does not mean however that this group has reduced its level of risk of homicidal death, only that it now faces a new source of death, that is also based upon risk behaviour. (Statistics South Africa 2002, Dorrington et al., 2001)

### g. Black Homicide

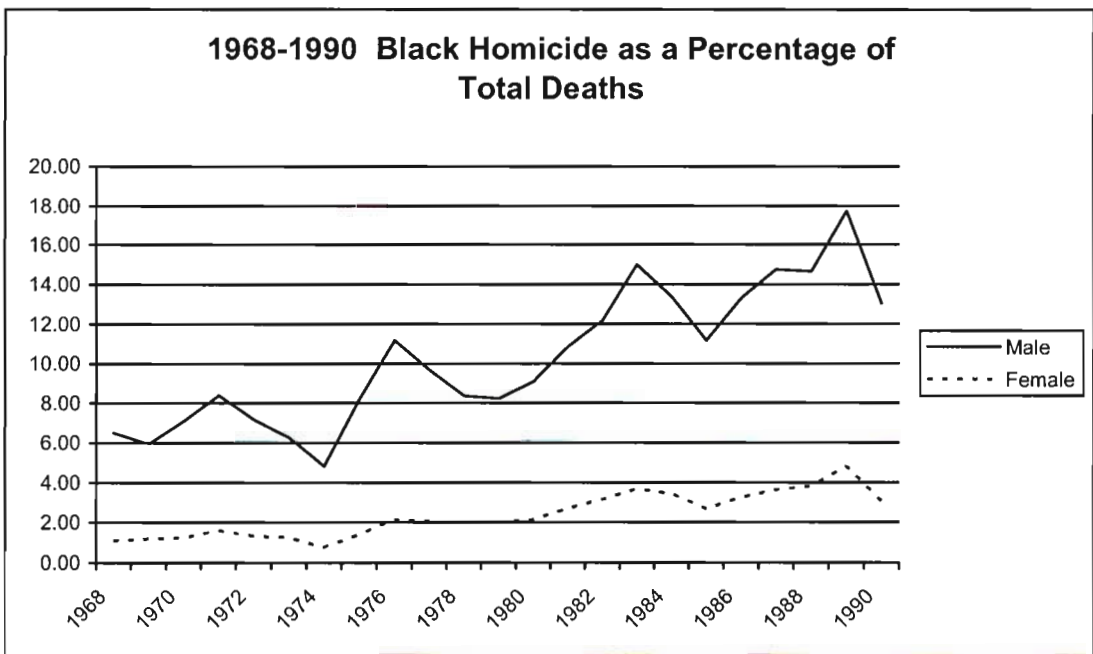


Blacks in South Africa die from homicide in the largest numbers, and have done so since accurate records were kept. This data however is not as accurate as the other racial groups due to the nature of the methodologies and policies of crime data collection for most of the twentieth century. Black homicides that occurred within the homelands during their existence were never recorded by either the police or mortuaries in South Africa. They were meant to be collected by the various homeland authorities, however this was never done to any form of accuracy. The police, as has been exposed in the Truth and Reconciliation Commission reports also never recorded many of the political homicides.

However, the data that is available does demonstrate the nature and rates of Black homicide and clearly shows the nature of violence that this race group have faced and still face.

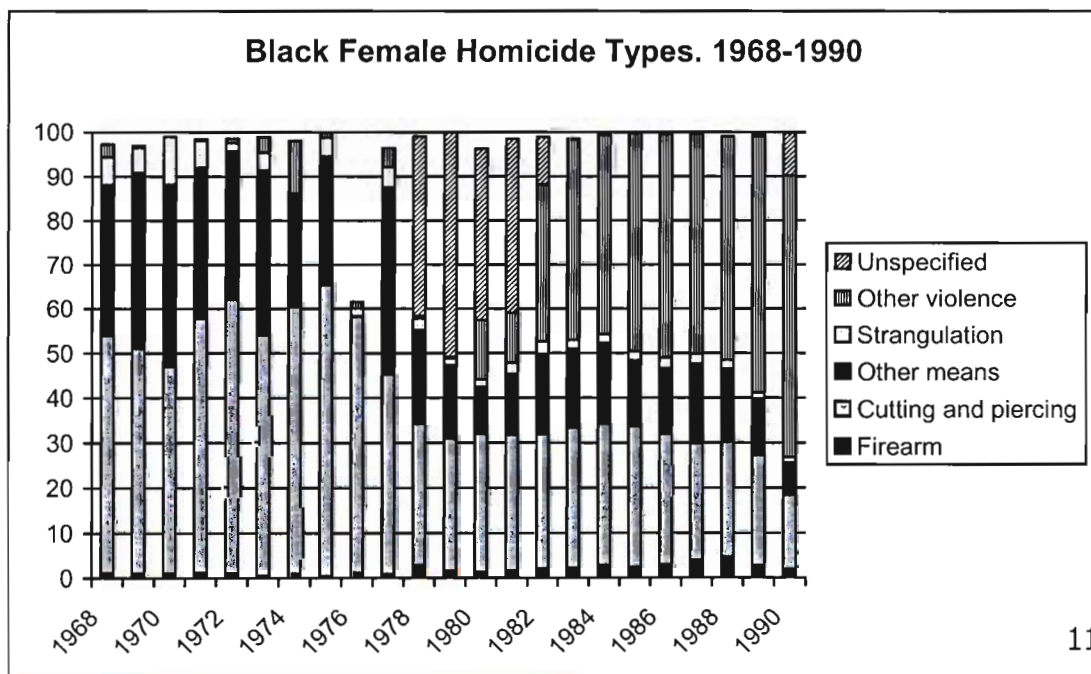
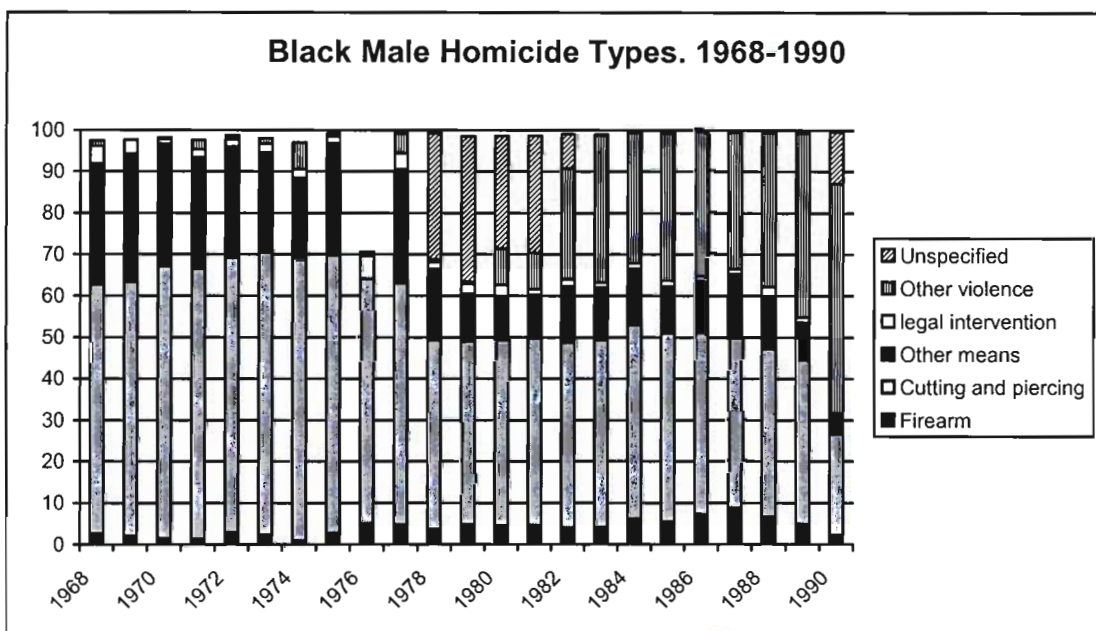


The extremely high rate of homicide for Black males and females is indicative of the violence that has faced this society. The rapid increase in the 1970s coincides with the change and increase in the political struggle. However, the rate per 100 000 is problematic due to the lack of accurate census data. An analysis of the homicide percent of total deaths shows a similar pattern, and with similar significant levels of violence.



The percentage of deaths from homicide has a less dramatic increase in the 1970s, and is of comparatively lower levels than would be expected of the rates per 100 000. This points to high rates of death occurring within this population group, and that homicide forms only part of the multiple causes of death.

The forms of homicide for Blacks show what type of weapon was used, if any, in the homicide. The form of weapon gives some indication of the nature of the violence, as well as changing patterns of behaviour.

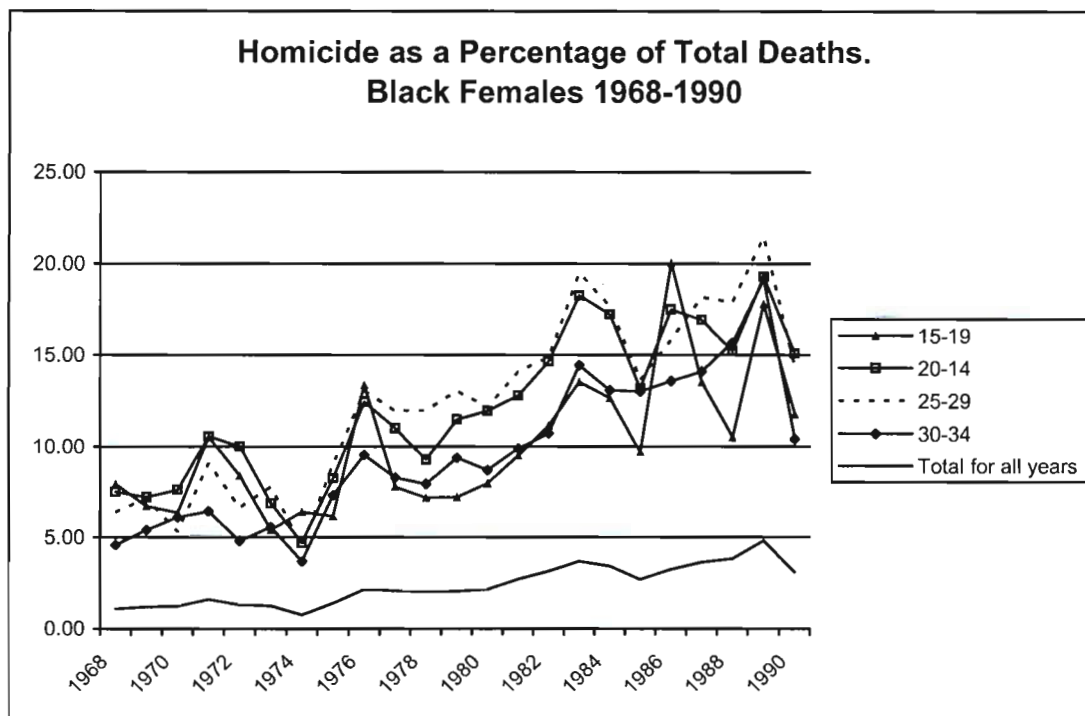
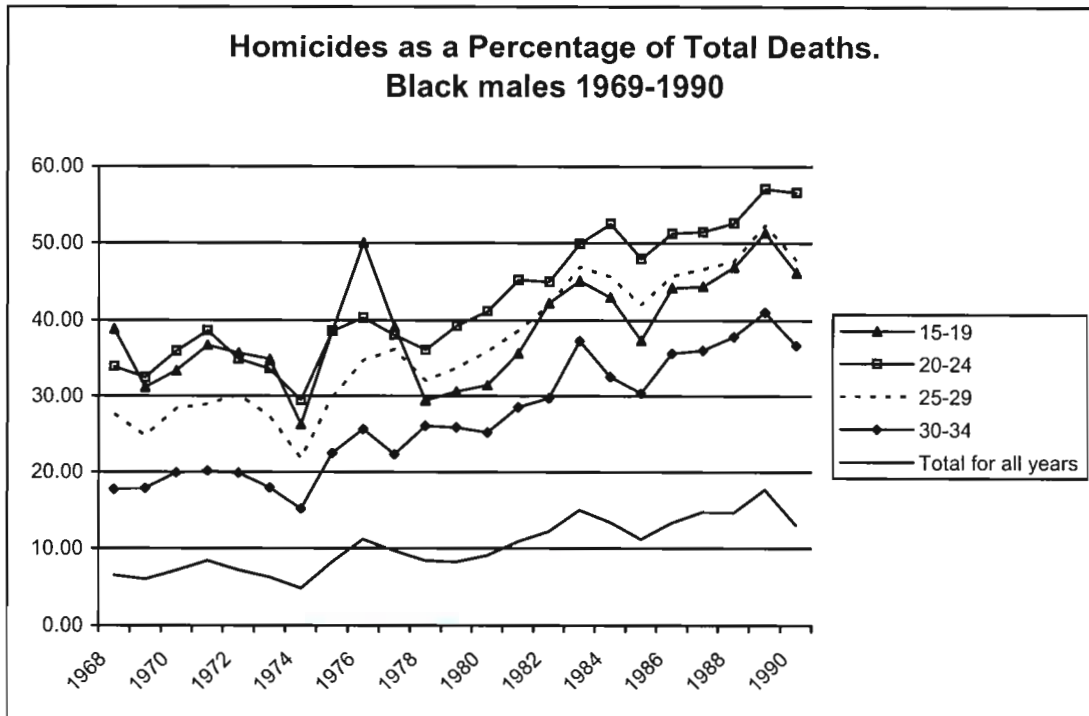


For both male and females the main weapon used was a cutting or piercing weapon, followed by "other means", and finally firearms. Males had a high percentage of death from weapons (above 60% from 1968 to 1977); females had a lower rate for homicides by weapon, and a higher percentage for homicide by other means. In relation to this homicide by strangulation was more prominent for females than for males, while males suffered a higher homicide rate from legal intervention.

For both genders the levels of undetermined homicide and homicide by "other violence" increased in the late 1970s and dominates the causes of death by 1990. This trend is linked to the increase in homicides and the failure of the criminal justice system to adequately cope with the rising homicide rates.



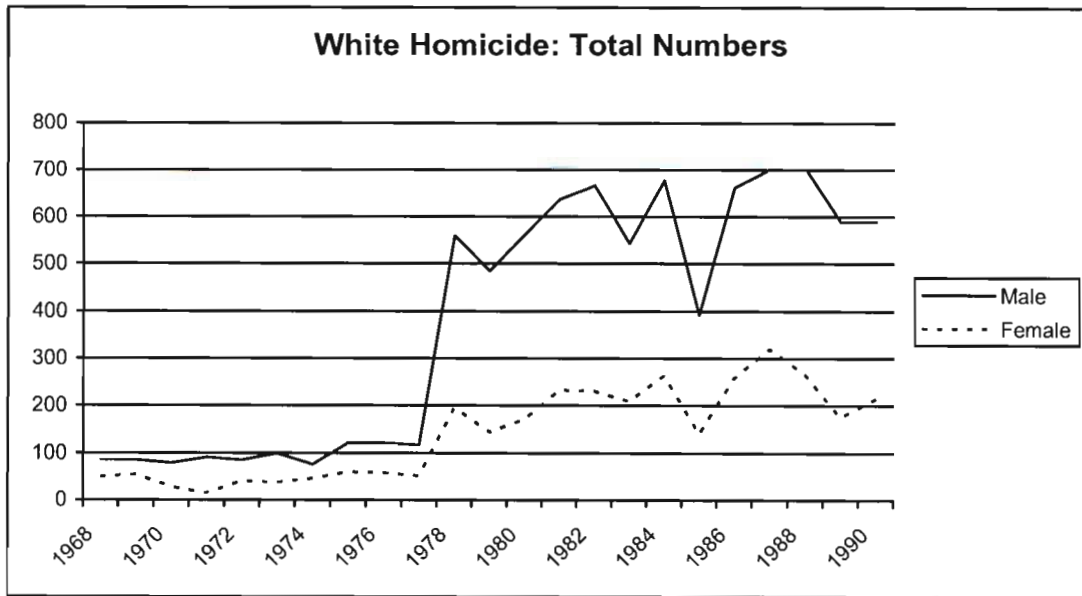
## Homicide in High Risk Age Groups



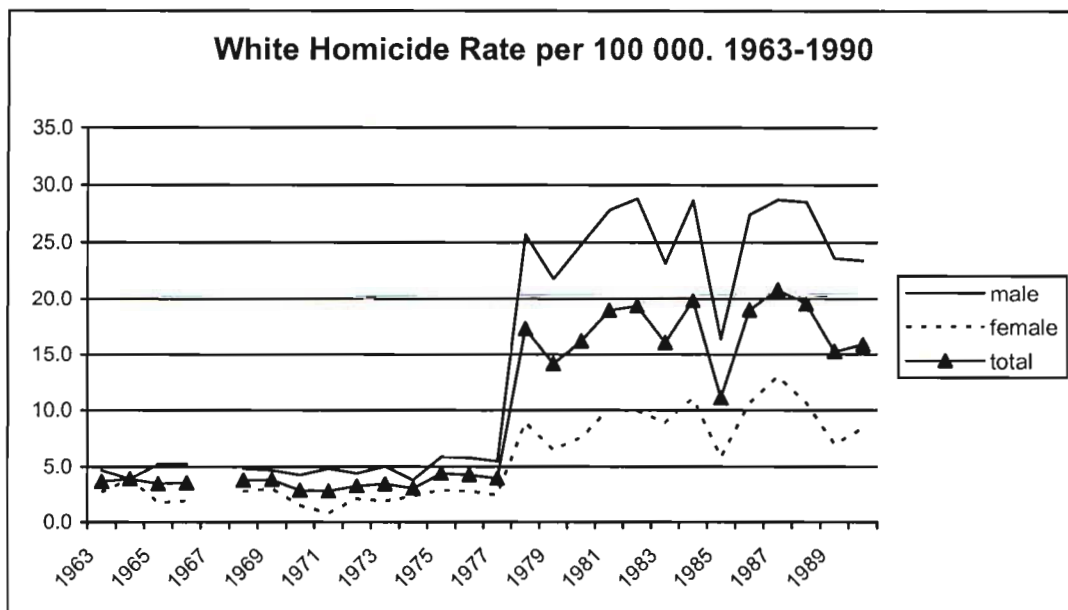
Males and females in the 15 to 30 year age groups experienced a higher than normal level of homicide. The percentage of deaths by homicide for Black males between 15 and 25 was above 30% since 1968, and rose steadily throughout the period reaching over 50% by 1988.

Female death by homicide was at a lower level than for males, but was still high, at between 5 and 8% in 1968, and rising to over 15% by 1989.

## h. White Homicide



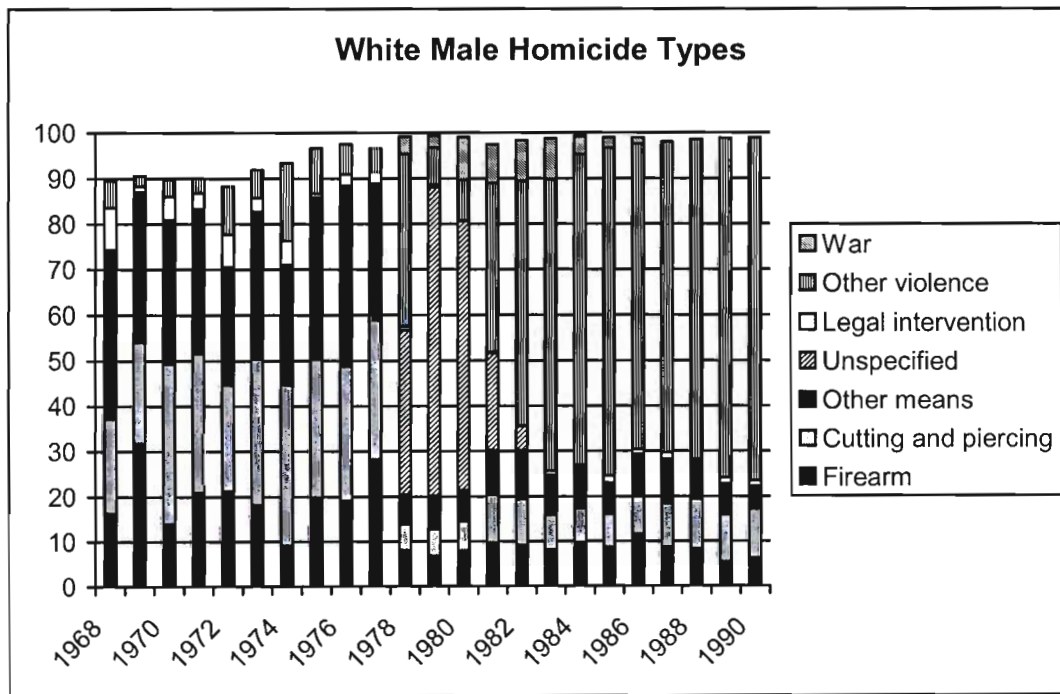
White homicide reflects greatly the changing patterns of violence in the country, the changing methods of homicides, as well as the increase in homicides demonstrates the changing patterns and nature of violence and homicide in the country.

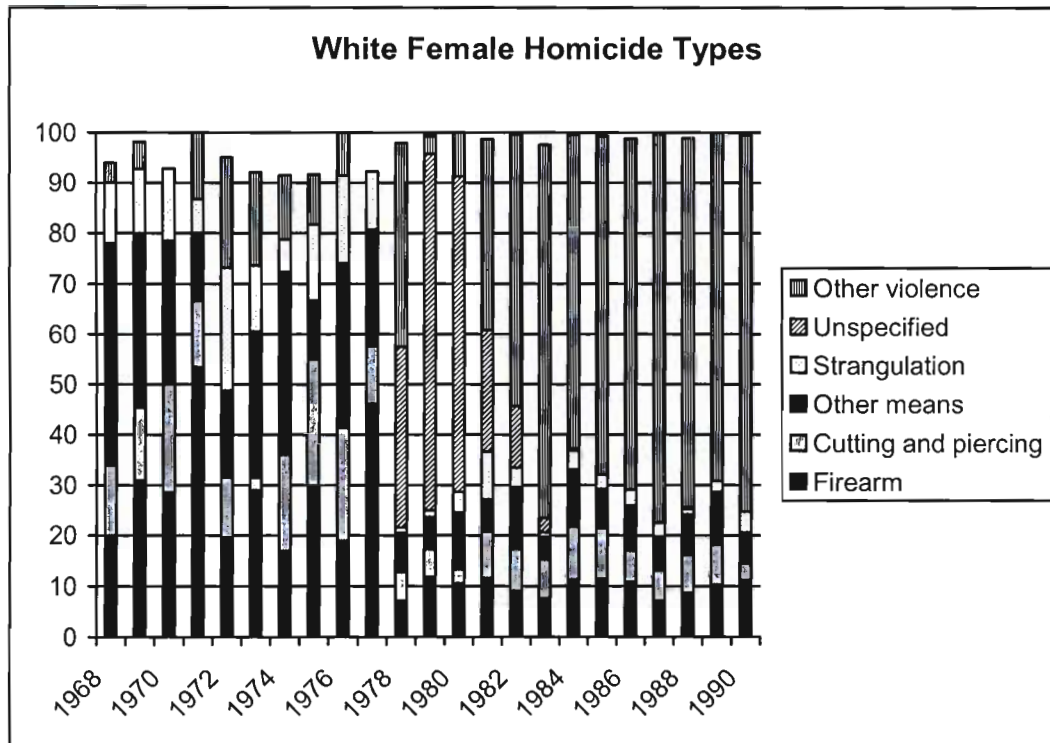


The rates and patterns of homicide within the White race groups are in many ways similar to those found in Europe and North America. The rates are on an international level quite high, but within the context of South Africa they are low, being maintained below 5 per 100 000 until 1977.

### Method of Homicide

The method of homicide demonstrates to some degree the nature of the homicide, as well as showing the changing nature of the society. Accurate consistent information about weapon type is only available after 1968, and thus has to be analysed from that date.





From 1968 to 1977, the main forms of homicide were that of knife or other stabbing instrument, firearm and other weapon. Females did have a significant rate of homicide by hanging and strangulation (code 963) which points to homicide by someone significantly stronger than them, i.e. a male. After 1976, this pattern changes in the increase in the homicide in the codes of "other violence" and "death by injury undetermined". This change in homicide is not limited to White victims, but is present in all racial groups. It is very pronounced in the White race group however, and has to be analysed in the context of the changing nature of the political struggle in the country at the time.

Male homicide increased significantly after 1977, particularly for those in the 15 to 29 year age groups. The men in this age frame were at an increased risk from violence due to their involvement in the National Defence Force and the police. This can be seen by the increase in the percentage of homicide deaths from acts of war during the period 1979 to 1987, when these forms of homicide accounted for between 8 and 9% of homicides. This figure may under-represent

the actual figure of military deaths due to the clandestine nature of the war being fought by the South African government in the region and inside the country.

Both males and females have a high percentage of homicides from firearms, decreasing in percentage only with the increase in "unspecified" and "other violence" deaths. This is particularly the case for female homicides, where firearm homicides formed an average of 29% of homicides prior to 1979. Firearm homicides will be linked to the availability of the weapons, and the decrease in the rate of firearm homicides is linked to the shift in the patterns of homicides and their increase in number. Unfortunately, the high number of homicides by "other violence" and "unspecified" do not give an indication as the weapon used, and thus it is not possible to track any changes in weapon use. Females were more likely to die from strangulation or hanging than males, this is again a predominantly female form of homicide, and points to a male being the aggressor.

They are also in the age group that is normally associated with increased risk from violence; however, the massive increase in their homicide rates can only be explained by the change in the security situation in the country. This shift in homicide is also present in the other racial groups, but not at such an extreme change.

The nature of the homicide classification however leaves gaps in the knowledge of the types of homicide that occurred. The high number of homicides due to "other violence" is problematic. The increase in this classification matches the increase in political instability, and matches the increase in homicides of this type in the other racial groups.

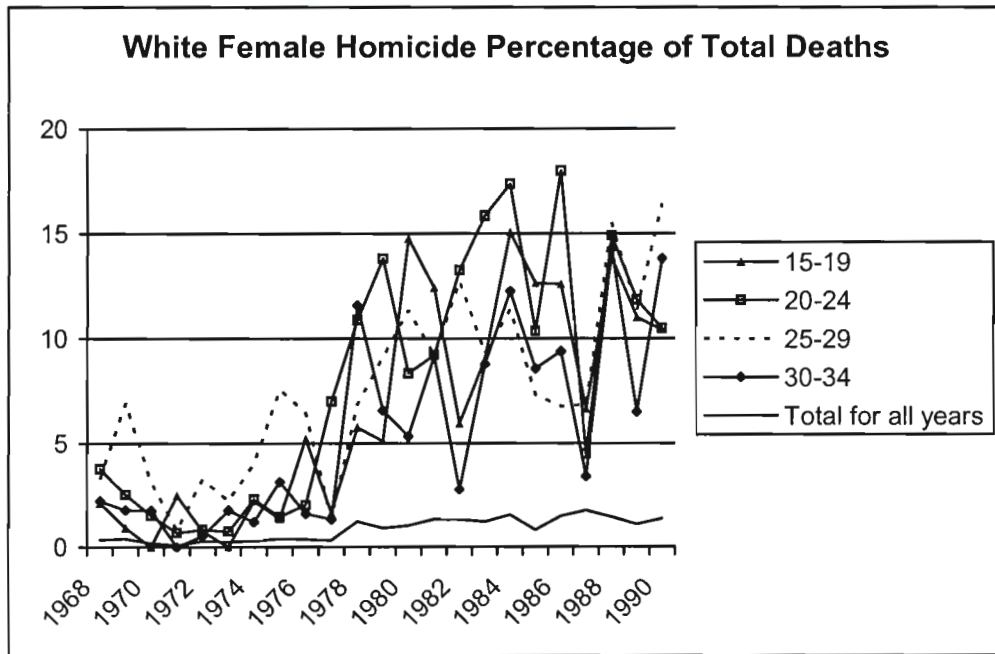
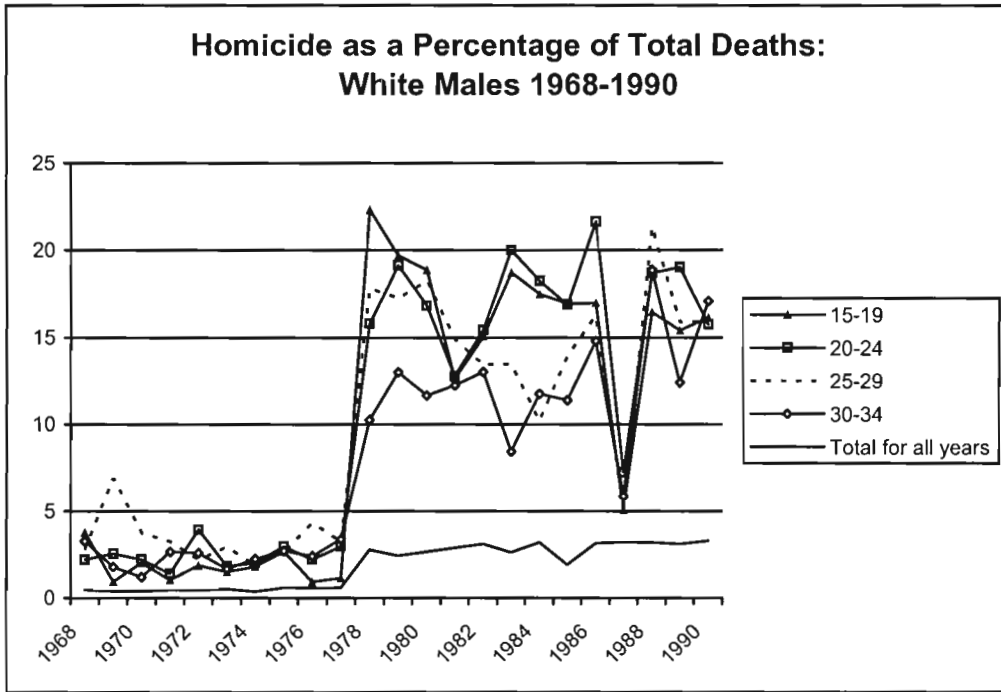
The categories of "other violence" and "undetermined" increase, while homicides that can be specifically determined maintain a stable pattern. The homicide

rates for males and females increases dramatically after 1977, with homicides increasing to account for over 15% of total deaths for males in the 15 to 34 age group, from a percentage of below 5% for the period prior to 1976.

For the codes of 965 (stabbing), 966 (firearms) and 968 (other weapon), the numbers remain fairly consistent, but the rates of homicide increase significantly. This shows a change in the type and method of homicide. These homicides have to be placed within the political and social events in the country and the increase in violence in the townships and the increase in inter-racial violence will explain this shift and increase in homicides.

The shift in the political and social nature of the society in the 1970s had a direct and immediate impact upon the White population. Their rate of increase in homicide is far greater than any other group; this is particularly pronounced for males. After 1978 the homicide rate has stabilised, but at a higher level of around 20 per 100 000 for males and 10 for females.

High risk Groups





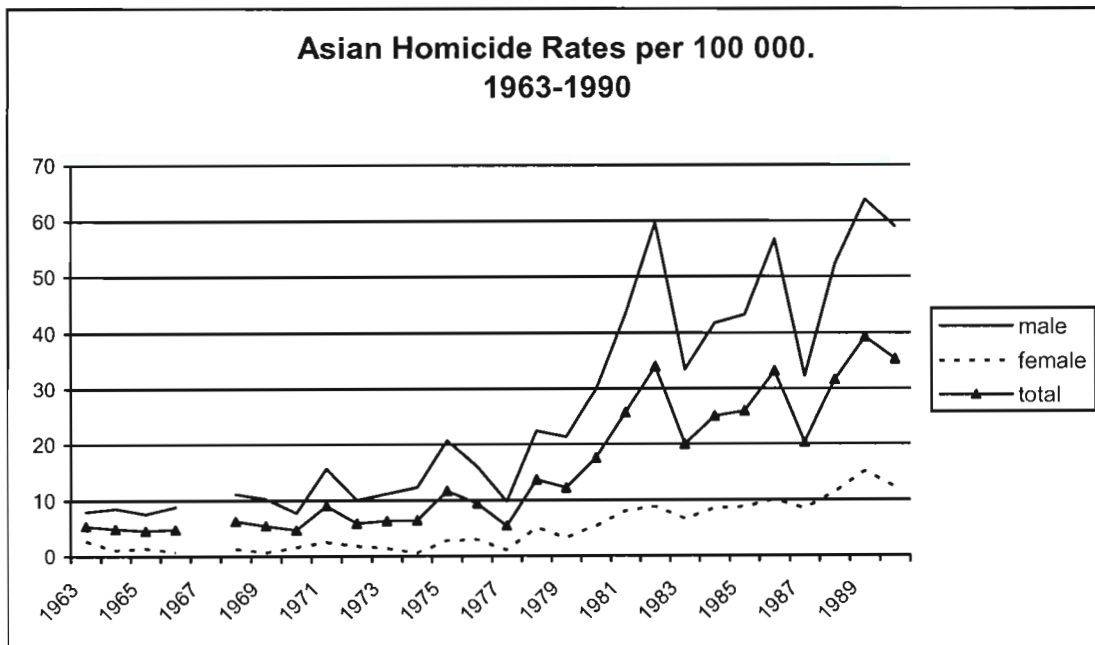
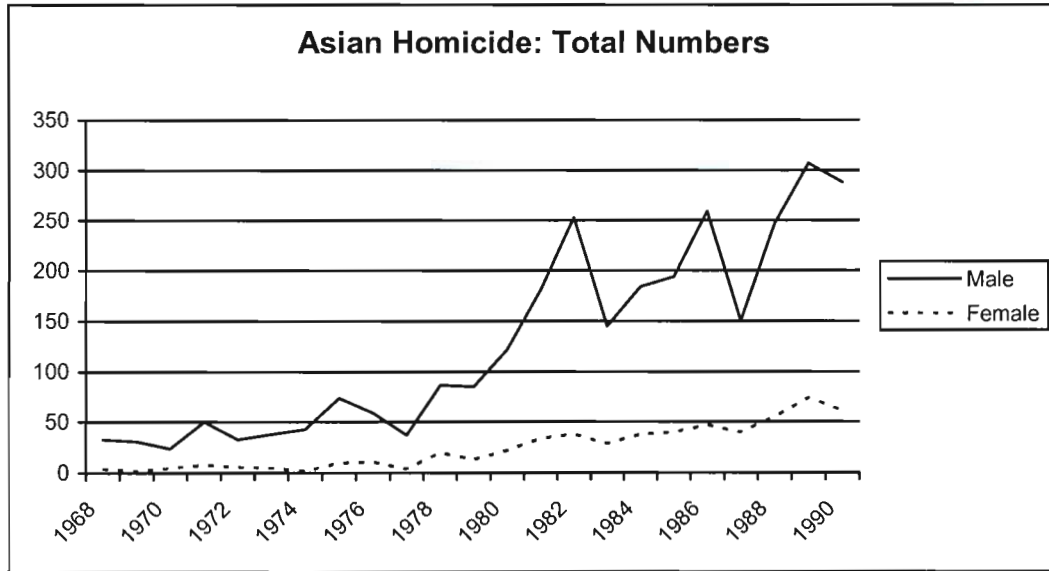
For both males and females in the 15-30 year age groups, they were at greater risk from homicide than Whites outside that age bracket. Males were at greater risk, with up to between 15 and 20% of deaths being as a result of homicide. Female homicide made up between 10 and 15% of the total deaths.

White males had the largest increase in their homicide levels for the 15 to 30 age groups. This increase in homicide from below 5% to over 17% clearly shows the rapid change in the forms of violence that occurred during the late 1970s. Some of these deaths will be as a direct result of the military and police campaigns, but not all.

In spite of these increases, these death percentages are far lower than those recorded for the other race groups, and match the lower homicide rates that White males and females experience. The changing patterns of rates of homicides, methods used and percentage of deaths by homicide are the clearest and starkest images of the rapid change in the society in the late 1970s – A change that is still being experienced.

### i. Asian Homicide

The number of homicides in the Asian community are comparatively small, this is in part due to the low total numbers of Asians in South Africa, but is also connected to the nature of their social structure.



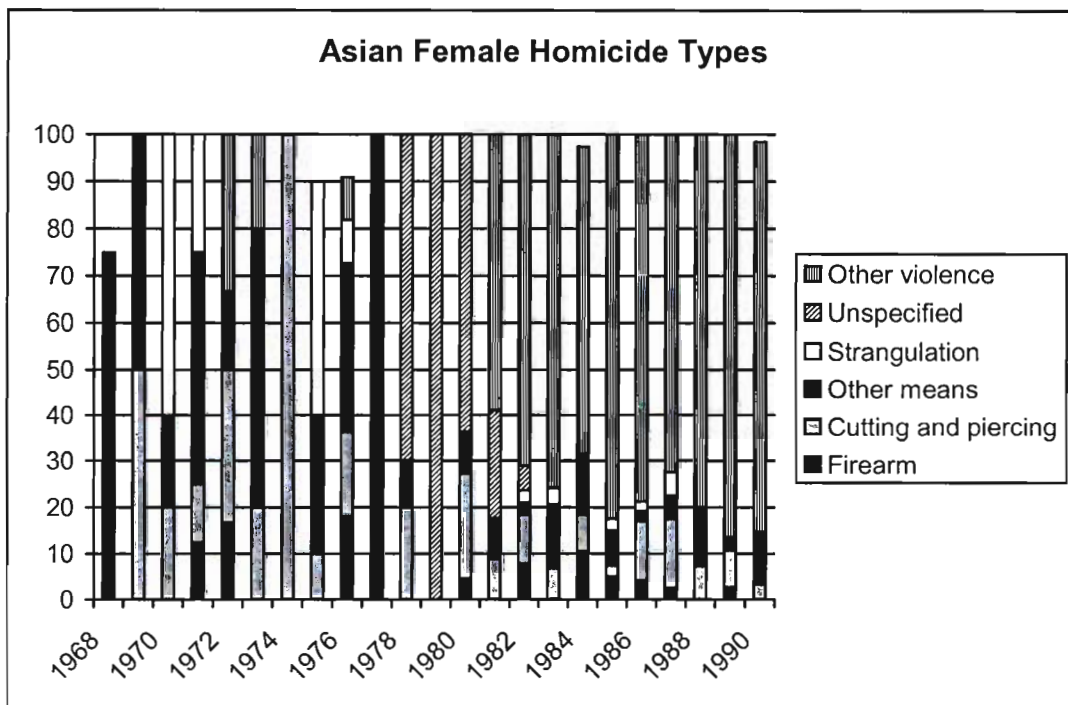
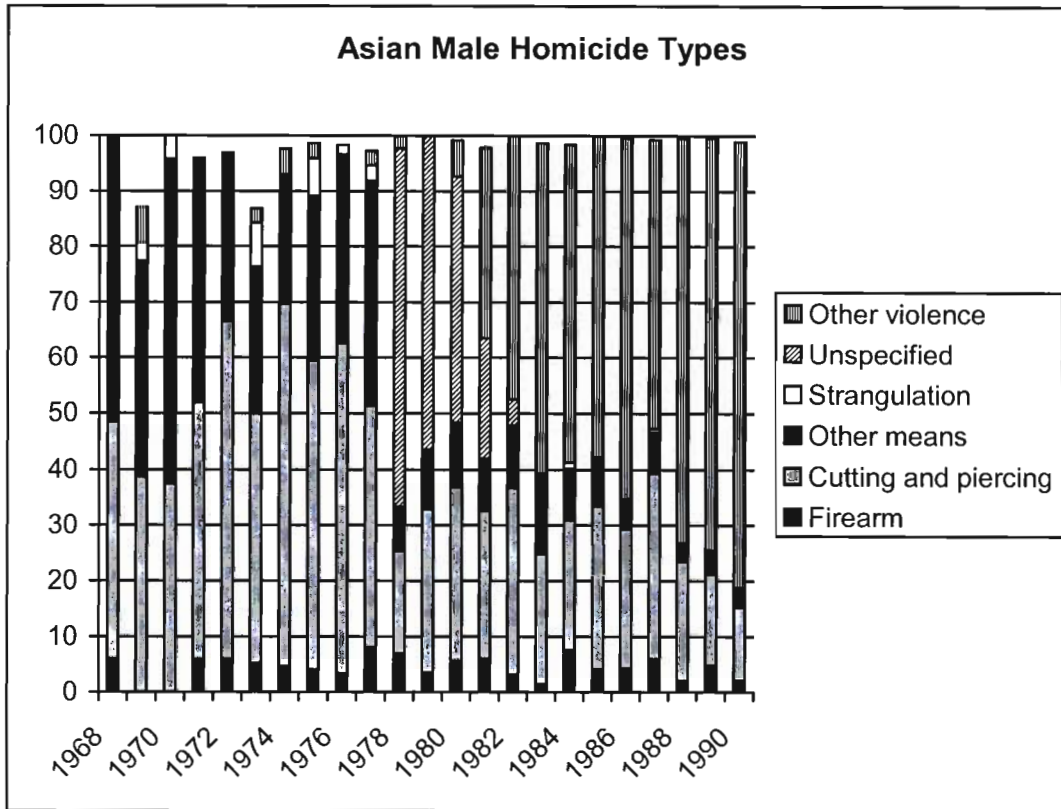
Bearing strong similarities to the White homicide rates, they do differ in certain areas.

The rates as with White homicide remained low until the late 1970s, then experienced the same sudden increase after 1977. Both male and female homicides increased, with males having the greater increase from 10 per 100 000 in 1970 to 60 in 1982, females increasing from under 0.7 in 1970 to 8.8 in 1982. The patterns of change are consistent with the White population, and thus have to be analysed in the greater societal structure, rather than a purely intra-racial event.

Asian males were most at risk in the 20 to 30 age group, with homicide making up between 30 and 50% of their total deaths after 1987. Prior to 1977, the homicide rates had been relatively stable and low, remaining under 20 per 100 000 until 1978.

Asian females experienced very low homicide rates, remaining below 5 per 100 000 until the mid 1970s, then slowly rising to between 10 and 15 per 100 000 by 1990. The total number of Asian female homicide are low, and thus skew graphs showing the manner of death, the annual number of homicides prior to 1978 remained below 12, and only increased above 50 per year in 1988.

# Types of Homicide

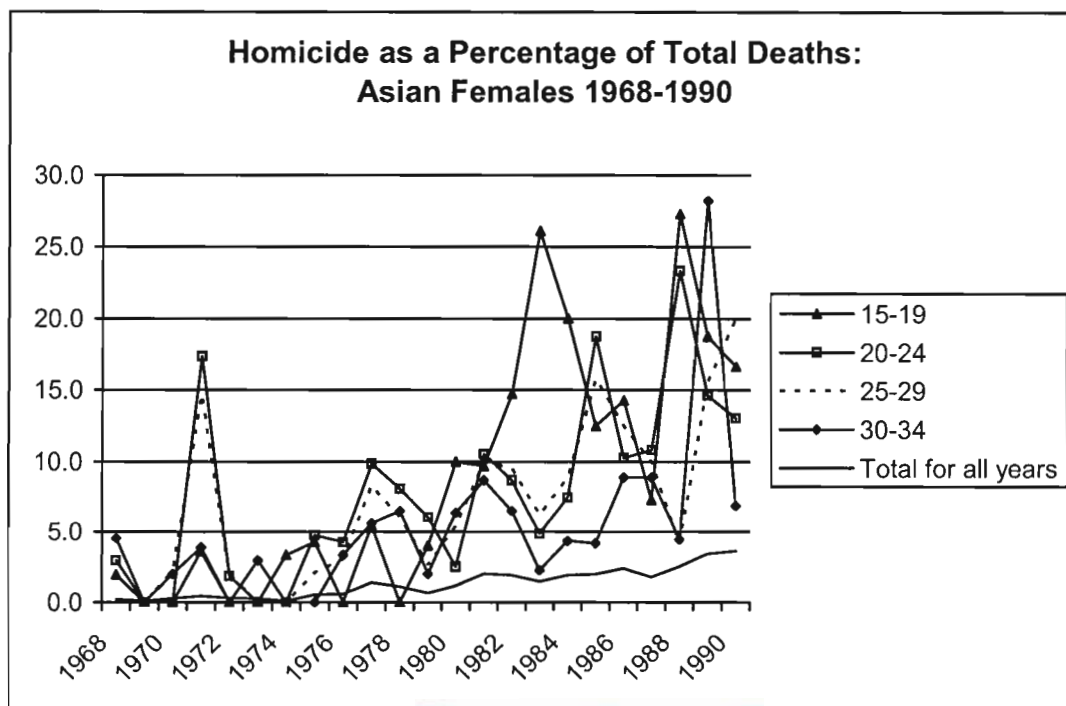
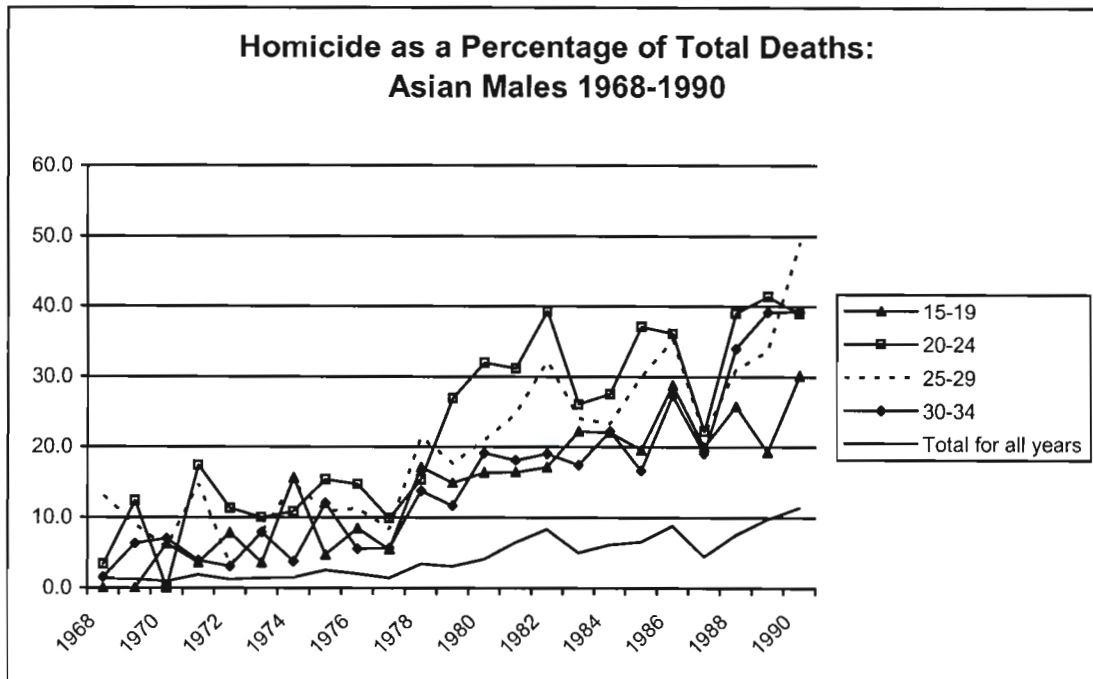


Asian males were killed mainly by cutting or piercing instruments and by other means. Firearm homicides constituted a small percentage of the total number of homicides prior to 1990, never reaching above 8% of all homicides. A small number were killed by strangulation or hanging. These strangulation victims were not limited to any single age group. It must be noted that strangulation does occur in all other race groups as a type of homicide for males, it is the higher percentage of homicides by this manner in the Asian male population that makes it significant.

Female homicides are low in number and thus make assessment of patterns more complex. It is apparent however, that strangulation and other non-weapon types of homicide have been dominant. Firearm homicide is infrequent.

For both males and females, the types of homicides are blurred by the increase in deaths by "other violence" and "unspecified". Once more this creates significant problems in the accurate analysis of homicide patterns for the period after 1978.

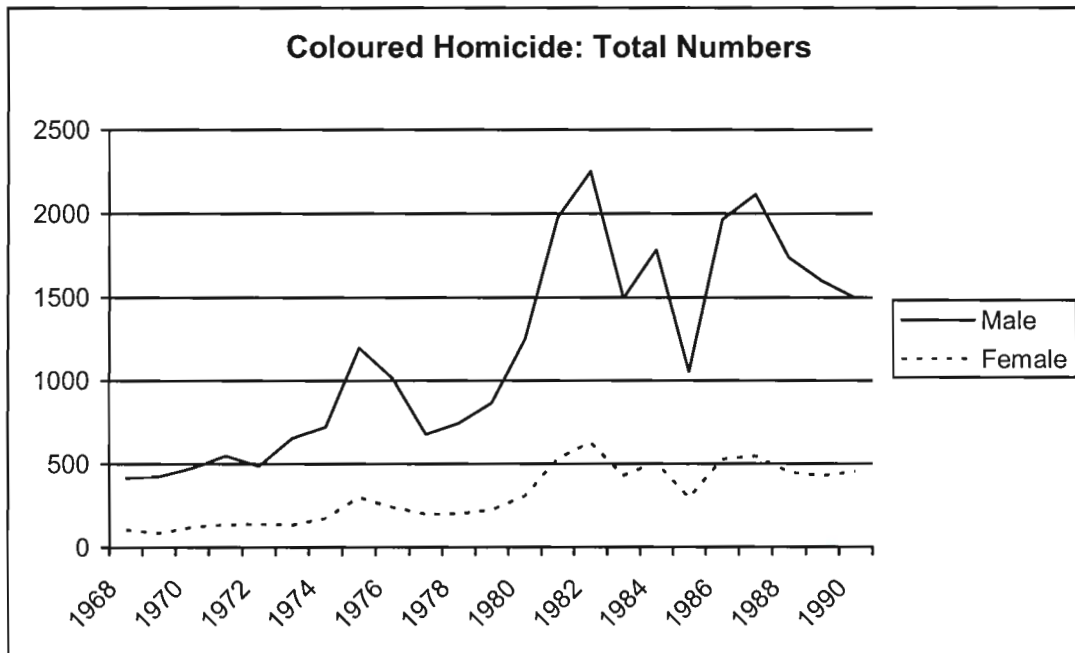
## High Risk Groups



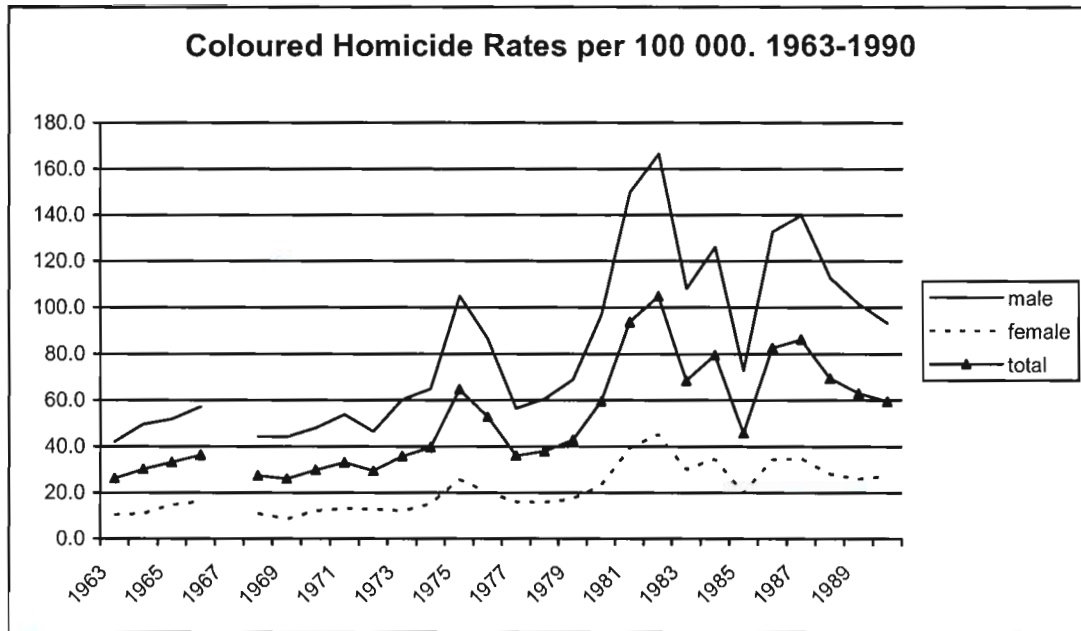
Asian males under 30 experienced a significantly high percentage of homicides as a percentage of their total deaths. The patterns fit into those of the other race groups, as they increase from the 1970s. Females experienced much lower percentages of homicide, and only experienced a small increase in their percentage of homicide mortality.

## j. Coloured Homicide

Homicide within the Coloured community has been the most severe for all the race groups. Both males and females have much greater risk of violent death than any other community in South Africa.







Coloured homicide rates have always been high relative to the other racial groups. Prior to 1977 their homicide rates for both male and female were at least twice that of any other group. They are the most at risk group from violence and as the male homicide patterns show the young Coloured males are at extreme risk from violent death.

#### Males

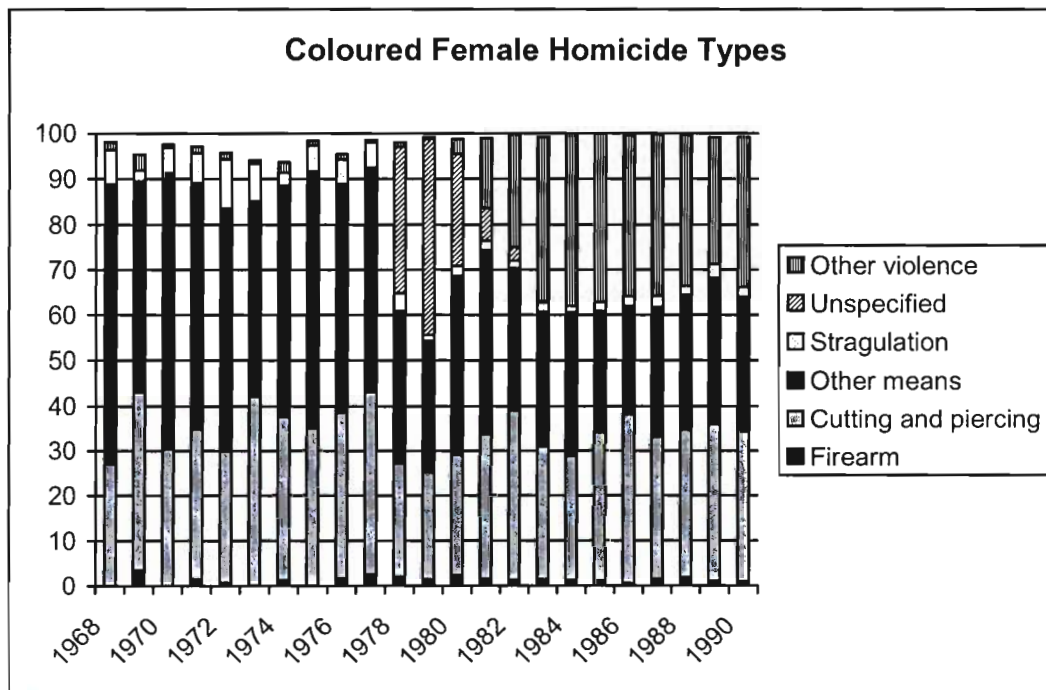
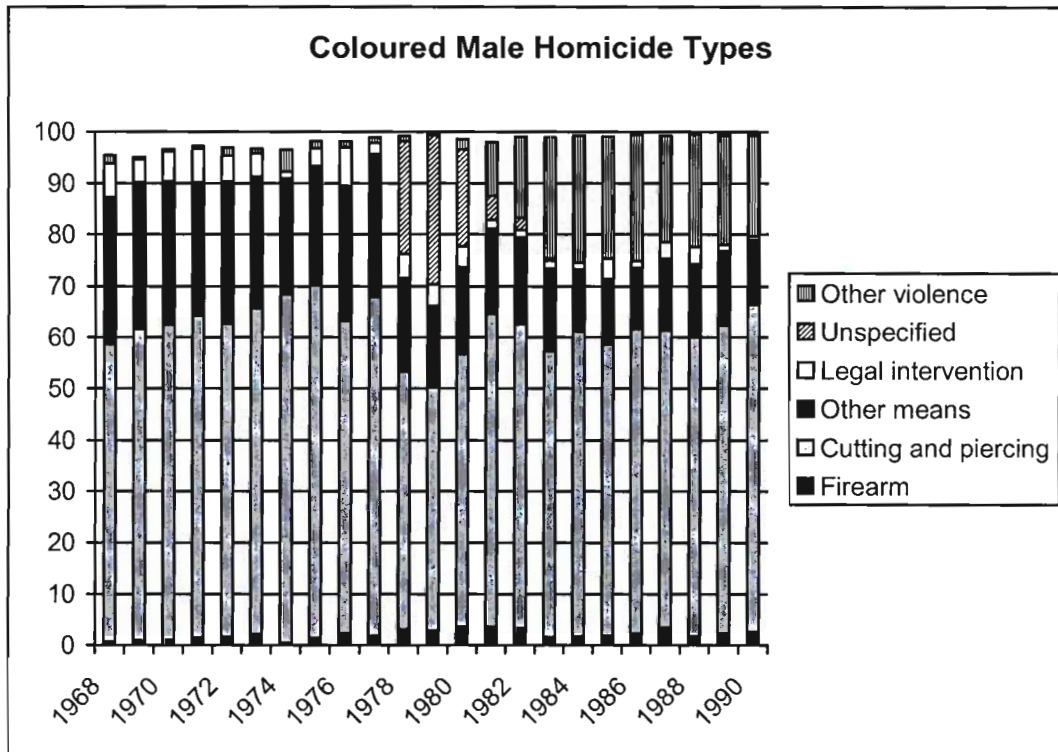
Coloured males between 15 and 30 have experienced very high levels of homicide mortality since the 1960s. Homicide for this age group has made up over 25% of all their recorded deaths since the early 1970s, and has continued to rise with the 20 to 24 age group experiencing over 50% of all their deaths coming from homicide.

#### Females

Coloured females have a lower homicide rate than their male counterparts, but are far in excess of other female groups' homicide rates and percentages. The Coloured female homicide rate per 100 000 has been above 10 since 1970, and remained between 15 and 45 per 100 000 from 1974 until 1990 when records

were racially combined. The homicide patterns as a percentage of total deaths also show their high risk; however, this graph demonstrates the problems of combining different sets of data. The mortality rate of Coloured females is high, and homicide is only a maximum of 5.5% of total deaths.

## Types of Homicide



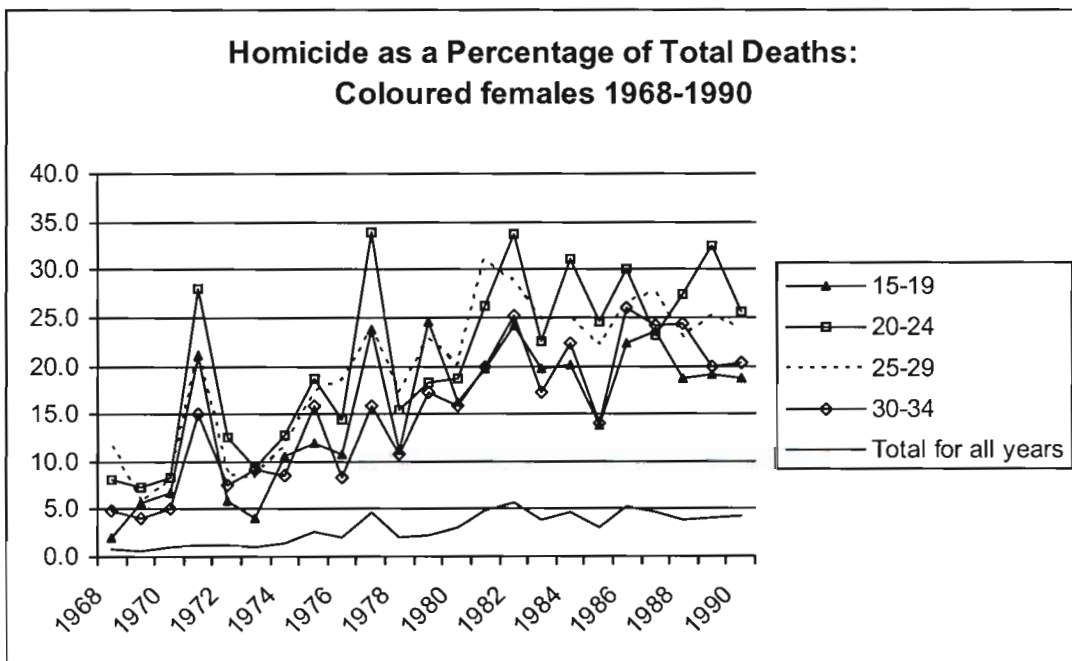
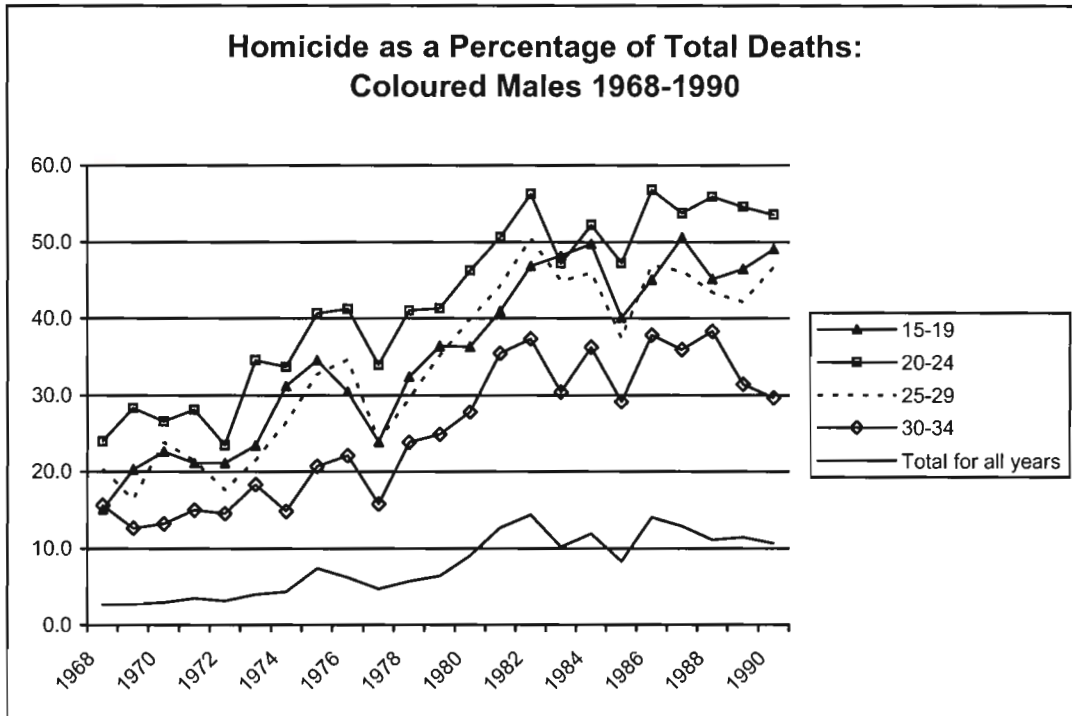
The tables above show the differing types of weapons and methods used in Coloured homicide.

Male Coloureds had a consistently high percentage of death by stabbing or piercing instruments, with between 50 and 60% of all homicides being caused by such weapons. This pattern remained constant during the period of 1968 to 1990. The use of firearms remained low, at fewer than 5%, while other means of homicide also remained fairly static at between 27 and 27% of the total. A small, but significant number of Coloured males were killed by legal intervention, the largest percentages prior to 1980.

What is unusual is the relatively low number of homicides that have been classified as being "unspecified" or as a result of "other violence". This pattern is in contrast to the homicides in the other race groups, where homicides in these classifications increased from the mid-1970s onwards, dominating homicides by 1990.

For Coloured females homicides methods are consistent through this period, with the majority of homicides being caused by cutting and piercing instruments, as well as by other means. Once more, there is a low percentage of homicides by firearm, and a small but significant percentage of homicide by strangulation.

## High Risk Groups



The high-risk age groups show a consistent pattern. There has been a steady increase in death by homicide for those in the 15 to 30 age groups since the early 1970s, reaching over 50% for males and 30% for females in the 20-24 year

age group. However, prior to 1976, the percentage of deaths by homicide was still significant at over 20% for males. The extremely high percentage of homicides for the 15-30 age group reflects the extremely high-risk environment that existed for Coloured male and females.

The patterns of homicide from 1968 to 1990 show a significant change in numbers, rates and methods after 1976. The political upheavals during this period would have had both direct and indirect effects upon the use of violence and homicide both in the political and non-political realms of the society. The period prior to 1976 can be seen as one of stable levels of homicides, but after that date the levels of homicide increased for all races, genders and in particular those aged between 15 and 30 years of age.

The patterns of homicide alter to similar degrees across all race groups, with the rate and number of homicides being a key difference. The patterns of weapon use are significant in their racial difference. Firearms are only significant in White homicides, while for the majority of Black and Coloured homicides stabbing and other weapons are used. This will be linked to the availability of the weapon, as well as the motive for the act. Homicides as a result of assaults "gone too far" will reflect the weapon being carried by the aggressor. As firearms become more available, so the rate of firearm deaths will increase.

Unfortunately, the lack of accurate data created by the use of the classification systems of deaths by "other violence" and death "undetermined whether homicide, suicide or accident" does limit the reliability and validity of the data. However, even with this problem of data accuracy, the scale of the shift in homicides can be clearly seen, and has to be recognised and understood in order to deal with the patterns and rates of homicide after 1994.

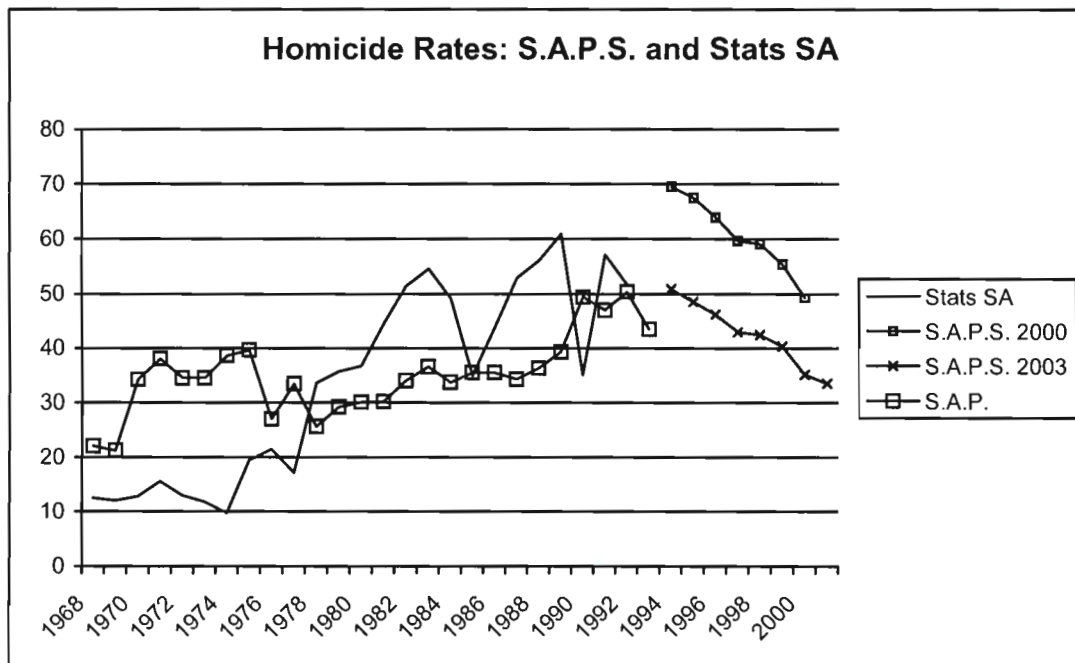
It is clear that the political struggle against the Apartheid system had a significant and direct impact upon the levels and rates of homicides in South Africa. In order to understand the future trends for homicide the past has to be understood and patterns analysed.

### **iii. Homicide Post-1994**

Homicide patterns after 1994 were both similar to and significantly different from the homicide patterns prior to that date. The ending of politically inspired homicide is the most significant, but new patterns emerged, in particular the increase in homicides involving crime, the taxi industry, vigilante killings and the apparent increase in the homicides of White farmers.

The gathering of homicide data altered with the creation of a centralised data collection unit within the South African Police Force, the Crime Information Analysis Centre (C.I.A.C.). This positive step was however hindered with the withholding of the release of crime data in 2000 and 2003 by the state. The basis of which was to ensure that the data that was released to the public was as accurate as possible, and that "Releasing crime statistics too regularly posed a threat of demoralising society" (Minister of Safety and Security Nquakula, quoted in [www.news24.com](http://www.news24.com), 10/05/2002). These actions were roundly criticised as not only dictatorial, but also short-sighted on behalf of the government, as for the general public they were still suffering from the realities of crime, whether the national crime figures were released or not. As well as the initiatives by the S.A.P.S., various NGOs and research facilities gathered data on crime and violence, in particular the Institute of Strategic Studies and the CSVR have conducted consistent and ongoing research into crime and justice patterns and methodologies in the country. Further work by the Medical Research Council on mortuary data has provided detailed accounts of the number and manner of deaths, while pressure groups such as Gun Free South Africa have increased focus on specific areas of crime.





This post-1994 data must be placed within a greater time period. When this is done a clear picture emerges of possibly why the data was reduced to such a degree.

The above graph illustrates that the 2003 C.I.A.C. crime report homicide rates do fit into the pre-1994 data. However, the 2001 C.I.A.C. crime report rates also fit into the prevailing homicide rates; it depends upon when the peak of the rates occurred. The data of Stats SA lack the homicides for the Homelands, and the post-1994 data should include all homicides throughout the nation. On this basis, the pre-1994 homicide rates will underreport the national homicide rates, while the post-1994 rates should reflect a more accurate picture, and thus be greater than the pre-1994 rates. This is the case of the 2001 report, but not the 2003 report. Alternatively, the reduction in politically motivated crime should have had a direct effect upon the homicide rates and a dramatic reduction should be seen. For both sets of data, explanations can be used to support or oppose their use. The problem remains in that which of the C.I.A.C. data should be used.

### a. Alternative Homicide Data Sources

The National Non-Natural Mortality Surveillance System (NMSS) within the Medical Research Council has conducted research into mortuary data in an effort to understand and record accurately the nature and patterns of non-natural death in South Africa. Their studies do not cover all mortuaries, and thus do not include all deaths, but they have been able to provide an accurate cross section of the nature of homicide that is separate from the C.I.A.C., and thus can be used as an independent control for national homicide rates and patterns.

The reported patterns of non-natural death fit into the established patterns of homicide.

Homicide, external causes by victim population group, 1999

	Firearm	Sharp	Blunt	Strangle	Burn	Other	TOTAL
Asian	96 (65.3)	22 (15.0)	13 (8.8)	3 (2.0)	4 (2.7)	9 (6.1)	147
Black	2627 (51.7)	1652 (32.5)	589 (11.6)	56 (1.1)	38 (0.7)	122 (2.4)	5084
Coloured	500 (40.2)	544 (43.8)	123 (9.9)	9 (0.7)	2 (0.2)	65 (5.2)	1243
White	198 (60.9)	50 (15.4)	36 (11.1)	21 (6.5)	3 (0.9)	17 (5.2)	325

(Butchart et al., 2000)

The NIMSS data shows that homicide patterns have altered only in the methods employed. Firearms were used in over 50% of all homicides, the highest levels being amongst White and Asian homicides. Males were killed at 6.5 times the rate as females and those in the 15 to 39 age groups were the most at risk from homicide. These patterns fit into the pre-1994 patterns of homicide, as would be expected. They found that 80% of those killed by sharp instruments had alcohol in their systems, while only 40% of gun shot victims had. This element points to the nature of the homicides, with knife injuries more likely to be caused by

argument, rather than planned killing, which would be more likely to be carried out with a firearm.

The racial patterns fit into the pre-1994 patterns, with Black and Coloured males being most at risk, and the predominance of firearm homicides amongst White victims.

In the MRC Initial Burden of Disease Estimates for South Africa 2000 (2003), a study of all deaths in South Africa for year 2000, the homicide data is far in excess of the C.I.A.C. data. The MRC has recorded 32485 homicides for that year in contrast to the official C.I.A.C. figure of 15457, a difference of 52.4%. This discrepancy is of concern to any study of the nature of violence in the society. A true understanding of the threats posed to the stability of the society are only hindered by inaccurate data.

Statistics South Africa Causes of Death in South Africa 1997-2001 report (2002) raises further questions in their analysis of death data. The report is based upon a sample of 12% of all deaths recorded. The report records death by assault only constituted 0.8% of all deaths between 1997 and 2001. However, death by "Unspecified unnatural causes" constitutes 11% of all the deaths for the period. This contrasts with the other data sources of the MRC and the S.A.P.S., who produce different percentages of homicidal deaths for the same period.

For the year 2000 the competing data on the numbers of homicides recorded are shown in the table below. The figures in brackets are figures as a percentage of the total deaths.

## 2000 Homicides

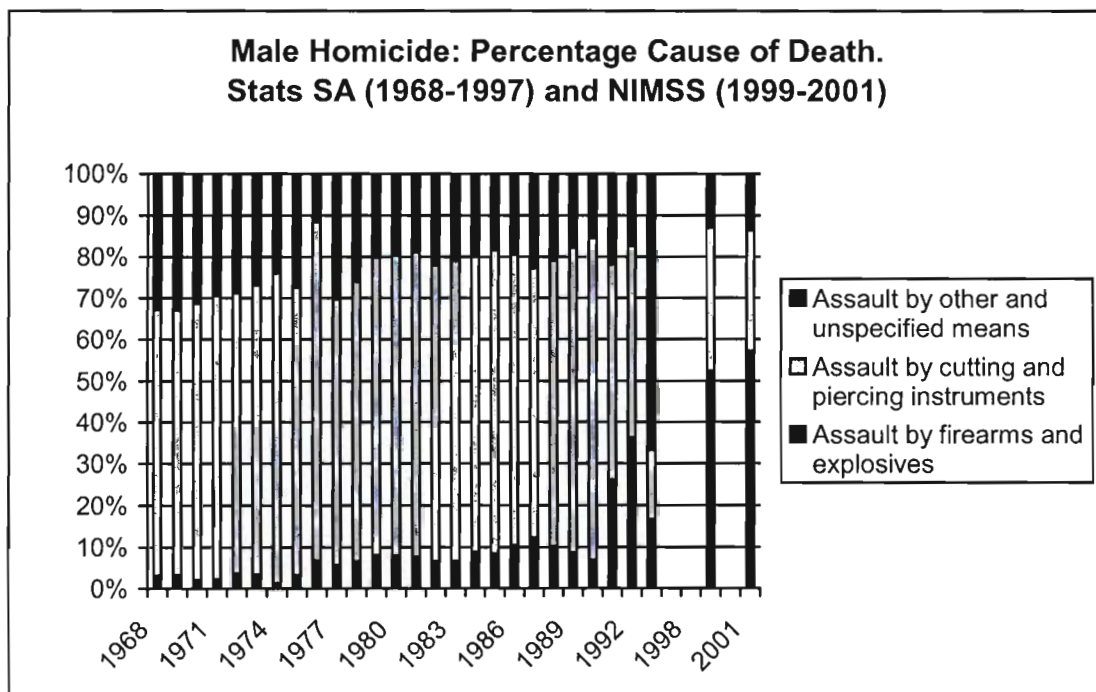
Organisation	Classification	Male	Female	Total
C.I.A.C. 2001	Murder			21683 (3.9)
C.I.A.C. 2003	Murder			15457 (2.8)
Stats SA	Death by Assault	(1.7)	(<0.5)	(1.1)
Stats SA	Death by Unspecified unnatural causes	(12.6)	(4.1)	(8.6)
MRC	Homicide/violence	27134 (9.0)	5351 (2.1)	32485 (5.8)

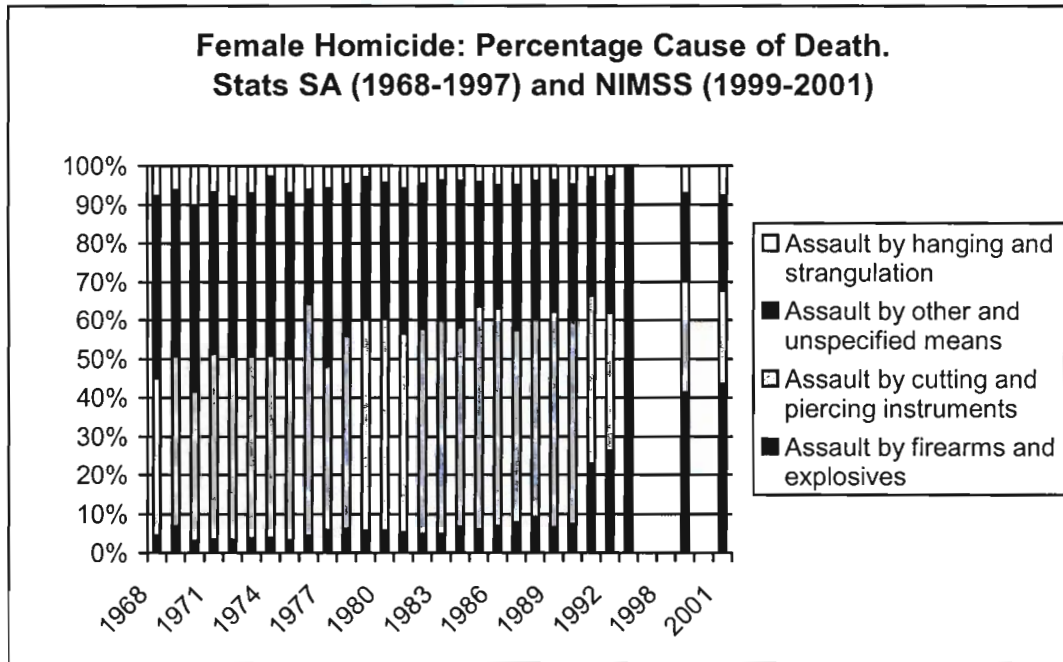
This conflicting data is problematic, as there is a discrepancy of over 10 000 deaths between the S.A.P.S. and the MRC, while the Stats SA data can be read as either being above or below both the S.A.P.S. and the MRC data.

Whatever the actual numbers of homicides, the reality is that death by violence continues to be a serious threat to the population.

## b. Weapon Use

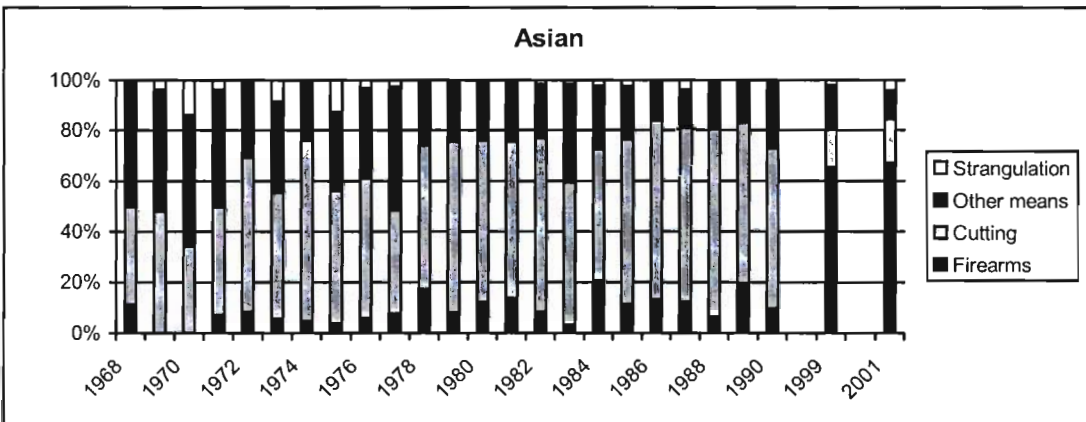
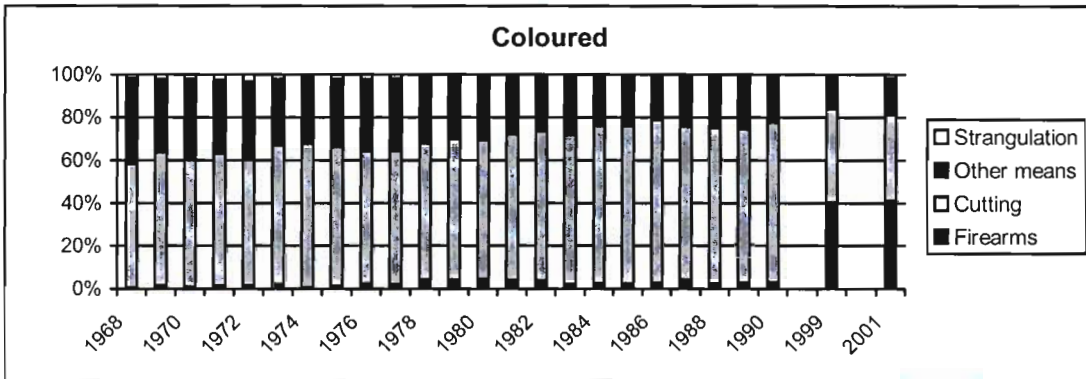
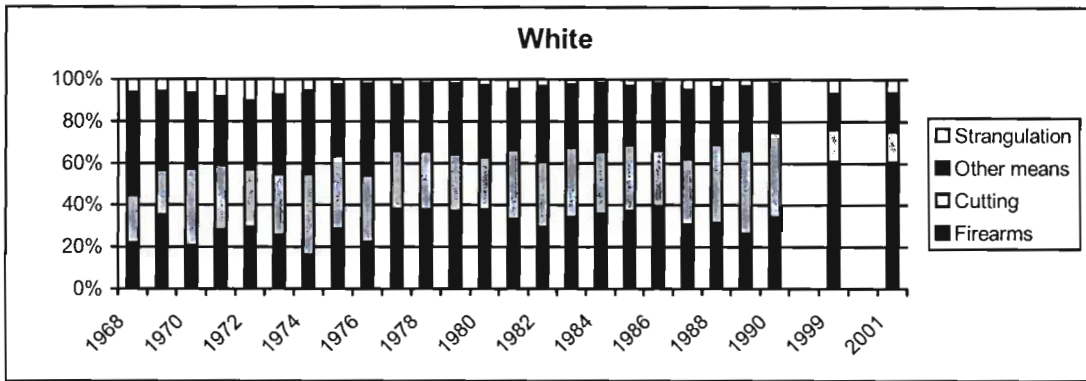
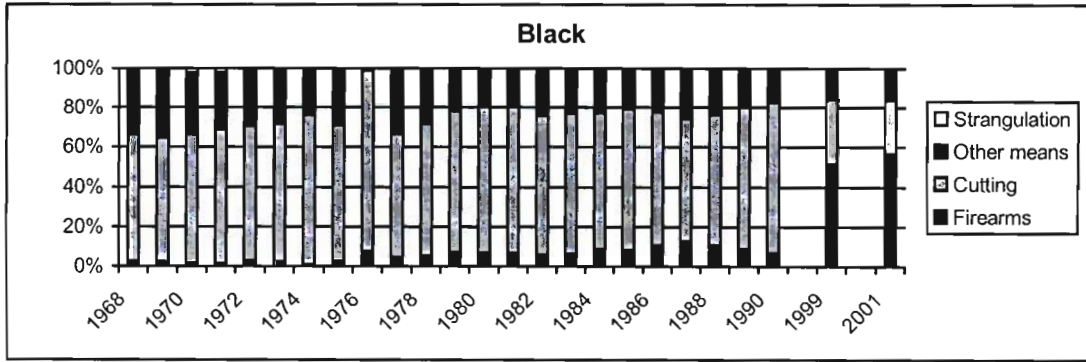
One of the most significant changes in post-1994 homicide is the increase in firearm use. Prior to 1976 only Whites were killed in any significant numbers by firearms, the vast majority of homicides were by cutting or piercing instruments. Combining the data available from the NIMSS reports and that of Stats SA the changing trends in weapon use since 1968 can be traced. The graphs below show the type of weapon used in the percentage of homicides that a weapon was recorded. Those homicides that were recorded by Stats SA as "other violence" have been excluded.





Comparing the NIMSS and Stats SA data also shows racial patterns of homicide. The key change is the increase in firearm use. The increase is not however consistent across all race groups, with Black homicides showing the greatest increase, and White homicide the least. This is linked to the high rates of firearm homicide that Whites experienced prior to 1990. Coloureds have a low increase, as a large percentage of their homicides as recorded by the NIMSS are still with cutting and piercing instruments.

The following graphs show the type of homicide for both males and females according to race group. The data from 1968 to 1990 is from Stats SA, for 1999 and 2001 from NIMSS. Homicides that were classified as "other violence" have been excluded from the Stats SA data.

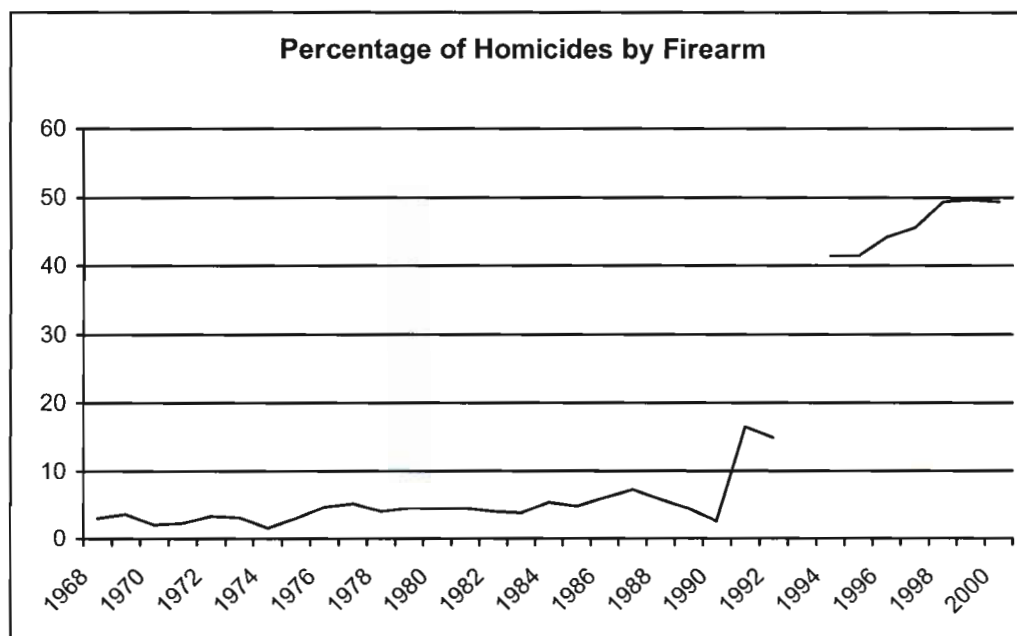


After 1994, firearms became the predominant weapon used and after 1999 the main type of homicide.

Number of Homicides with Firearms 1994 - 2000							
	1994	1995	1996	1997	1998	1999	2000
Homicides	26 832	26 637	25 782	24 588	24 875	24 210	22 030
Homicide by Firearm	11 134	11 056	11 394	11 224	12 298	12 011	10 854
Firearm Homicides as a Percentage of the Total	41.5%	41.5%	44.2%	45.6%	49.4%	49.6%	49.3%

(C.I.A.C. data, quoted by Gun Free South Africa)

To understand this change in detail, the changing patterns of homicide use are instructive, as can be seen in the graph below.





The types of firearms used in these homicides correspond to the availability of the weapons.

In 2000 there were 6724 (62%) homicides with handguns and 2603 (24%) by rifle or shotguns, and 151 (1.4%) by high calibre gun (military assault rifle). This pattern corresponds to the legal ownership of weapons. There are 4.54 million firearms registered in South Africa, 61.2% are handguns, 28.5% rifles and shotguns.<sup>6</sup> Thus the pattern of firearm homicides matches the pattern of firearm ownership. The number of illegal firearms is difficult to estimate as many weapons have been smuggled into the country from neighbouring states, and the number of reported thefts is assumed to be an undercount as many will not report their firearm as lost or stolen. (Altbeker, 2001)

As has been argued earlier, firearms increase the risk of death; however homicides are decreasing as firearm use increases. The increase in firearm use is not however a cause for hope for a continued decline in homicides. Other factors have played a role in the decrease, and the increasing use of firearms will ensure that the risk of lethality is high. As Altbecker (2001) shows, there are a high percentage of crimes with the sole intention of theft of a firearm, and these will be used in committing crime and violence.

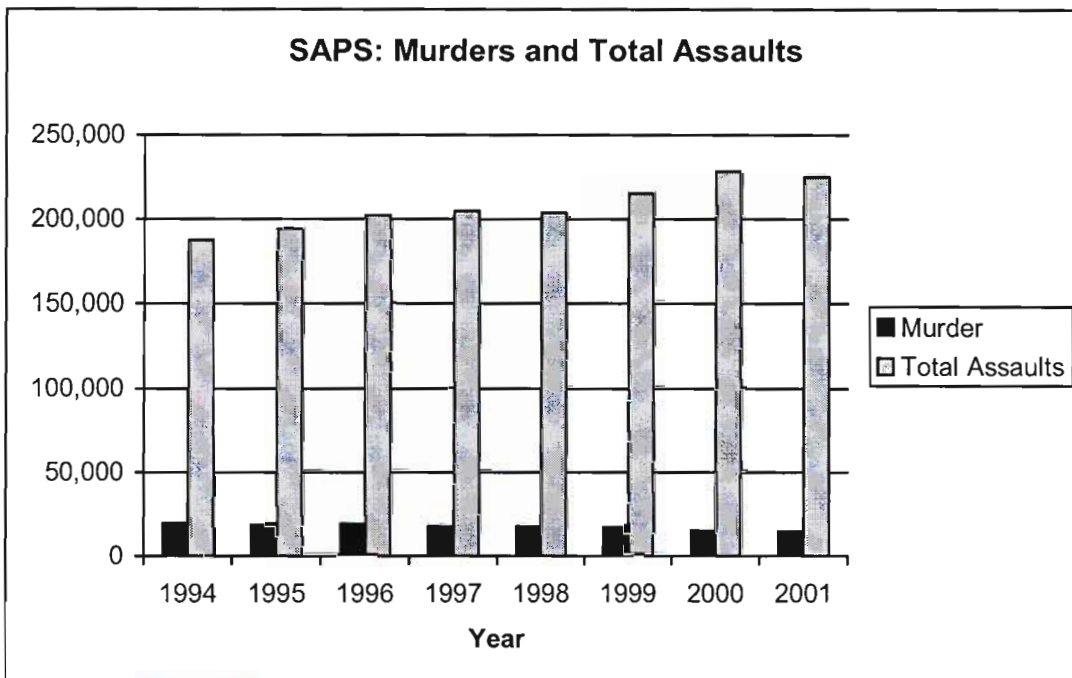
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<sup>6</sup> Firearm data obtained from Gun Free South Africa and C.I.A.C.

### c. Lethality and Homicide Rates

The hope for any society is the reduction of homicide and associated levels of violence. However, a reduction in the homicide rate does not automatically mean that the society is any less violent in nature. As has been stated there are many factors that contribute to the "creation" of a homicide, and these factors have to be taken into consideration when dealing with this area.

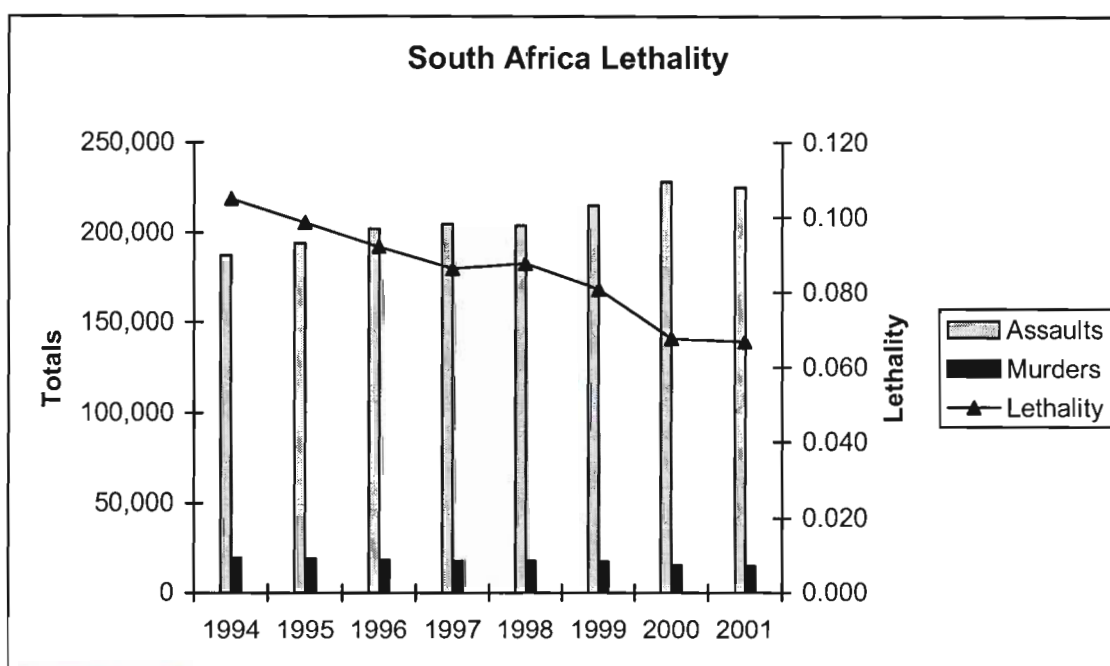
A homicide is an assault that has resulted in the death of an individual. The number of homicides in a society is influenced by the willingness of its citizens to engage in interpersonal violence, but also by the ability of others to save lives.



The lethality of an act will determine if the outcome is a homicide or an assault. The motive does not always determine the result, and what is important is the changing rates of lethality of assaults. The level of lethality will show to some extent the changing nature of external forces that influence the result of assaults.

Working with data from the C.I.A.C. the levels of lethality can be determined. Homicide makes up a small percentage of the total number of Assaults (Murder, Attempted Murder and Grievous Bodily Harm).

The levels of lethality are calculated by calculating the ratios of homicides to the total number of recorded serious assaults, whether these result in a death or not; i.e. murders or homicides, attempted murders and Assault with the intent to cause Grievous Bodily Harm or GBH. A change in the lethality rate will demonstrate either that assaults are increasing and homicides remain static, or that homicides are decreasing relative to the number of assaults. In either case a decrease in lethality is a positive outcome for any society. However, a decrease in lethality does not mean that the levels of violence in a society are decreasing; only that percentage of lethal outcomes for assaults is decreasing. This is very obviously the case for South Africa.



As can be seen in the above chart, lethality in South Africa has decreased since 1994. However, the total number of assaults during that period has increased by 20%. The number of homicides has decreased not only in number, but also in their percentage of total assaults, from 10.5% in 1994, to 6.7% in 2001. The total number of assaults has increased from 1994 to 2001 by 20%, while

homicides have decreased by 31%. In total figures this represents an increase in 37,899 cases of murder, attempted murder or GBH from 1994 to 2001.

Violence has increased in South Africa since 1994. Even though the results of that violence have been less lethal, the levels of reported violence demonstrate that for South Africans their world is still violent and risk prone. The anomic situation of the society will ensure that this violence will continue.

The patterns in homicide after 1994 have altered in three significant ways: the end of political killings, an apparent reduction in rates and an increase in firearm use.

The decrease in homicide rates and the end of political killings is linked, as there has been a reduction in around 20% in homicides since 1994, and political killings made up an estimated 20% of homicides during the period 1990 to 1994. The increase in firearm use can be linked to the increase in availability of firearms, both legally and illegally, as well as an apparent increase in firearm use in crimes.

The high levels of homicide in South Africa will continue for the foreseeable future. Even if the homicide rate continues to decline as at present it will be only after 2020 that the rate will reach pre-1976 levels. A crucial factor in this is the continued anomic condition of the South African society. People believe that they are under serious threat from crime, that they cannot rely solely upon the state, and that for many they have no real link to the state in any case. Communities will continue to engage in activities that will increase their anomic condition using privatised security, vigilante acts, and physically enclosing their living and working space. The result of this is the enclosing of the social world, an anomic belief for many that they are at risk, and that they have the right as individuals and communities to protect and punish.

#### **iv. Prosecutions and Convictions for Murder and Culpable Homicide 1949-1996**

The data on the prosecutions and convictions of crimes in South Africa gives information on the aggressor, their race, gender and to a lesser extent their marital status and education level. This data is useful in providing a deeper insight into the nature of homicides in South Africa, as well as demonstrating the level of effectiveness and bias of the Criminal Justice System.

##### **a. Data structure**

The prosecutions and convictions for murder and culpable homicide are recorded by Statistics South Africa annually and are presented by the gender of the offender as well as their race according to the crime committed. The race of the victim is given to a limited extent. No information is given about the relationship between the victim and aggressor, and this has to be assumed with a study of the racial divisions of the data.

The classification system of crimes has changed with time, reflecting state attitudes towards race. The one constant is the prominence of data for Whites, whether they are victims or aggressors. The data for prosecutions was not always published, and weapon use was only published after 1980. Although the gender of the offender is given, the gender of their specific victim is not; again assumptions have to be made linking this data with the more precise data in the Annual Death reports.

The table below sets out the different classification methodologies used by Statistics South Africa in their recording of murder cases from 1940 to 1996. The first character represents the victim, the second the aggressor on trial, thus "W by A" means a White person was killed by an Asian person, while N-W by W means a non-White person (i.e. a Black, Coloured or Asian murdered by a White person).

Racial Classifications of Murder. Statistics SA

Pre-1962	1963 to 1979	1980 to 1987		1987 to 1995	
infanticide	infanticide	infanticide		Infanticide	
W by W	W by W	Firearm	W by W	Small Arms	W by W
W by C	W by		W by C/A		W by C/A
W by A	N- W		W by B		W by B
W by B			C/A by W		C/A by W
C/A by W	N-W by W		B by W		B by W
B by W			N-W by N-W		N-W by N-W
N-W by B	N-W by	Other	W by W	Other	W by W
N-W by C	N-W	weapon	W by C/A	Firearms	W by C/A
N-W by A			W by B		W by B
			C/A by W		C/A by W
			B by W		B by W
			N-W by N-W		N-W by N-W
				High calibre	W by W
					W by C/A
					W by B
					C/A by W
					B by W
					N-W by N-W
				Other	W by W
					W by C/A
					W by B
					C/A by W
					B by W
					N-W by N-W

A = Asian  
 B = Black  
 C = Coloured  
 W = White  
 N-W = Non-White, or Asian, Black and Coloured

For the crime of culpable homicide only the following racial information is given for the entire period:

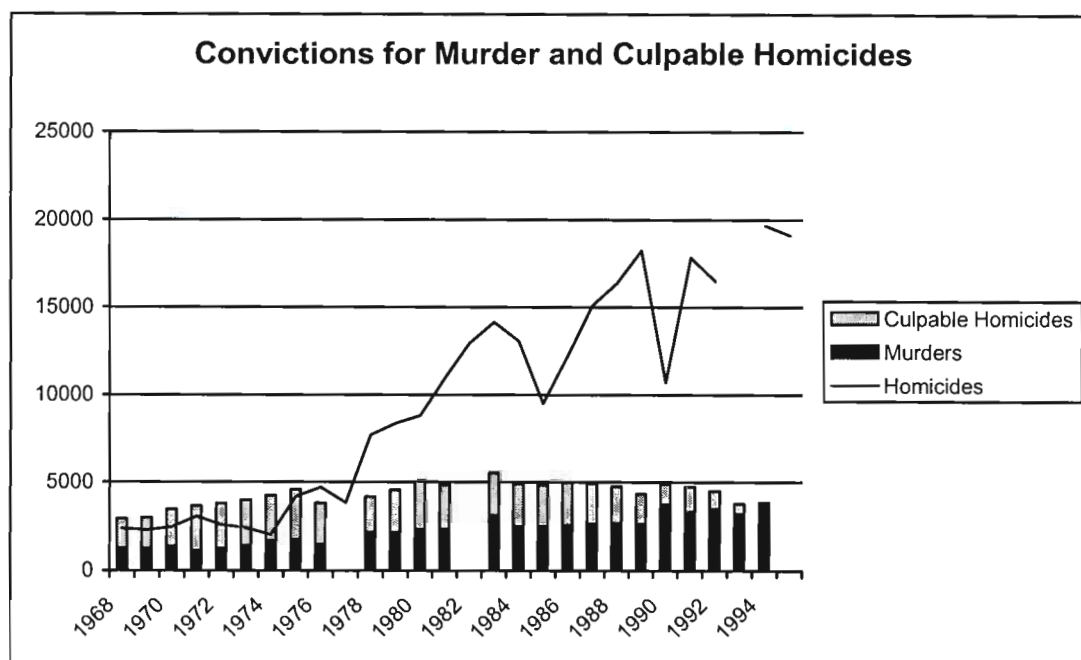
White by White
White by Non-White
Non-White by White
Non-White by Non-White

This racial classification reflects the government's policies at the time, and in part demonstrates the importance placed upon homicides that did not involve Whites.

As has been shown, not all race groups experienced the same level of violence, nor the same risks of committing violence. In particular the Asian community experienced far less homicide than either the Black or the Coloured communities, but in this data all three race groups are compressed together, thus clouding the social realities. This severely hinders a detailed analysis of the realities of the structure of the homicidal act, and limits the usefulness of the data. However, as the alternative is using a case-by-case basis (a Herculean task with over 100 000 convictions for murder and culpable homicide since 1968), this data will be used.

Even though this data is limited in nature, it does provide an insight into the nature of the homicide process. The majority of "normal" homicides occur between relatives and acquaintances (Wolfgang, 1958) and in South Africa the divided nature of the society will predict that inter-racial homicides should occur more frequently than intra-racial homicides. Any change in the nature of the racial composition of the victim and aggressor would point to a changing nature of the society, with either a decrease in racial divisions in society, or a change in the nature of the homicide process, with an increase in stranger killings.

The changing rate of prosecutions and convictions for homicide exposes one of the key problems facing the state in reducing violence. Since the mid 1970s, when the rates of homicide increased, the levels of successful prosecution and conviction has remained at a low level.



Prior to 1976 the number of convictions for murder and culpable homicide exceed the recorded number of violent deaths. There will be a lag from the recording of the death to the recording of the result of the criminal case, but this should not produce more convictions than deaths, unless there have been many cases of multiple murderers, an event that is rare and unlikely. This overlap raises questions about the accuracy of the homicide data, in particular for deaths of Black South Africans. The deaths may have been recorded in the "Homelands", but prosecuted in South African courts, thus the anomaly. The number of White homicides, a more accurate figure than the total population, is also exceeded in one year by the number of convictions for murder and culpable homicide. This however could be the result of the previous year's cases being prosecuted in that year. It is obvious that the data for Black, Asian and Coloured homicides is lower than the real figure; by how much is difficult to surmise.

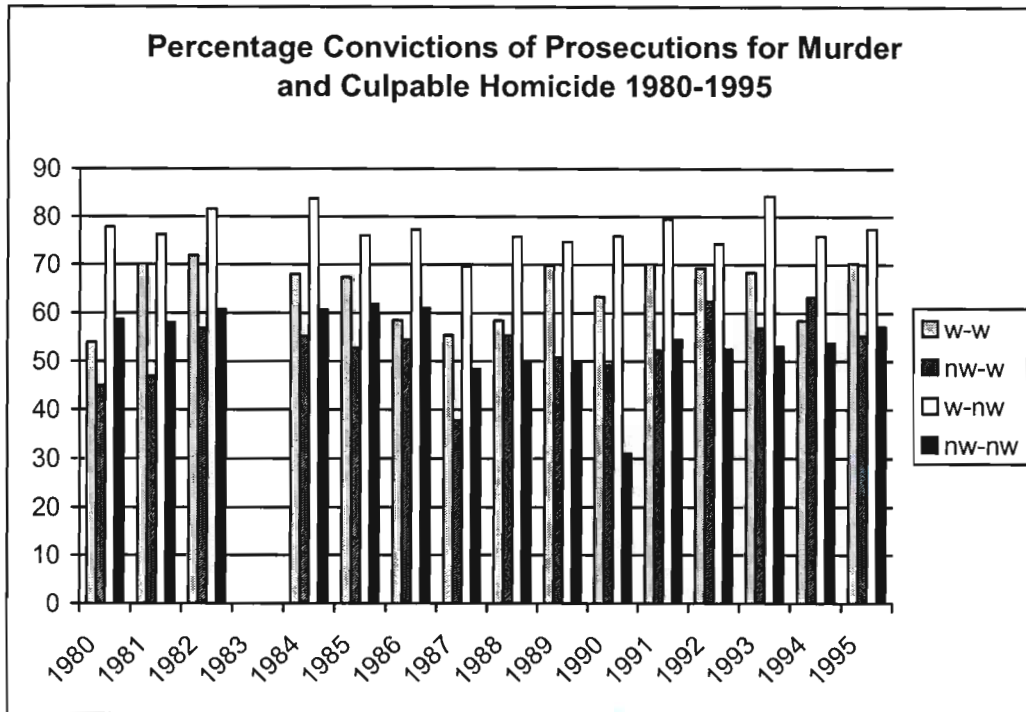
The number of convictions for murder and culpable homicide has not kept pace with the increase in homicide rates in the society. This trend has continued with the 21 995 cases of criminal homicide reported to the S.A.P.S. in 2000, 10696 (48.6%) went to court, and 4007 (18%) resulted in a conviction. This low level



of convictions shows much about the key failures of the South African Criminal Justice System. The failure to convict those who commit homicide will negatively affect the public's perception of the criminal justice system.

## b. Racial Bias

The judicial system under Apartheid was well known for its racial bias. The results of this bias can be easily seen in the patterns of prosecution and conviction for murders and culpable homicides.



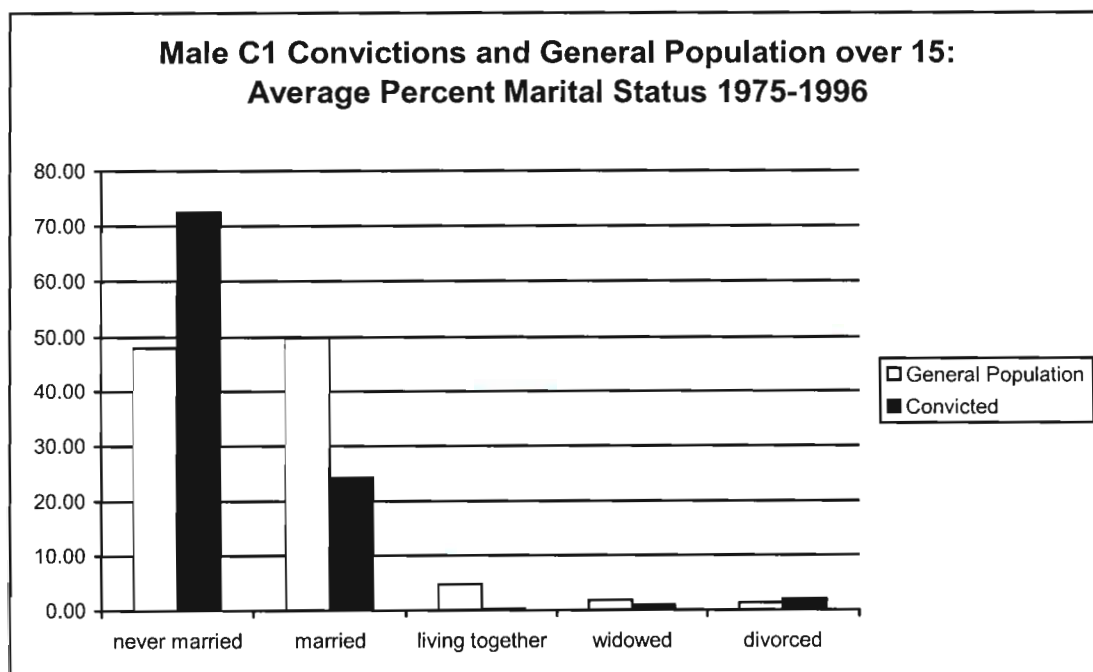
In this fifteen-year period that includes the increase in political violence and state oppression, the racial bias in the courts can be clearly seen. The cases of Whites killed by non-Whites have the highest percentage of conviction for murder with an average of 77% for the period 1980 to 1995. The killing of non-Whites by Whites and non-Whites have the lowest level of successful convictions with averages of 53 and 54% respectively. Several factors could be at play here: variable access to lawyers; racial bias in the police; racial bias in the courts; differing levels of stranger murders (less likely to be solved). The racist bias of many of the police and courts would have a significant influence, but also the political nature of the homicides in the 1980s will have had a direct impact upon achieving a low rate of prosecution and conviction of the perpetrators. There is a clear bias in favour of the conviction of those who killed Whites. Prosecutions

for the murder and culpable homicide of White victims resulted in a 71% conviction rate, while the prosecution for non-White victims for the same offences had only a 53.6% conviction rate.

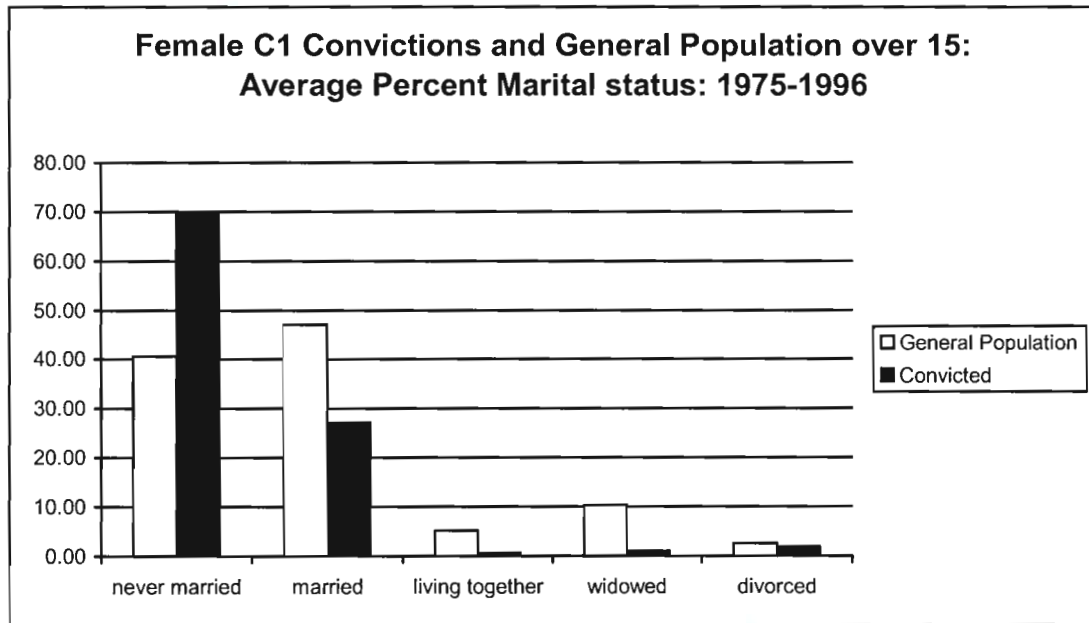
### c. Marital Status of Aggressor

The marital status of a person will affect his chances of engaging in high-risk activities. A high ratio of single males and females in a community has a positive effect upon the levels of social disorganisation and crime (Sampson, 1987; Sampson and Groves, 1989; Messner and Sampson, 1991). Single adults will be more likely to engage in higher risk activities, such as going to bars, and more likely to engage in crime. While the married individual will have greater pressures to conform to societal norms and be less likely to go to high risk areas, or engage in higher risk activities such as engaging in excessive drinking in public places.

The following data for marital status and education is taken from all convictions for class C1 crimes, "Crimes against the Life and Body of a Person". These comprise of Assault, Assault with the intent to do Grievous Bodily Harm, Culpable Homicide, Murder and Attempted Murder.



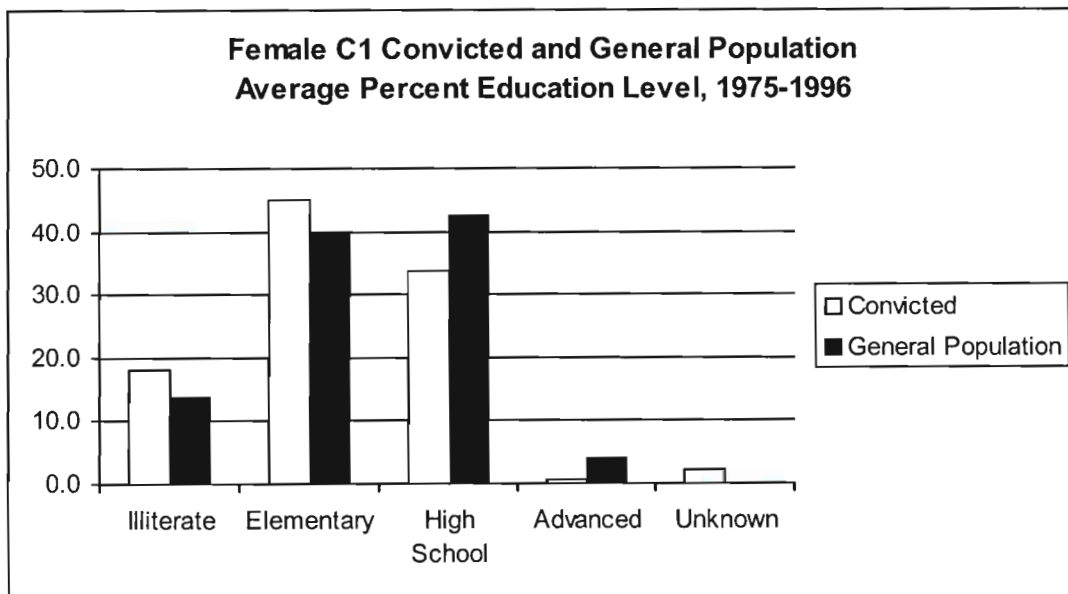
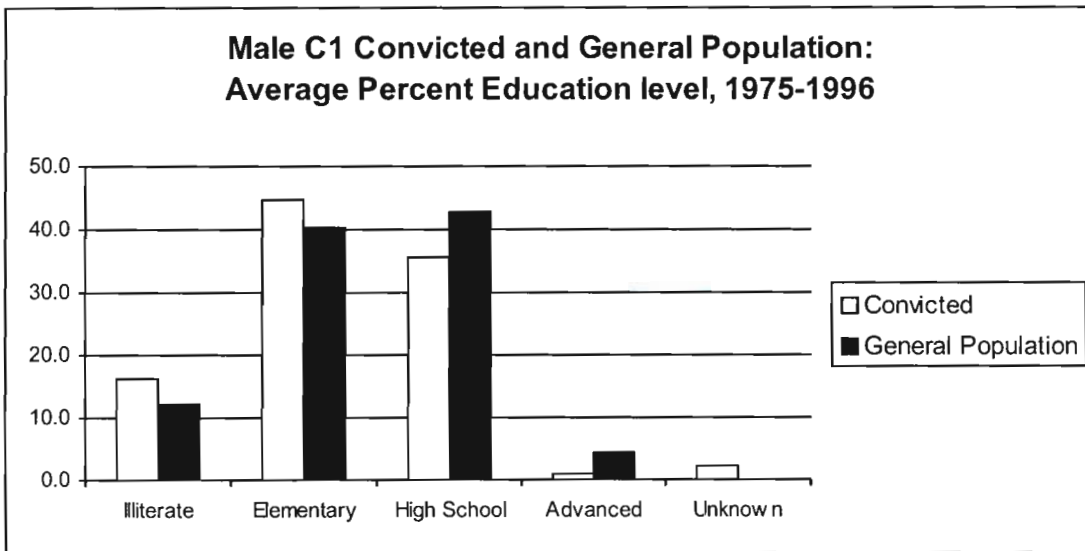
A similar pattern is seen with female convictions. Where the majority of those prosecuted are unmarried and only a slightly higher number of married females are prosecuted for homicide than males. This is significant as an indication of societal stability.



The over-representation of unmarried males and females in the convicted population and the under-representation of the married show the relationship between marriage and the use of violence.

**d. Education levels**

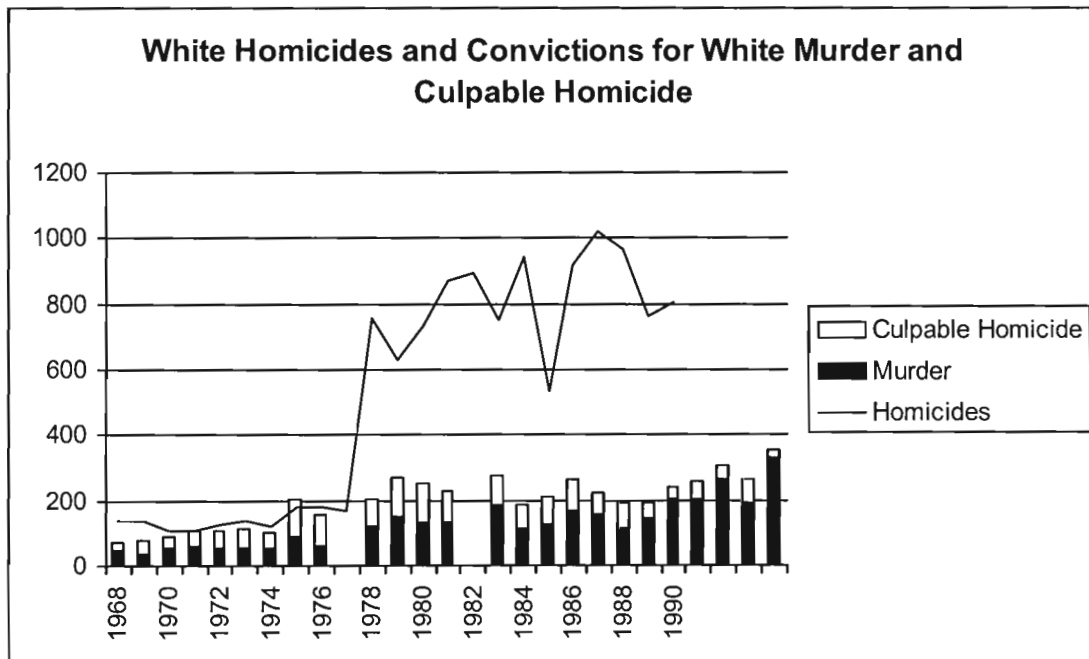
The education levels appear to have less effect upon the conviction rate for violent acts. There is not such an over-representation of any group, although male and females who are either illiterate or have an elementary education level are more likely to be convicted of violent crimes, it is only within a 10% difference to their composition in the general population over the age of 18.



It is however important to see that as education increases, so the number of convictions decreases. There does appear to be a negative correlation, but due to a lack of detailed data it is impossible to comprehensively conclude if this is due to less violence occurring, or a lower chance of being convicted of these crimes.

### e. White Homicides and Convictions

Data for Whites, both as victims and aggressors is the most complete in the available statistics. However, as the graph below shows, after 1976 the vast majority of murders and culpable homicides of Whites were unprosecuted, and thus the data available, even for White involvement as aggressors in murders is limited. It could be postulated that the gap in prosecutions is due to an increase in stranger homicides, but this cannot be proven unless a more detailed analysis of police dockets for the period is conducted.

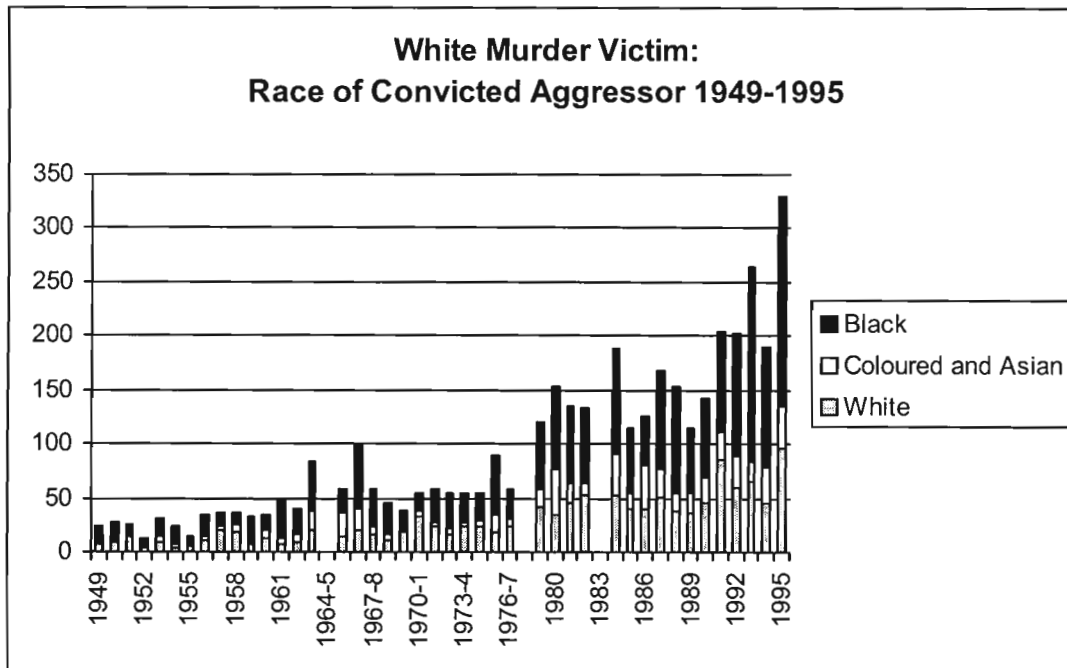


White homicide increased significantly in the mid-1970s, however the prosecutions for homicide did not alter with the increased rates, instead they maintained a consistent total, and as a rate per 100 000 of the population decreased.

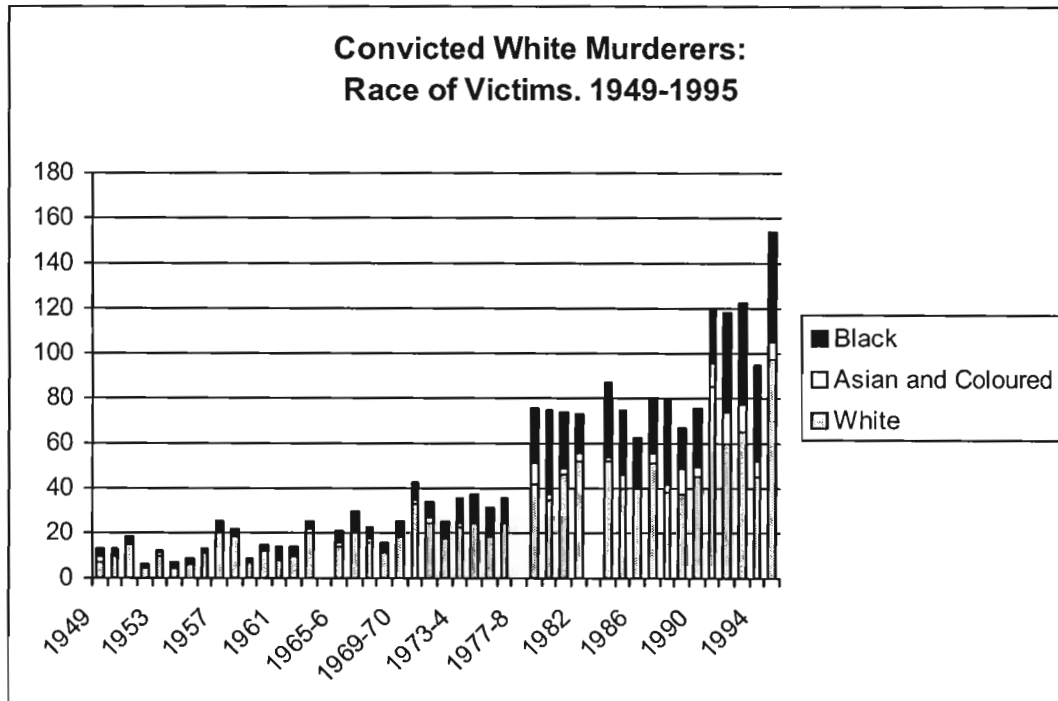
Blacks formed the majority of those convicted for the murder of Whites, with an average of 53% of all convictions for the period. Coloured and Asians were



convicted of an average of 14% of White murders, while Whites were convicted of the remaining 33%. Convictions of culpable homicides of Whites for the same period resulted in an average of 41% of White aggressors and 59% of non-White aggressors.



The pattern of convictions of Whites for murder shows a rather different pattern. Of the murder convictions for Whites from 1949 to 1995, 62% were of White victims, 6% of Coloured or Asian victims and 32% were Black victims.

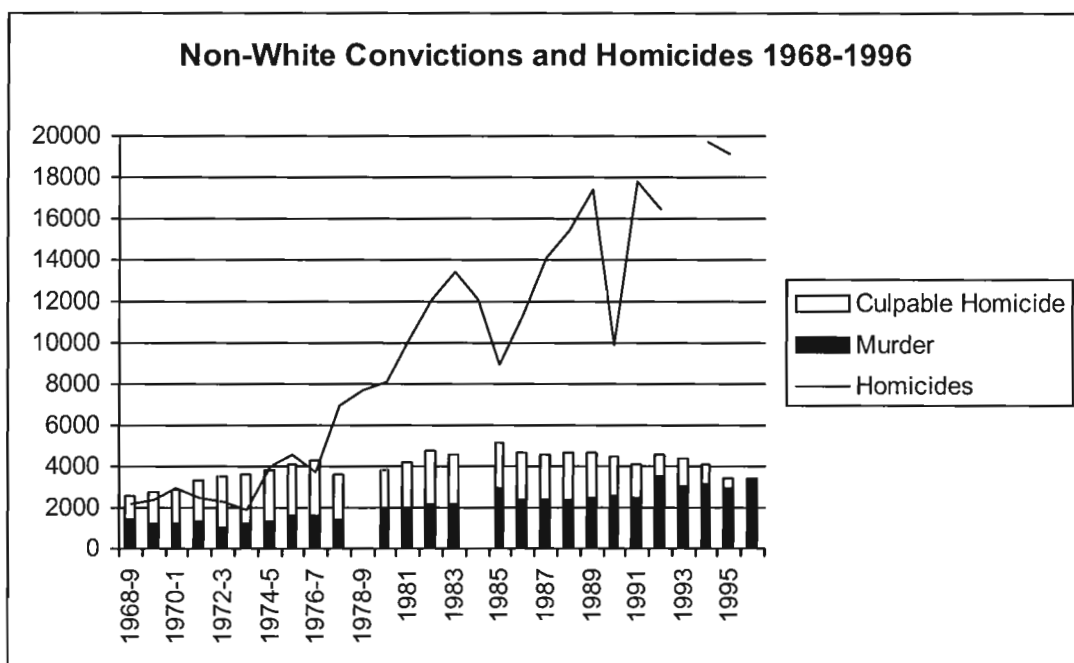


After 1980 data on weapon use in murder cases was recorded and the patterns of firearm use match race closely. The weapon of choice for White aggressors is the firearm, being used in 51% of murders committed by Whites after 1980. 49% of White victims were murdered with firearms. The use of firearms is dealt with in detail below.

White homicide provides a microanalysis of the greater issues surrounding homicide in South Africa. The pace of convictions has not kept up with the number of homicides, as this trend continues so communities will be further estranged from the police and courts, as they will perceive them as not being able to protect them, nor punish the guilty.

## f. Non-White Convictions

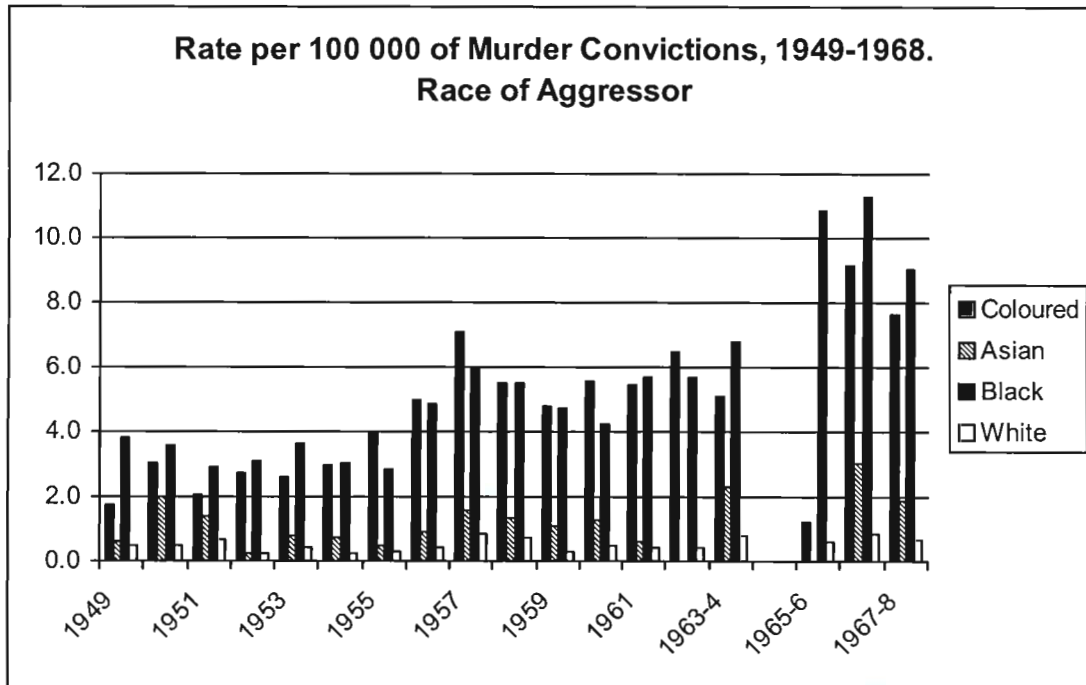
Due to the nature of the data categorisation, any analysis of murders involving Asians, Coloured and Blacks is highly constrained. As has been stated above, murders and culpable homicides that do not involve Whites are generally compacted into the "non-White" category. It is not possible to extract accurately over the entire period the differing levels of convictions and victimisation of Blacks, Coloured and Asians, thus limiting its usefulness.



In the above graph the White and non-White aggressor convictions of non-Whites are combined, as White convictions only ever comprise a maximum of 2% of the total number of convictions for non-White murder and culpable homicide.

The number of convictions of non-Whites has only risen slightly since 1980, while the number of homicides has risen exponentially.

Prior to 1968 there was a racial breakdown of the offender, but the victim was still either White, or non-White. The racial variance between Coloured, Asian and Black groups in their level of convictions is clear from this data.



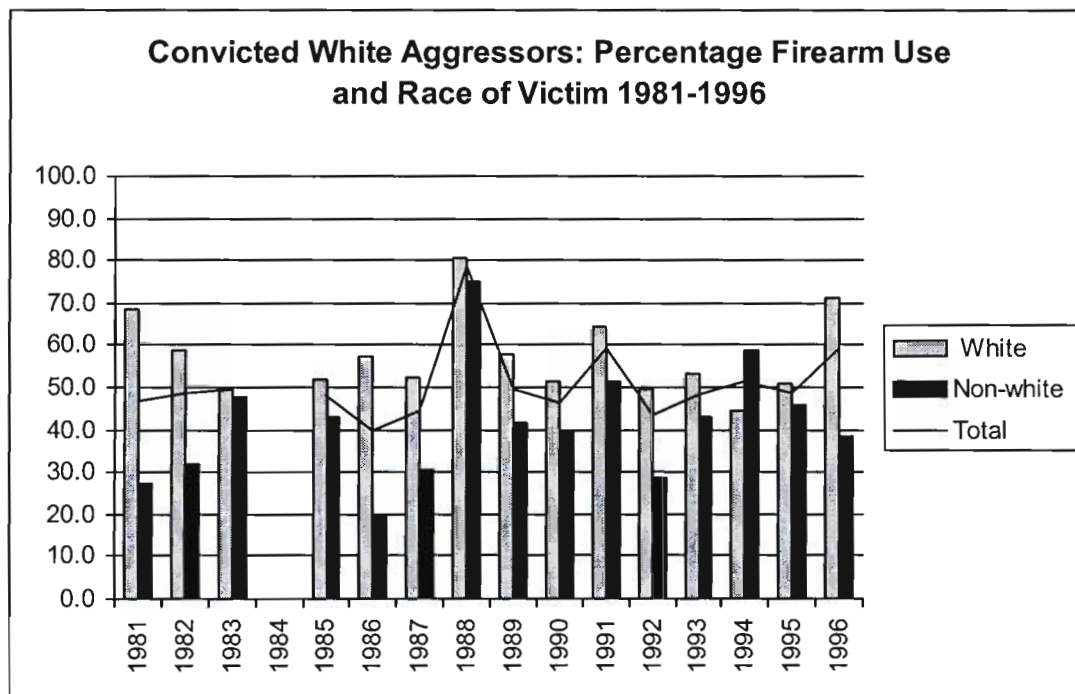
The graph above shows convictions for murder as a rate per 100 000 according to race. Blacks and Coloureds are convicted at a much greater rate than Whites or Asians throughout this period, and it can be suggested that these patterns continue after 1968. The total number of convictions for murder and culpable homicide were 13202 and 22811 respectively, males comprising 92.8% of all cases. The racial composition for all convictions for the period was as follows:

Race	Culpable Homicide	Murder
White	2.2	2.0
Coloured	9.3	10.1
Asian	0.7	0.5
Black	87.8	87.4

Blacks formed the vast majority of convictions, followed by Coloureds, then Whites and Asians. These rates and pattern of convictions matches the patterns of violent deaths closely according to race, with Black and Coloured males having not only the greatest risk of violent death, but also of conviction of such deaths.

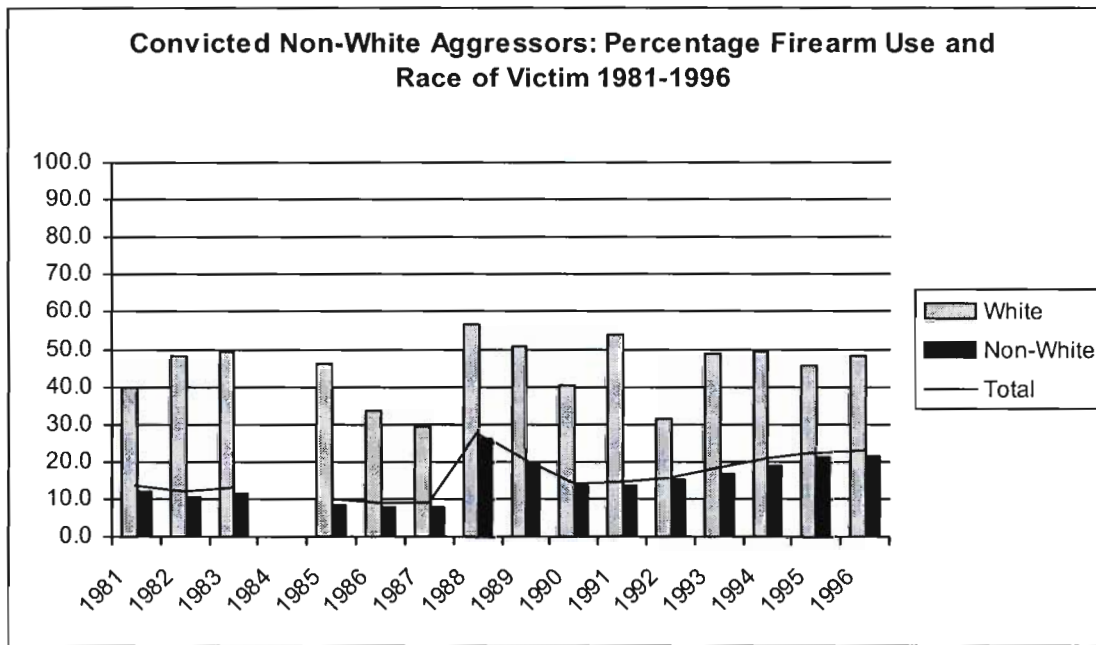
## h. Weapon Use in Murders

After 1980 the type of weapon used in murder cases was recorded. This data gives an indication of the differing methods employed by aggressors in homicides, and allows further analysis of weapon use in the data available for homicides in general.

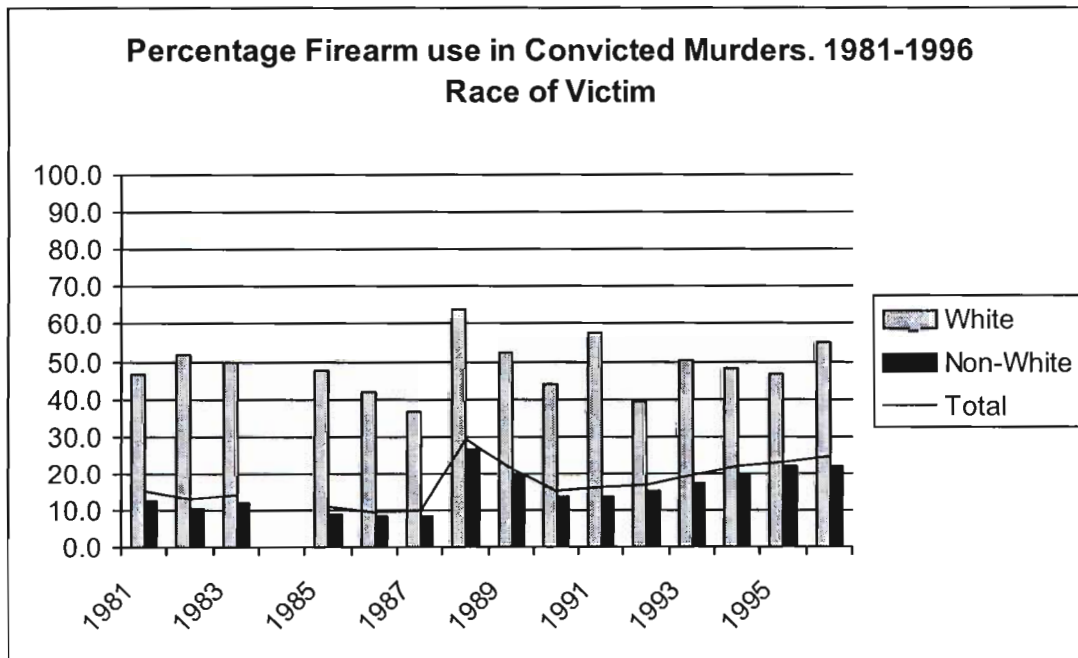


There is a clear racial difference in weapon use with Whites using firearms in murders at the highest percentage. Whites are also killed with firearms at a higher percentage than non-Whites. White aggressors used firearms in an average of 51% of murders; an average of 58% of White victims and 42% of non-White victims were killed with firearms.

This is in contrast to murder convictions of non-Whites. Convicted Non-Whites used fewer firearms in committing murders, an average of 16% of all cases, but this had risen to over 20% after 1994.



Of the White victims of non-White murder, an average of 45% of cases involved firearms, while only 15% of non-White victims were killed with firearms.



The racial patterns of weapon use are unfortunately limited by the melding of race groups into the "non-White" catch-all, as well as the more significant low rate of convictions for the numerous homicides that occur. A clear distinction

can be observed however between Whites and non-Whites in their use of and victimisation by firearms.

The number of convictions for murder with a firearm has increased steadily and should do so as the number of homicides by firearm has risen exponentially.

There has been considerable concern since the late 1990s about the low level of convictions and punishment of criminals in general and murders in particular (Schönnteich, 1999). However, this pattern is not a recent phenomenon. The gap between homicides and convictions began to grow in the late 1970s and has never recovered. The change has been from 62% of homicides resulting in a conviction in 1968, to 19% in 1996 and less than 5% in 2003. In comparison, the USA has had a drop in clearance rates for homicides from 93% in 1961, to 67% in 1991 (Regoeczi W.C., Kennedy L.W. and Silverman R.A., 2002). The problem that faces South Africa is immense and deep-rooted. The failure to successfully prosecute in the 1970s, '80s and '90s has continued, but now there is increased pressure upon the state to solve this problem.

The continued low level of success in punishing those who commit homicides weakens the power of the C.J.S. in particular and the society in general. This adds pressure on communities that are either high risk, or believe that they are high risk from violence to increasingly rely upon other forms of security and punitive sanction. Durkheim clearly argued for the swift and consistent punishment of crime. This is vital in the demonstration to the populace that the state is capable of maintaining order, and that those who violate the moral order will be controlled. This has not happened in South Africa since the mid 1970s, and the increase in the alternative structures of control and punishment have to be understood in the light of this long-term trend of insufficient control of those who kill.



Punishment of crime is vital, and the continuing failure of the state will continue to push communities away from the state based Criminal Justice System and into the realm of the private security and vigilante. The state does have the ability to bring about a change, and in many areas is doing just that. However, it has to be remembered that this problem is not recent, and that the homicide and crime rate will take time to achieve an acceptable level.

## **v. Conclusion**

South Africa has a history of violence and high rates of homicide. The political struggle from the 1970s had a great influence upon the increase in homicide rates, but the continued high rates in the post-1994 period have shown that the violence in South Africa cannot be reduced through political changes.

The patterns of homicide in South Africa match closely those found in the USA, with higher rates for young males from lower socio-economic backgrounds. The key difference is the rate at which homicides occur in South Africa. Homicides are particularly high within the Coloured community, and the continued use of knives as their weapon of choice means that any change in firearm laws will have little effect upon this community. The decline in the rates of homicide since 1994 has to be understood in conjunction with the increase in the rates of non-lethal assault. The latter's rise could be due in part to an increase in the willingness of people to report such acts to the police, but must also be due to a decrease in the lethality of assaults due to better access to medical care, or some other post-act variable.

The rate of prosecution and conviction for homicides is of grave concern. The continued failure to punish aggressors will encourage individuals and communities to rely upon their own resources, whether this is the hiring of private security, the use of vigilantes, or the arming oneself with a weapon. These actions in turn will increase the risk of violence occurring, and thus impact the rates of homicide.

The statistics however only show part of the nature of the act. The statistics have to be enhanced through an understanding of what South Africans think about using violence. Homicides do not occur in a vacuum, the perpetrators of homicides are members of the wider society, and it is the wider society's

attitudes that will influence the individual's behaviours. These attitudes will be explored in the following chapter.

## **Chapter 6**

### **Attitudes towards Violence amongst 16-20 year olds.**

#### **i. Attitudes and Violence Prediction**

Any action arises from a willingness to engage in that act, even if the actor sees the action as deviant. The willingness to engage in acts of violence demonstrates the nature of the individual and the society in which they exist.

It has been shown that a positive attitude towards the use of violence is a positive predictor of actual violent behaviour. (Funk, Elliott, Urman, Flores and Moc, 1999; Kraus, 1988; Upmeyer, 1989; Jenkins and Bell, 1997) and this research have shown links between pro-violence attitudes and actual use of violence. However, this has to be taken one step further in the investigation of those who do not engage in violent acts themselves, but encourage others to do so. Their attitudes will be pro-violence, but bounded within the rationale of someone else engaging in the act, and thus they are involved in the creation of the violence, but not to blame for it. They will form part of the wider social forces that will act upon the individual who will engage in the acts of violence.

If violence is to be reduced it has to be understood as a long-term process involving a plethora of external pressures, societal structures, personal attitudes and internalised motivations and opportunities.

The impact of life experiences deeply affects the individual's attitudes towards the acceptance and involvement in violence. The levels of violence in South Africa have been consistently high since 1976, and the violence is an ever-present factor in day-to-day living for all South Africans. The actual impact of violence is varied across race, gender and economic levels, but all South Africans are affected either directly or indirectly by the violence. This will affect their

attitudes towards the use of violence by the individual and others. The attitudes that are formed will affect how they will respond to violence being used by the state, agents of the Criminal Justice System and civilians. Support for the use of violence does not mean that the individuals themselves will be willing to engage in violence, but that they will support others doing so.

Teens are those who should be targeted in any campaign in reducing violence. They are the ones who are or are about to enter the most high-risk categories for violence, both as victim and aggressor. Creating an understanding of their attitudes is vital in understanding any changes in the greater changes in societal behaviour.

In investigating the attitudes towards the use of violence a secondary goal is seen, that of predicting future violence. It is assumed in these forms of studies that pro-violence attitudes will result in violent action. However, there is the tendency for over prediction of violence in these forms of studies; i.e. predicting violent behaviour in people who will not actually become violent. There is a powerful urge to over rather than under predict in this case. (Duckitt, 1988) In the USA this was the case after the Columbine School shootings of 1999, with seemingly minor acts taken by students seen as deadly threats. However, school shootings in schools in the USA continue to occur, as they had occurred prior to the Columbine incident. The fear generated by this over-prediction poses a danger to the understanding of the actual risk of violence. Violence can never be completely predicted, understood or in turn halted.

The experience of violence in South Africa is common. The high rate of homicide, rape, armed robbery and other acts of violence pose not only a significant threat to the long term stability of the society at large, but also create a society in which violence is not a random event, but a daily occurrence, to be experienced directly, or via the media.

In the work in the USA it was shown that racial minorities, i.e. African Americans, had the highest levels of pro-violence attitudes. These pro-violence attitudes are reflected in the racial bias in the rates of arrest and victimisation for violence, with African Americans being over-represented in both areas. A pro-violent attitude will be as a result of the social nature of the community in which the individual lives, their own experiences and other members of the community's experiences. The high rate of pro-violence attitudes has to be expected in African American communities in the USA, as they experience a much greater rate of violence, as well as social and economic deprivation. In the case of South Africa, the most "at risk" group are Coloured males, followed by Black males. White and Asian males are least at risk from violence. However, for the most at risk groups their levels of violence were seen to be lower than expected. The historical nature and structure of violence in South Africa is substantively different to that in the USA.

The historical trends in violence show that for all South Africans violence increased in the 1970s as the nature of political and social change increased. However the experience of violence was markedly different for the race groups. The nature of Apartheid ensured that White and Asian communities and individuals experienced less political oppression, as well as the continuing violence. Black South Africans were excluded and made into anomic communities within the country and the Homelands. Since 1994, the political changes have increased the political, social and economic power of the Black community, while the crime situation has expanded beyond the township borders and into the rest of the society.

For the White community this "democratisation" of crime and violence has resulted in their increase in the use of private security.

Attitudes cannot be directly observed, but they play a key role in the determination of behaviour, and it is through detailed questionnaires that some level of understanding of these attitudes can be arrived at (Mueller, 1986). The self-report measure is a useful tool in this process; the use of anonymity and ensuring that the subjects do not feel that they should lie or alter their responses ensures a high level of validity (Mueller, 1986).

## ii. Violence in KwaZulu-Natal and the Midlands

KwaZulu-Natal experienced very high levels of political violence in the 1980s and 1990s, which did not end with the 1994 election (Taylor R., 2002). The conflict between the political parties of the ANC and Inkatha for control of the province was encouraged by the Apartheid state that provided weapons and training for Inkatha members (Jeffrey, 1997; Aitchison J., 1993, 1998). The homicide rate in 1993 reached over 200 per 100 000 in the province (Thomson J. 1994, p. 47), with 46% of all political violence in the country occurring in KwaZulu- Natal (Human Rights Commission 1994, p. 17). The political violence of the past continues however to impact the present, with the province and Midlands district continuing to experience above average levels of violence.

The levels of violence in the policing district of the Midlands were higher than the provincial average, as shown in the table below.

Total reported Murder, Attempted Murder and Culpable Homicide									
Year	1994	1995	1996	1997	1998	1999	2000	2001	2002
KZN	19,151	18,374	16,891	15,820	16,417	16,354	15,075	14,554	15,963
MdInd	3,736	3,724	3,635	3,398	3,675	3,480	3,105	2,658	2,690
Total reported Grievous Bodily Harm and Common Assault									
Year	1994	1995	1996	1997	1998	1999	2000	2001	2002
KZN	50,584	52,319	53,175	51,952	53,339	59,961	67,226	68,360	73,835
MdInd	9,172	9,491	9,632	9,555	9,566	11,167	13,039	12,180	13,007

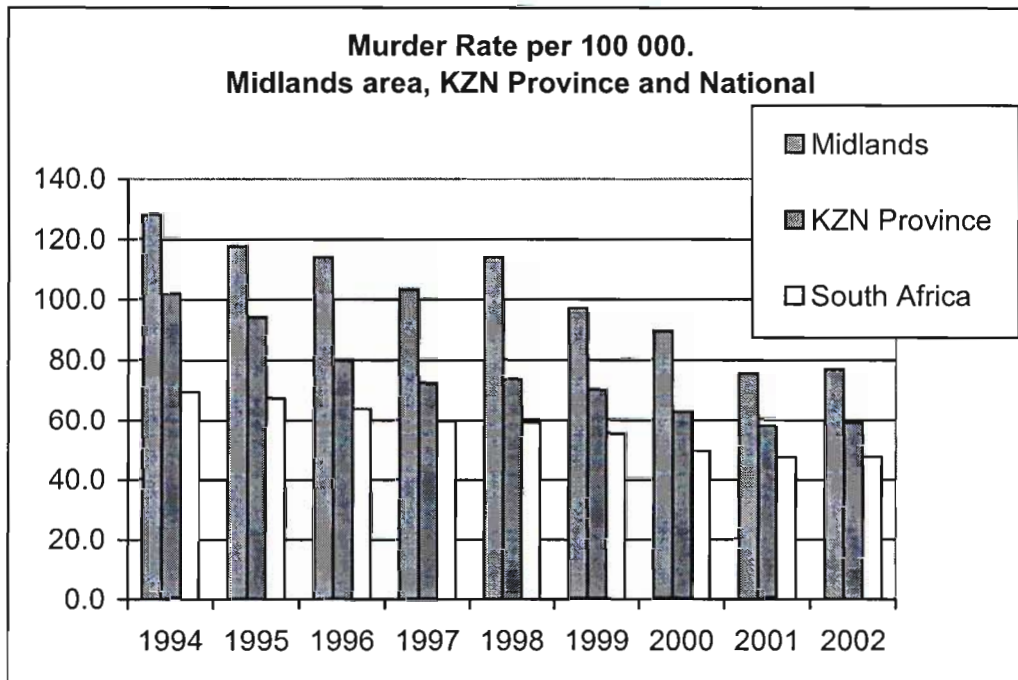


In the 1998 -2002 period the Midlands experienced the following crimes:

	1998	1999	2000	2001	2002	Percentage Change 1998-2001
Murder	1461	1263	1182	1012	1044	-28.5
Attempted Murder	1,704	1,689	1,485	1,229	1,253	-26.5
Culpable Homicide	510	528	438	417	393	-23
Aggravated Robbery	3,217	3,239	3,262	2,925	3,574	11
Rape	1,587	1,655	1,708	1,610	1,640	3.3
G.B.H.	5,056	6,095	6,521	5,754	5,821	15
Common Assault	4,510	5,072	6,518	6,426	7,186	59

(Data from C.I.A.C.)

The rates per 100 000 are higher than the provincial and national average, as seen below: (Data from C.I.A.C. and Stats SA)



The Midlands had the third highest level of violence for the province in 2002, constituting 17% of all violent crime for the province. The Durban North and Durban South police districts had the highest levels, and these three districts combined account for 57% of all violent crime in KwaZulu-Natal.

The levels of lethal violence have decreased in the past five years; however, the levels of non-lethal assault have increased at a greater rate. Overall the levels of extreme violence (Murder, Attempted Murder and Culpable Homicide) have declined, and at a greater rate than the provincial and national averages.

The violence prior to 1994 was largely contained within the Black communities, and the intra-racial nature of the violence would have encouraged the White and Asian population to perceive it as not directly affecting them. Due to their lower risk of violence prior to 1994, and the more "equitable" risk post-1994, the White and Asian communities would perceive violence to have increased, even though the levels have declined. Fear of violence and crime is as important an influencer of behaviour as crime itself.

### **iii. Methodology**

The survey was conducted upon 700 students in their final or second to final year of high school (aged between 16 and 20 years) in 8 different schools all in or near Pietermaritzburg (a mid-sized South African city in the province of KwaZulu-Natal). Of those 700 initial participants, 180 were excluded due to incompleteness; the majority had not completed the second section of the questionnaire, while others had not indicated their gender. The students were informed of the confidentiality of the survey and required to only provide information on their age, gender, ethnicity and parental occupation to ensure anonymity and increase accuracy.

The survey was conducted in classrooms during normal school hours. Only the researcher was present during the survey to ensure anonymity for the students. The questionnaire was handed out, and the students were given up to 30 minutes to complete it and then the researcher collected it. At no time were the questionnaires seen by members of staff, nor were students allowed to converse during the research period.

The schools were situated within the greater Pietermaritzburg municipal area, which falls within the Midlands policing district. One school had only Black students, one only Asian and Coloureds, the remaining schools were multi-racial, having a majority of Black students. One school was a female only private school, the remaining were all co-ed government schools. The economic class of the students was middle and lower. This was determined by asking them their parent's occupation.

## Research Subjects

The subjects were as follows:

	Black	White	Coloured	Asian	Total
Male	163	43	12	39	257
Female	122	100	3	38	263
Total	285	143	15	77	520
<i>Percentage</i>	<i>54.8</i>	<i>27.5</i>	<i>2.8</i>	<i>14.8</i>	<i>100</i>
<i>KZN race percentage</i>	<i>81.7</i>	<i>6.6</i>	<i>1.4</i>	<i>9.4</i>	<i>100</i>

The low number of Coloured students was problematic. They form only a small minority in the province, and were too small a group to be useful statistically.

Some difficulty was experienced in conducting the survey; in particular resistance was met in six schools that refused to allow the survey to be conducted. The reasons given included: A refusal to let the students be categorised by ethnicity; A student was stabbed by another during school the day prior to the survey being conducted (The researcher also felt that the closeness of this incident would severely prejudice the research.); The head teacher of the all female school refused, stating that: "Our girls would never do that sort of thing." The remaining two schools gave no reason for their refusal.

#### **iv. Questionnaire 1: Cultural and Reactive Violence Scale**

Taking from the work of Funk, Elliott, Urman, Flores and Moc (1999), O' Keefe (1997) and Vleicer, Huckel and Hansen (1989) a set of questions was developed to test attitudes towards cultural and reactive violence. (See appendix c for complete survey sheet)

The tests developed in the USA do not completely cover the experiences or attitudes that may be held by South African students, thus additional items were added. The occurrence of armed community watch, vigilante activity and mob and crowd attacks upon suspected criminals are all within the "knowledge" of South Africans; to ignore these activities would reduce the accuracy of the survey.

The initial scale consisted of 30 items divided into two sections both using a Likert scale. (1= Agree strongly, 5= Disagree strongly; and 1= strongly support, 5= not support at all). A pre-test on 80 students produced a Cronburg's Alpha of .723. The survey was subsequently reduced to 26 items; certain items that reduced reliability were dropped. The final survey was divided into two sections, the first asking the subjects to state their level of support for certain statements regarding acts of individual, group and state violence (19 items), the second section asking the subjects to state their level of support for certain actions of violence committed by individuals, groups and the state (11 items).

The questions are divided into two areas: Reactive Violence and Culture of Violence.

Reactive Violence items are those attitudes that will show the immediate response to a threat. They include personal violent behaviour, the "reaction" to a situation. These attitudes will be most likely to change according to the situation and be most influenced by any form of educational training.

Culture of Violence items are those attitudes that show the perception of the society as a dangerous arena. These attitudes will be internalised to a greater degree and more difficult to change or alter. Support for these items show that the subject sees the world as a dangerous place and that measures have to be taken to ensure their own safety. Violent behaviour will be endorsed as a means of protection against threats of other violence. (Funk, Elliott, Urman, Flores and Moc, 1999; Kraus, 1988; Perry, 1997; Straker, Mendelsohn, Moosa, and Tudin, 1996).

1.	It is necessary to carry a weapon to protect oneself.	Reactive
2.	Communities should be allowed to protect themselves from crime however they want.	Cultural
3.	You should be taught how to fight to protect yourself	Reactive
4.	The police cannot reduce crime on their own (deleted)	Cultural
5.	It is okay to hit someone if they insult you or your family	Reactive
6.	Society today is more violent than 10 years ago. (deleted)	Cultural
7.	You should do whatever you want to protect yourself	Reactive
8.	You have to protect yourself, because no one else is going to	Reactive
9.	I should have the right to kill someone who steals my property	Cultural
10.	Traditional forms of justice and punishment would work better in reducing crime.	Cultural
11.	More punishment would reduce crime	Cultural
12.	The death penalty should be used to punish criminals	Cultural
13.	The public should be allowed to punish criminals	Cultural
14.	Those who use violence are respected	Cultural
15.	The government doesn't care about my community	Cultural
16.	My community is under great threat from violence	Cultural
17.	Communities should be allowed to keep out potential criminals	Cultural
18.	I would like to carry a gun	Reactive
19.	I am worried about being a victim of violence (deleted)	Cultural
	1= strongly support                      5= not support at all	
20.	Parent slaps child for lying to her	Reactive
21.	A community-watch patrol stops and searches someone they suspect of being a thief	Cultural
22.	Girl slaps her boyfriend who is flirting with someone else (deleted)	Reactive
23.	A man shoots someone who is trying to steal his car	Reactive
24.	Husband slaps his wife when she argues with him	Reactive
25.	A crowd of people chase, catch and beat up a suspected pick-pocket	Reactive
26.	The police shoot and kill an escaping prisoner	Reactive
27.	A crowd of people chase, catch and beat to death a suspected rapist	Reactive
28.	A community-watch patrol catch and beat up a thief	Reactive
29.	The police beat up a suspect to get information about a crime	Reactive
30.	A man punches his girlfriend when she cheats on him	Reactive

## v. Results

The 26-item survey had a Cronbach's Alpha of .7631, showing a strong level of internal reliability. The mean and standard deviation (SD) for all results is shown below:

	1= Agree strongly      5= Disagree strongly	Mean	SD
1.	It is necessary to carry a weapon to protect oneself.	3.25	1.48
2.	Communities should be allowed to protect themselves from crime however they want.	2.89	1.6
3.	You should be taught how to fight to protect yourself	1.77	1.22
4.	The police cannot reduce crime on their own (deleted)	1.79	1.32
5.	It is okay to hit someone if they insult you or your family	3.53	1.59
6.	Society today is more violent than 10 years ago. (deleted)	2.0	1.44
7.	You should do whatever you want to protect yourself	2.47	1.46
8.	You have to protect yourself, because no one else is going to	2.15	1.35
9.	I should have the right to kill someone who steals my property	4.17	1.31
10.	Traditional forms of justice and punishment would work better in reducing crime.	2.63	1.49
11.	More punishment would reduce crime	1.91	1.35
12.	The death penalty should be used to punish criminals	2.41	1.64
13.	The public should be allowed to punish criminals	3.32	1.55
14.	Those who use violence are respected	3.99	1.45
15.	The government doesn't care about my community	2.78	1.43
16.	My community is under great threat from violence	3.0	1.47
17.	Communities should be allowed to keep out potential criminals	2.28	1.38
18.	I would like to carry a gun	3.58	1.62
19.	I am worried about being a victim of violence (deleted)	2.17	1.51
	1= strongly support      5= not support at all		
20.	Parent slaps child for lying to her	3.71	1.49
21.	A community-watch patrol stops and searches someone they suspect of being a thief	2.42	1.49
22.	Girl slaps her boyfriend who is flirting with someone else (deleted)	3.32	1.57
23.	A man shoots someone who is trying to steal his car	2.72	1.54
24.	Husband slaps his wife when she argues with him	4.58	1.09
25.	A crowd of people chase, catch and beat up a suspected pick-pocket	3.53	1.48
26.	The police shoot and kill an escaping prisoner	2.96	1.56
27.	A crowd of people chase, catch and beat to death an suspected rapist	3.01	1.58
28.	A community-watch patrol catch and beat up a thief	2.74	1.53
29.	The police beat up a suspect to get information about a crime	3.62	1.45
30.	A man punches his girlfriend when she cheats on him	4.53	2.4

These results can be further broken down into attitudes towards cultural and responsive violence. The respondents demonstrated that there were significant differences in their responses as shown below:



Race	Gender	Cultural Mean	Responsive Mean
Black	Male	2.89	3.01
	Female	3.07	3.42
	Total	2.96	3.19
White	Male	2.29	2.78
	Female	2.99	3.57
	Total	2.78	3.33
Asian	Male	2.77	2.76
	Female	3.03	3.36
	Total	2.9	3.06
Coloured	Male	2.45	3.08
	Female	3.15	4.07
	Total	2.59	3.28
Total	Male	2.75	2.94
	Female	3.03	3.48
	Total	2.89	3.21

There are significant differences in the means of the two forms of responses. In all cases males show a greater support for all types of violence, while support for cultural forms of violence is higher than for responsive violence. This supports the idea that violence is inherent and internalised by the teenagers.

However, means do not fully explore the nature of the responses. They can hide patterns of responses, and in this research that has occurred. The number of responses for "strongly support" and "strongly oppose" will tell more about the true nature of the individual attitudes, rather than being hidden within the mean data.

When the responses of 1 and 2 (Agree strongly and Agree) are combined and collated, then turned into a percentage of total responses then the results would be as follows:

Quest'n	Total		Black		White		Asian		Coloured	
	male	female	male	female	male	female	male	female	male	female
Reactive	43.1	29.0	40.9	33.9	47.1	23.0	49.2	30.4	40.1	12.5
Culture	53.0	47.5	49.2	47.8	63.5	47.6	54.0	45.7	63.7	50.0

The gender and racial differences are significant. In particular, the higher support for cultural violence than reactive violence. Males of all races give greater support than females, although there is only a 1.5 difference between Black males and females in their support for cultural violence.

The greatest support is by White and Coloured males for cultural violence, while the lowest support is by White and Coloured females for reactive violence.

Percentage of 1+2 (Strongly Agree + Agree)

		Black		White		Asian		Coloured	
		M	F	M	F	M	F	M	F
1.	It is necessary to carry a weapon	41.1	16.4	41.9	14	43.6	15.8	41.7	0
2.	Communities protect themselves	48.5	37.7	67.4	31	38.5	36.8	50	33.3
3.	You should be taught how to fight	77.9	78.7	72.1	75	76.9	86.8	83.3	100
4.	Police cannot reduce crime on their own	79.1	86.1	72.1	69	76.9	68.4	91.7	100
5.	OK to hit someone if they insult you	41.7	19.7	51.2	14	35.9	7.9	33.3	0
6.	Society is more violent than 10 yr. ago	57.1	69.7	88.4	77	82.1	76.3	91.7	100
7.	Should do whatever to protect yourself	63.8	51.6	67.4	37	51.3	47.4	41.7	0
8.	Have to protect yourself, no one else is	65.6	75.4	76.7	43	59	57.9	58.3	33.3
9.	The right to kill someone who steals	22.7	6.6	18.6	7	20.5	2.6	16.7	0
10.	Traditional forms of justice work better	49.1	38.5	72.1	55	41	39.5	66.7	33.3
11.	More punishment would reduce crime	69.3	70.5	93	75	79.5	81.6	100	66.7
12.	The death penalty should be used	50.9	51.6	97.7	61	66.7	63.2	66.7	66.7
13.	Public be allowed to punish criminals	35.6	31.1	44.2	18	48.7	28.9	33.3	0
14.	Those who use violence are respected	26.4	17.2	20.9	3	15.4	15.8	66.7	0
15.	Govt. doesn't care about my community	44.8	41.8	48.8	39	61.5	18.4	41.7	33.3
16.	My community is under great threat	35	49.2	46.5	29	43.6	18.4	33.3	66.7
17.	Communities to keep out criminals	62.6	46.7	86	59	71.8	63.2	91.7	66.7
18.	I would like to carry a gun	44.8	17.2	30.2	9	48.7	5.3	50	0
19.	I am worried about being a victim	58.9	69.7	53.5	78	56.4	86.8	66.7	66.7
20.	Parent slaps child for lying to her	24.5	19.7	20.9	18	30.8	36.8	8.3	0
21.	A community-watch stops suspect	48.5	53.3	79.1	65	53.8	39.5	75	66.7
22.	Girl slaps her boyfriend who is flirting	19	47.5	44.2	21	46.2	42.1	41.7	0
23.	A man shoots car thief	62.6	43.4	65.1	13	61.5	36.8	66.7	0
24.	Husband slaps his wife when she argues	5.5	4.9	0	0	69.2	0	0	0
25.	Crowd beat up suspected pick-pocket	30.7	20.5	39.5	8	43.6	15.8	33.3	0
26.	Police kill an escaping prisoner	38	35.2	74.4	35	56.4	36.8	50	33.3
27.	Crowd beat to death a suspected rapist	38	38.5	51.2	33	51.3	42.1	41.7	0
28.	Community-watch patrol beat up a thief	53.4	44.3	72.1	38	64.1	36.8	50	33.3
29.	Police beat up suspect to get information	27	19.7	44.2	10	38.5	15.8	41.7	0
30.	Man punches girlfriend when she cheats	20.2	9	2.3	0	10.3	2.6	0	0

If the results are analysed according to cultural and reactive violence a more defined pattern emerges.

## Reactive Violence

Scores below *50%* in italics, above **70%** in Bold

		Black		White		Asian		Coloured	
		M	F	M	F	M	F	M	F
1.	It is necessary to carry a weapon	<i>41.1</i>	<i>16.4</i>	<i>41.9</i>	<i>14</i>	<i>43.6</i>	<i>15.8</i>	<i>41.7</i>	<i>0</i>
3	You should be taught how to fight	<b>77.9</b>	<b>78.7</b>	<b>72.1</b>	<b>75</b>	<b>76.9</b>	<b>86.8</b>	<b>83.3</b>	<b>100</b>
5.	OK to hit someone if they insult you	<i>41.7</i>	<i>19.7</i>	<i>51.2</i>	<i>14</i>	<i>35.9</i>	<i>7.9</i>	<i>33.3</i>	<i>0</i>
7	Should do whatever to protect yourself	<i>63.8</i>	<i>51.6</i>	<i>67.4</i>	<i>37</i>	<i>51.3</i>	<i>47.4</i>	<i>41.7</i>	<i>0</i>
8	Have to protect yourself, no one else is	<i>65.6</i>	<b>75.4</b>	<b>76.7</b>	<i>43</i>	<i>59</i>	<i>57.9</i>	<i>58.3</i>	<i>33.3</i>
18	I would like to carry a gun	<i>44.8</i>	<i>17.2</i>	<i>30.2</i>	<i>9</i>	<i>48.7</i>	<i>5.3</i>	<i>50</i>	<i>0</i>
20	Parent slaps child for lying to her	<i>24.5</i>	<i>19.7</i>	<i>20.9</i>	<i>18</i>	<i>30.8</i>	<i>36.8</i>	<i>8.3</i>	<i>0</i>
22	Girl slaps her boyfriend who is flirting	<i>19</i>	<i>47.5</i>	<i>44.2</i>	<i>21</i>	<i>46.2</i>	<i>42.1</i>	<i>41.7</i>	<i>0</i>
23	A man shoots car thief	<i>62.6</i>	<i>43.4</i>	<i>65.1</i>	<i>13</i>	<i>61.5</i>	<i>36.8</i>	<i>66.7</i>	<i>0</i>
24	Husband slaps his wife when she argues	<i>5.5</i>	<i>4.9</i>	<i>0</i>	<i>0</i>	<i>69.2</i>	<i>0</i>	<i>0</i>	<i>0</i>
25	Crowd beat up suspected pick-pocket	<i>30.7</i>	<i>20.5</i>	<i>39.5</i>	<i>8</i>	<i>43.6</i>	<i>15.8</i>	<i>33.3</i>	<i>0</i>
26	Police kill an escaping prisoner	<i>38</i>	<i>35.2</i>	<b>74.4</b>	<i>35</i>	<i>56.4</i>	<i>36.8</i>	<i>50</i>	<i>33.3</i>
27	Crowd beat to death a suspected rapist	<i>38</i>	<i>38.5</i>	<i>51.2</i>	<i>33</i>	<i>51.3</i>	<i>42.1</i>	<i>41.7</i>	<i>0</i>
28	Community-watch patrol beat up a thief	<i>53.4</i>	<i>44.3</i>	<b>72.1</b>	<i>38</i>	<i>64.1</i>	<i>36.8</i>	<i>50</i>	<i>33.3</i>
29	Police beat up suspect to get information	<i>27</i>	<i>19.7</i>	<i>44.2</i>	<i>10</i>	<i>38.5</i>	<i>15.8</i>	<i>41.7</i>	<i>0</i>
30	Man punches girlfriend when she cheats	<i>20.2</i>	<i>9</i>	<i>2.3</i>	<i>0</i>	<i>10.3</i>	<i>2.6</i>	<i>0</i>	<i>0</i>

## Cultural Violence

		Black		White		Asian		Coloured	
		M	F	M	F	M	F	M	F
2	Communities protect themselves	48.5	37.7	67.4	31	38.5	36.8	50	33.3
4	Police cannot reduce crime on their own	<b>79.1</b>	<b>86.1</b>	<b>72.1</b>	69	<b>76.9</b>	68.4	<b>91.7</b>	<b>100</b>
6	Society is more violent than 10 yr. ago	57.1	69.7	<b>88.4</b>	<b>77</b>	<b>82.1</b>	<b>76.3</b>	<b>91.7</b>	<b>100</b>
9	The right to kill someone who steals	22.7	6.6	18.6	7	20.5	2.6	16.7	0
10	Traditional forms of justice work better	49.1	38.5	<b>72.1</b>	55	41	39.5	66.7	33.3
11	More punishment would reduce crime	69.3	<b>70.5</b>	<b>93</b>	<b>75</b>	<b>79.5</b>	<b>81.6</b>	<b>100</b>	66.7
12	The death penalty should be used	50.9	51.6	<b>97.7</b>	61	66.7	63.2	66.7	66.7
13	Public be allowed to punish criminals	35.6	31.1	44.2	18	48.7	28.9	33.3	0
14	Those who use violence are respected	26.4	17.2	20.9	3	15.4	15.8	66.7	0
15	Govt. doesn't care about my community	44.8	41.8	48.8	39	61.5	18.4	41.7	33.3
16	My community is under great threat	35	49.2	46.5	29	43.6	18.4	33.3	66.7
17	Communities to keep out criminals	62.6	46.7	<b>86</b>	59	<b>71.8</b>	63.2	<b>91.7</b>	66.7
19	I am worried about being a victim	58.9	69.7	53.5	78	56.4	86.8	66.7	66.7
21	A community-watch stops suspect	48.5	53.3	<b>79.1</b>	65	53.8	39.5	<b>75</b>	66.7

## **Analysis**

Males are more supportive of the use of violence, and the carrying of weapons. They also support at a higher degree the use of violence by others (police, community patrols). Females do feel more threatened by violence, and offer less support for its use. This can be explained as although they are less likely to be victims of severe assault or homicide, they have a greater fear of victimisation. Male responses are only low for direct violent acts such as a man hitting his wife or girlfriend. The unusual response is that both males and females do not think that those who use violence get respect, but are willing to support its use.

In regard to community based violence (Questions 2, 16, 17, 21, 25, 27, 28), there is general support for its use, although this support diminishes as the level of violence increases.

Weapon carrying (Questions 1 and 18) is not strongly supported, although males score much higher than females. However, there is strong support for severe punishment of criminals and the control of potential criminals.

There is stronger support for organised forms of policing than simple mob punishment. Support for the "beating" of a thief increases when it is conducted by a formalised group (community watch), rather than the informal crowd. This is further reinforced by the support given to police killing an escaping prisoner.

There are some inconsistencies in the responses. In particular, the differences in support for using violence to protect property – Questions 9 and 23 address this. A maximum of 22.7% of males support the right to kill someone who steals; while a maximum of 66.7% support someone shooting a car thief. The shooting of someone might not result in his or her death, and thus the greater level of support for this action. The person can believe that they did not intend to kill by shooting, and thus the action is more acceptable.

The questions on punishment are important in understanding how the subjects conceive of the role of punishment in reducing crime, and who should be allowed to engage in the punishment of offenders.

There is greater support for more punishment to reduce crime, but this support does not translate into a consistent support for the death penalty. A majority of respondents support the use of capital punishment by the state, but this support has to be understood in the use of capital punishment as a political weapon in the past with little to do with crime control. Thus there is a contradiction; strong support for harsher punishment, but less support for the death penalty. There is still a majority of respondents in support for the death penalty.

Punishment of criminals by the community is not strongly supported, in contrast to formalised community organisations such as community watch, whose actions are given more support. This is further reinforced by the strong support for communities having the right to keep out "potential criminals", a possible result of the rise in enclosed suburbs, and the belief that communities can keep out criminals and keep out crime. This formalisation of who can punish is important. There appears to be a belief that punishment and control have to be bound within some form of authoritative structure, and not left merely to "the mob".

In general there is consistent strong support for harsh punishment across all respondents, but this is couched within the belief that this control and punishment has to operate within a formalised structure of policing or community control. Thus, extreme violence is approved, as long as the people who do it are wearing a uniform.

The various questions relating to interpersonal violence (Questions 5, 20, 22, 24, 30) all have low levels of support. All the questions involve violence that would occur between family and acquaintances, and it can be argued that the subjects have a greater level of direct awareness of this form of violence. The low level of support is reinforced by the opposition to giving respect to those who use violence (Question 14). The high support given by Asian males to a husband slapping his wife when she argues with him (69.2%) is a strange result in comparison to the other group's responses to that question, which is generally negative. It is further complicated when compared to the response to Question 30 (Man punches girlfriend when she cheats on him: 10.3%), which might well be considered a greater cause for a violent response. It could be explained by the position of women within the marriage, and that violence against the married woman is seen as less deviant.

The fear of personal victimisation is high, particularly for females (Question 19). This fear has to be seen in contrast to the responses to threats to their community, and here there is a much lower support for the idea that their community is under great threat from violence (Question 16). The fear of females can be seen as a fear of direct violence from those around them, and that the violence is not directed against their entire community, but specific people, they amongst them.



## vi. Questionnaire 2: Violent Scenarios

This was designed to retest the subject's attitudes towards the use of violence. Scenarios were briefly described and the subject had to mark which response was in their opinion the most appropriate (see appendix c for complete questionnaire). Three scenarios were used, a mother and child, boyfriend and girlfriend and two male strangers. In each scenario, six (in the case of mother and child) or seven (for the other two scenarios) were described of differing behaviours that could illicit violent responses.

The students had to select a response they believed appropriate for each scenario from the following:

No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
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1	Child fights another child
2	Child hits the parent first
3	Child calls the parent insulting names
4	Child hits a smaller child
5	Child sexually grabs another child
6	Child threatens to run away from home
7	Sally cheats on Tom
8	Sally hits Tom first
9	Sally flirts with someone else
10	Sally calls Tom insulting names
11	Sally threatens to leave Tom
12	Sally hits someone smaller and weaker than herself
13	Sally refuses to have sex with Tom
14	Ed hits Frank first in an argument
15	Ed calls Frank insulting names
16	Ed verbally threatens Frank
17	Ed fights another person
18	Ed insults Frank's family
19	Ed hits someone smaller and weaker
20	Ed flirts with Frank's girlfriend

The results were tabulated to show the percentage of responses that supported the use of physical punishment of either "slap", "punch or kick". These responses will demonstrate a positive attitude towards the use of violence.

		Black		White		Asian		Coloured	
		M	F	M	F	M	F	M	F
1	Child fights another child	3.1	1.6	2.3	4	2.6	2.6	16.7	0
2	Child hits the parent first	53.4	35.2	46.5	19	38.5	23.7	33.3	0
3	Child calls the parent insulting names	53.4	36.9	39.5	28	17.9	23.7	41.7	0
4	Child hits a smaller child	22.1	13.9	18.6	20	10.3	15.8	16.7	0
5	Child sexually grabs another child	31.3	35.2	34.9	16	41	26.3	75	0
6	Child threatens to run away from home	6.7	4.1	2.3	0	7.7	7.9	16.7	0
7	Sally cheats on Tom	21.5	2.5	0	0	2.6	2.6	8.3	0
8	Sally hits Tom first	31.9	13.1	4.7	3	12.8	0	16.7	0
9	Sally flirts with someone else	19.6	11.5	0	0	2.6	0	8.3	0
10	Sally calls Tom insulting names	25.2	19.7	0	0	12.8	2.6	25	0
11	Sally threatens to leave Tom	1.2	2.5	0	0	5.1	0	8.3	0
12	Sally hits someone smaller and weaker than herself	6.1	9.8	0	2	5.1	10.5	33.3	0
13	Sally refuses to have sex with Tom	4.9	2.5	0	1	5.1	0	0	0
14	Ed hits Frank first in an argument	55.8	24.6	62.8	4	28.2	21.1	66.7	0
15	Ed calls Frank insulting names	39.9	13.9	23.3	1	12.8	7.9	33.3	0
16	Ed verbally threatens Frank	22.7	7.4	11.6	1	15.4	2.6	41.7	0
17	Ed fights another person	9.8	11.5	2.3	2	7.7	7.9	16.7	0
18	Ed insults Frank's family	49.1	27	46.5	8	35.9	15.8	58.3	0
19	Ed hits someone smaller and weaker	23.3	18	20.9	14	17.9	26.3	33.3	0
20	Ed flirts with Frank's girlfriend	43.6	36.9	44.2	13	51.3	39.5	58.3	0

In general there was a low support for the use of physical violence. Violence was most often supported in the mother-child scenario, with the mother using violence when the child hit her, insulted her or sexually grabbed another child.

In the boyfriend-girlfriend scenario there was a universal low support for the use of violence.

In the male stranger scenario there was support for violence when the person was physically attacked, verbally insulted, or when the person's girlfriend was being flirted with. This final situation had high support from females as well as males.

The difference between the three scenarios is significant in that there are contradictions in the type of violence that is supported. The low level of support for violence within the boyfriend-girlfriend scenario has to be understood within the context of the subjects themselves. This type of violence is the form that they are most likely to encounter, and within the schools directly dealt with.

Violence between males is supported in the cases of insult or threat or attack. Nevertheless, even this support is not at an extremely high level, even for males.

## **vi. Comparison of Questionnaires 1 and 2**

The two sets of questions both seek to find out the respondent's attitudes towards the use of violence. The difference in the responses is significant and important to understand.

Overall respondents were willing to give far greater support for the use of violence in the first Questionnaire. They showed very strong support for cultural violence, the use of violence against criminals and suspected criminals by individuals and official and quasi-official agencies. Interpersonal violence between intimates was less supported.

In comparison, the responses for Questionnaire 2 were much less supportive of the use of violence. However, in the scenario of male strangers violence was supported by over 50% of males when the person was hit.

If the responses are taken as a whole, then the use of violence is supported. However, this has to be contained within a stricter analysis of the type of violence that is supported. The Cultural Violence, which is done by others, is supported. It is always easier to support violence that is conducted by a third party, than to do it yourself. The differences in responses between the Questionnaires demonstrate this clearly.

Violence does not occur in a vacuum, but is influenced by the attitudes and actions of the direct community and significant individuals. The higher levels of support for violence by a third party, rather than violence by the individual are understandable in that the use of a third party enables the individual to distance themselves from the violence. What also has to be taken into account is the structure of violence in the pre-1994 period, wherein the state and its agents acted to protect the White communities, violence was something that generally

occurred “outside” the White and Asian communities, and was thus not of their concern.

## **vii. Anomie and Attitudes**

The responses from these questionnaires demonstrate significant differences in attitudes between races and genders. The key results are the strong support for the use of violence, in particular punishment conducted by the state or its agents. This is most marked in the response of the White males. This result has to be seen within the social context of the changing nature of the South African society. The abolishment of the restrictions of Apartheid has resulted in an apparent wave of crime. The massive increase in privatised security, and an increase in insecurity point to increased fear of victimisation. The belief that the present is more violent than the past (Question 6) also shows that social beliefs of crime and violence do not match the reality of violence.

The differing attitudes demonstrate not only attitudes, but also experiences. Whites are least at risk from violence, but they demonstrate a strong positive regard for the use of violence. This violence is however, not of their own actions, but the actions of others, third parties that demonstrate some form of legitimacy, such as police or community patrols. They oppose violence that is more random in nature, less controlled, such as by individuals or by a mob.

The results clearly show support for the thesis that people will support violence when it is used by others, and are less supportive when they are required to engage in that same violence.

This has important implications for the future of violence in South Africa. The use of privatised security, community patrols and vigilante groups and the move of the middle class into anomic guarded suburbs will not reduce the levels of violence. These agencies serve to reduce the immediate fears of violence, but in the long term will only serve to create a more unstable society, based upon the use of others to engage in violence to act as "protectors". This will not reduce crime, nor will it end the "normal" violence and homicides that occur in the

home. An illusion of security with the moral justification to commit violence is all that is created.

Violence will continue for as long as there is support for it to occur. This research clearly shows that there is strong support for such action, and that the communities that feel most anomic in the society will support the greater use of violence to "protect" themselves from the perceived and real threats to their lives and security.

In research conducted into attitudes towards violence in the USA, African American males score the highest in support for the use of violence (Funk, Elliott, Urman, Flores and Moc, 1999; Kraus, 1988; Upmeyer, 1989; Jenkins and Bell, 1997). It is argued that this is the result of their estrangement from the central society. This same argument can be placed upon the White males in this study. The males interviewed were in racially mixed schools, from middle and lower middle class backgrounds. They are the ones whose parents reaped the benefits from the Apartheid State, and the sense of control that was brought with it. Now they are ones who are not included in the state forms of regulation, and thus are anomic and react to threats of crime in a more violent manner, but couched within a community framework.

The formally excluded, the Blacks, Coloured and Asians now have a greater ability to influence their socio-political environment. Thus, they will have a greater sense of community control, and a lower sensation of anomie. It can be argued that the Apartheid system created a social system based upon a lack of regulation and integration, and this process, although ended, still influences how individuals and communities perceive their role and place in the "New South Africa".

Some of the results are positive. The lower rates of pro-violence attitudes amongst Black students is important, as they are the second highest risk group

for violence. Importantly, the lower levels of support for reactive violence are encouraging, as this should translate into less immediate violence. The cultural attitudes can be influenced by state policies, and the effectiveness of the Criminal Justice System in providing adequate policing and justice to the public.

This research is limited, and should not be extrapolated to the entire society. Only a small sample was used, and results will be different, in particular for Coloured students who are most at risk from homicide.

All these attitudes can change, but the direction they change will depend to a significant degree upon the effectiveness of the state to provide a safe environment, as well as the communities in which the subjects rely upon the state for social control.



## Chapter 7

### **Anomic Conditions of Communities**

South Africa faces an anomic future, communities isolated and reliant upon their own resources to provide protection and safety. The growth of vigilantes and private security indicates increased reliance upon non-state forms of social control. The belief of the White farming community that crimes committed against them are political attacks illustrates their isolation from the greater society. If the state does not address the perceived fears of these communities, they will increasingly rely upon their own resources, often employing violence, and not the Criminal Justice System to protect themselves.

Individuals and communities want to be safe from violence, and if they believe that the state cannot or will not protect them, they will seek alternative systems and forms of protection. As has been argued in previous chapters, the willingness to support the use of violence by others is a key factor in the creation and maintenance of violence in South Africa. The use of private security, vigilantes and self-protection by communities that are anomic will increase the chance of violence being used to control crime and threats to those communities. Private security and vigilantes will not be concerned with the needs of the greater society, only that of the individual or community that has hired or encouraged them.

Communities that do not rely upon the Criminal Justice System will remain anomic. As Durkheim argues, the state's punishment of the criminal serves to reinforce the moral order, to re-establish it upon a level plane. The community is able to see "justice done", and reinforce their own beliefs and solidarity. Public protestation serves to bring the community together, to allow for increased interpersonal communication, increased social bonding, and reinforcement of the

normative order (Durkheim 1984, p. 102). Without the state delivering justice communities will become trapped in a cycle of fear and isolation.

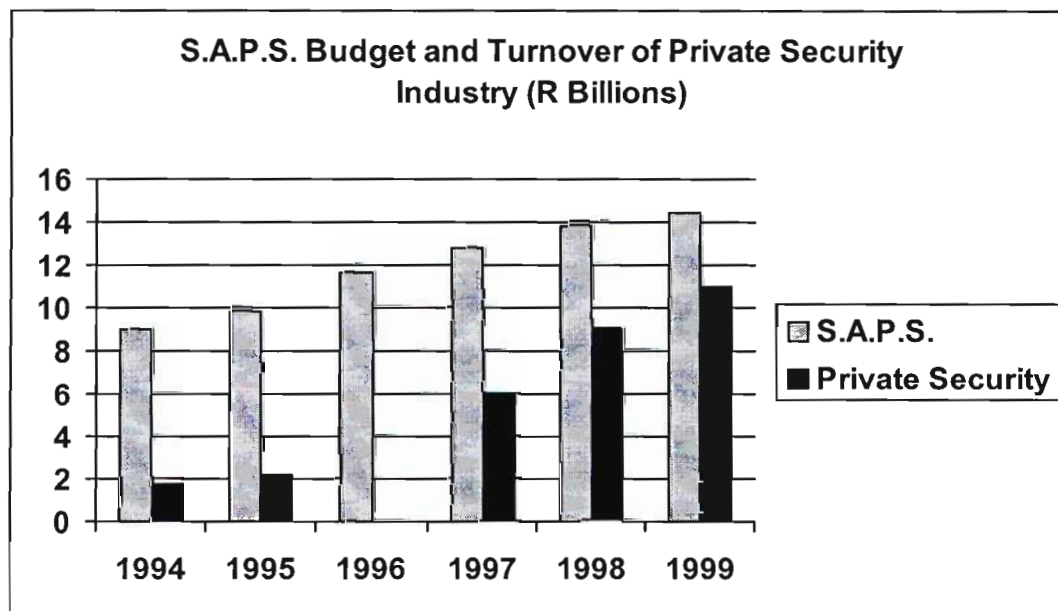
Within the anomic communities in South Africa, the state's role of providing justice and social control is weak or non-existent. This is due to either the community willingly excluding them, such as in the townships prior to 1994, and in the gated communities of post-1994; and when the police have not effectively established themselves within a community, such as in informal settlements. It is in the latter that vigilante activities will occur, although the use of private security and the use of gated communities can be understood as a similar process. The use of vigilantes and private security are not only a symptom of anomie, but act as a continued positive feedback to create more anomie. As communities become used to relying upon their own resources for social control and justice, they will become more estranged from the state criminal justice system, and more anomic.

## i. Private Security

The actions of vigilante groups and the private security industry stem from the same cause, that of the idea that the community in which they operate cannot rely upon the S.A.P.S. to protect them from the threat or reality of crime.

Private Security firms have been able to fuel their growth from the large numbers of experienced officers who left the S.A.P.S., as well as the increased fear of crime and victimisation of those who are able to afford their services, and an apparent increase in theft, car-jackings and assault. With 166 000 registered security officers in 2000, and another estimated 50 000 in-house security officers, the estimated 216 000 private security personnel far outnumber the 90 000 uniformed members of the S.A.P.S. (Schönteich, 2000).

Privatised security firms have increased in number and scale dramatically since 1994 (Schönteich, 2000; Altbecker and Rauch, 1999).



(Altbecker and Rauch, 1999)

Their annual turnover compares favourably with the annual S.A.P.S. budget, and although the S.A.P.S. budget has increased by over 60% between 1994 and

1999, the private security industry has increased its turnover by over 500%. The S.A.P.S. has to serve the entire South African population of forty six million, while private security serves a small fraction of that population.

The implications of this growth are the decrease of individual and community reliance upon the S.A.P.S. This effectively "frees" the S.A.P.S. from having to provide police for communities that can afford private security, and thus allows them in theory to concentrate on other communities and areas. This is however counterproductive in the long term, as the "privatised communities" lack of reliance upon the state for policing will increase their anomic position. The communities will become more isolated from the state criminal justice system, and from the rest of the society. However, the S.A.P.S. cannot cope with the levels of crime in South Africa at present, and private security offers a way past short-term problems.

The S.A.P.S. has been left in a difficult situation in that the private security firms are able to fill the policing gap that they cannot cover. However the continued growth of this sector means that there will be a constant reduction in the reliance that is placed upon the police, and that they will be excluded from their formal role of policing in those areas that the private security firms operate and control. The privatisation of certain functions of the S.A.P.S. can be reasonably accommodated, but to increasingly rely upon a non-state system of policing will continue to support the anomic state within the society.

## ii. Vigilantism

“Residents of an East Rand squatter camp each paid R22 this week to bail a man accused of murder out of prison. Then they killed him. Johannes Manamela left jail thinking relatives had paid his R4000 bail. Instead, he walked into the hands of residents of the Winnie Mandela squatter camp in Tembisa – who dragged him before a people’s court and sentenced him to die. He was stabbed and doused with petrol before a tire was placed around his neck and set on fire...Johannes Motaung, a recent victim of crime in Tembisa, was one of those who paid Manamela’s bail. “I donated R22 when I heard what was going to happen to him. The idea of paying bail for criminals and then killing them is liked by everyone. We want them to know that we will get them in the end”, he said.”

(Sunday Times 4 July 1999)

“In February 2001, three youths were hacked to death when they tried to break into a church building in Pimville to steal chairs. They were caught after a member of the community raised an alarm.”

(Sowetan 21 February 2001)

Linked to the growth of private security is the rise of vigilantes and vigilante groups. These organised and spontaneous groups have arisen from the same needs of the community that helped fuel the private security industry. Where one community can afford the uniformed presence of security guards, the poorer sectors rely in a similar fashion upon the vigilantes. Both serve to fill the gap of policing.

Vigilante activity has occurred throughout South Africa, but has been in more organised forms in the Western Cape with PAGAD, and in Limpopo Province and Gauteng with Mapogo a Mathamaga. Both these groups have arisen from relatively impoverished areas, and operate within communities that lack a strong

connection to the political and economic arenas (Dixon B. and Johns L., 2001; von Schnitzler A. et al., 2001; Harris, 2001; Nina, 1999). They form the organised side of the vigilantism, and form a recognisable face of the much larger presence of the spontaneous vigilante groups that form to attack specific targets and then fade back into the community.

The roots of vigilantism can be traced back to the creation of Self Defence Units (SDUs), Self Protection Units (SPUs) and "People's Courts". These operated within a political framework, establishing an alternative system of justice and social control mainly within the urban townships (Marks, 1995, Harris, 2001). After 1994 the "People's Courts" were no longer needed, as the Criminal Justice System was going to be reformed and made into a more representative and just system. Unfortunately the levels of social disorder did not diminish, crime continued, and the police and courts were not able to provide the level of protection and control that was demanded. It was thus a logical step for communities with a history of community-based systems of control to recreate them, but as vigilante groups and kangaroo courts. Similar structures as pre-1994, but now seen by the state as a threat and illegal.

The vigilante killings of criminals and suspected criminals act in a similar manner to the role of the private security organisations, albeit in a more lethal manner. They operate when the police are absent or unable to prevent crime from occurring. The vigilante acts are in part the result of the anomic society, the reliance upon the community and the estrangement from the society. They represent the brutal face of anomie and the response to it.

There is a desire within communities for the state to provide them with sufficient policing, vigilante acts occur in order to create a stable society; they are killing to create social order. These actions are not designed to destabilise the state, as the goals of the "People's Courts" were prior to 1994. The vigilantes are trying

to create safe communities, free from crime and threat. However, they do and will continue to use homicide as a means of achieving this goal.

Efforts have been directed against the vigilantes, and to a much less extent against the actions taken by the more economically advantaged in their actions in physically closing roads to “keep out” crime. These will not succeed however, as the increase in private security and vigilantism is a symptom of the anomic state of the society, the fear of victimisation and the failure of the state to successfully reduce risk.

Punishment of vigilantism will not end the behaviour, what is needed is a change in how communities believe they are protected by the state. When they believe that the state will protect them, vigilantism and privatised policing will lessen their presence. However, this can only occur with a shift in the collective consciousness of communities, and an increase in the success of the police, courts and prisons.

Community policing in South Africa is seen as an alternative to both these previous mechanisms (Brogden and Shearing, 1993; Mbhele, 1998). Community Justice Forums hope to create a system and belief in restorative justice, as opposed to the retributive acts of the vigilante. The ideal of restorative justice cannot however operate in a policing vacuum, and an anomic society. Mbhele (1998) shows how the forums in Umlazi, KwaZulu-Natal, failed due to power struggles between the police and the community, as well as within the community itself. There was deep mistrust of the police by the community, as well as an ANC and IFP conflict to control the forums, both within the community and upper echelons of the police force. The community felt that the forums served the needs of certain political groups – thus were biased. Once more communities struggling over control of the institutions at the expense of the loss of power for others. There were also cases of criminals trying to take over the forums to control the community.

Shearing's work in the Cape is trying to create a system of community based and directed crime control and justice distribution (Personal communication, Toronto, 2001). This however will only feed into the already anomic society, and serve to further move the communities away from the idea of the state as the centralised system of crime control and justice. Communities will continue to tap into the historical systems of "People's Courts" and the concept of the police only serving the elite, whether it be racial, economic or political. This process will serve to maintain the police as a secondary system to the community's primary reliance upon non-state crime control systems.

The use of private security and vigilante acts means that the role of the state is reduced to a secondary constituent in systems of social control, a rival in competition for customers or a threat to their activities. Both vigilante activities and the private security firms represent the result of an anomic society, one where crime control is not the sole preserve of the state, but the responsibility of the community. In addition, the community will use the means at their disposal to increase social control and decrease the real or perceived threats that face them, and in turn increasingly rely upon non-centralised systems of crime control, weaken their links to the wider society, and increase their anomic condition.

The anomic nature of these forms of homicide is very evident. The conditions that have created these environments exist to influence the rest of the society, and thus influence the increase in homicides, and the interpretation of such acts within an anomic framework.



### **iii. White Farmer Murders**

White farming communities and their organisations such as AgriSA and the Transvaal Farmers Union have seen the killing of White farmers as politically or racially based attacks upon their communities (see [www.rights2property.com](http://www.rights2property.com) for more of their arguments). These organisations have called for the government to view the killings of farmers as political acts, and to treat them as a group that is being targeted for attack and violence ([www.rights2property.com](http://www.rights2property.com), Louw 2003, Moolman 2003a). These attacks have appeared to have increased since 1994, although there is no research prior to that date. The killings are often linked to robberies of wages or more general robberies.

The work by Moolman (1999, 2003a, 2003b) places these homicides into a broader socio-political perspective. He argues that these homicides are the result of Nationalism; firstly in the form of Afrikaner Nationalism with the creation of the apartheid system and its consequential oppression and alienation of Black and White, and secondly African Nationalism and the related struggle against modernity and the apparent loss of Black identity. He argues that the aim of the attacks is to force the White farmers off their land. Robbery is apparently not a motive as little is stolen, and the treatment of farm workers does not influence the chance of attack.

However, Moolman's study of the 3544 farm and smallholding attacks from 1998 to 2001 shows that robbery is a key aim of many of these attacks. Firearms and vehicles were stolen in 48% and 22% of cases respectively. A total of 541 homicides and 1755 injuries were reported with the number of homicides declining by 15% during the period.

The most telling data that Moolman reports that contradicts the claims (including his own) is the racial profile of the victims and the suspected motives for the attacks.

### Race of Victims

YEAR	WHITE	NON-WHITE	MIXED	UNKNOWN	TOTAL
1998	631	173	15	16	835
1999	589	207	42	15	853
2000	646	201	30	17	894
2001	580	279	26	79	962
TOTAL	2446	860	113	127	3544

(Moolman, 2003a)

Although the vast majority of the victims were White, 27.5% were non-White. Attacks upon Whites have declined, while on non-Whites increased during the period. As to the apparent motives for the attacks, Moolman reported that in 2361 cases (74.2%) robbery was the motive, while there were 283 (7.9%) attacks of intimidation of farm labour and farmers, or of hatred, political revenge or racism.

The farm attacks point more towards the shift in crime in the country, than to any political act or goal. The attacks are better understood as part of crime trends. Farmers are relatively easy targets, often isolated, easy to observe in their habits and offering potentially lucrative rewards in terms of weapons, vehicles and money (this is seen by the high number of elderly farmers who are attacked). The risk to the attacker of being caught is small, and any risk of being injured or killed by the farmer victim can be reduced by killing the victim first. As crime targets are hardened with increased security, such as has happened to banks and many suburbs, criminals will search out new targets. Farmers can be seen as part of these new targets.

From the White farmers' perspective however, it is clear that they believe that they are under direct attack and that the attacks are not purely robberies. AgriSA vice-president L. Bosman stated: "It is not necessarily a political campaign, but intimidation, racism and revenge play a role. Too many people are cruelly

murdered without anything stolen” (Louw M., 2003). They perceive the attacks as an attack upon them as a community, as a way of getting them off the land. Even if the attacks are in the vast majority robberies, the perception is that the “other” is attacking them. A response and interpretation based within an anomic condition. The farmers are able to perceive themselves as a threatened community, under direct attack to rid them of their lands. They do not believe that the state has their interests at heart, and are anomic in their perceptions of their involvement in the wider society. Their interpretation and reaction to the killings are based within an anomic framework, and thus they have responded by using their own form of protection with Commando groups.

The belief that a “community” is under attack from an outside threat is repeated throughout the country. This is a result of the anomic condition of the society, divided and fearful of external threat. The result is that of increased use of violence or the threat of violence against those that are perceived to be threatening the community’s stability, security and socio-economic advancement.

#### **iv. Conclusion**

The anomic conditions of South Africa have ensured that communities have turned to their own resources for social control and protection when they believed that the state cannot or will not protect them. The rise in private security is a result of the White community believing that the state is not able or willing to protect them as had occurred in the past. Within the townships, this use of community serving agents of control had been established by political groups as a way of providing "people's justice" and as opposition to the state. The vigilante movement arose out of this community based activism, as they had learnt that they could not rely upon the state to provide security for them.

These behaviours are all strong indicators of the continued anomic condition within South Africa. The decline in township vigilantism in the late 1990s has been a positive sign, and this combined with a greater degree of trust in the police by Black South Africans is one factor that should reduce the levels of violence. However, as one group is becoming less anomic, those who are hiring private security and moving into gated communities are becoming more anomic. This shift of the ability of the state to provide policing from one community to another only provides short-term solutions, as in the long-term it is reproducing a divided nation, one policed by the state, the other policed by themselves. This is a repetition of the 1980s and 1990s with the Apartheid police ostensibly protecting White communities, and the Black township communities creating their own systems of policing and justice. If this path is followed, the society will continue to remain anomic, divided and the historical anomic patterns of policing repeated to the detriment of the whole society.

## Chapter 8

### Conclusion

#### **The Future of Violence in South Africa.**

"Violence and civil society cannot peacefully coexist...if violence begins to plague the subjects of any civil society then that ensemble of non-state institutions passes over into the category of an *uncivil society*."

(Keane 1996, p. 71, italics in original)

Homicide will continue to pose one of the most serious threats to the long-term stability and growth of South Africa. The country inherited a "murderous legacy" (Thomson, 2004) from the Apartheid system, but the internalised nature of the violence has meant that a change in the political structure has not brought about a reduction in violence.

South Africa is anomic, the policies of Apartheid ensured the separation of race and ethnic groups, a system that fostered and developed communities that were separated from access to the state, while others enjoyed the economic, cultural and social privileges and benefits of being the "correct" race group. After 1994, this turned on its head, but the community centred perceptions did not alter. South Africa has remained in an anomic condition, and only when this factor is altered will crime and homicide be reduced.

A state of anomie does not however mean that homicide will occur; only that it is more likely. In order for a homicide to transpire, someone has to be willing to engage in an act of violence against another. Individual behaviour is a reflection of the collective conscious and morality of the greater community or society in which that person lives. There are of course exceptions to this, but as is clearly

shown in homicide research there are communities that are more willing to use violence than others (Wolfgang and Ferracuti, 1967; Hawkins in Smith and Zahn, 1999, Phillips, 2002). Within these communities, not everyone engages in violence; instead, they play the role of influencing how violence is perceived, and thus encouraging or discouraging its use by others. Acceptance of high levels of violence will result in the encouragement of its use, either by individuals, or by third parties (Funk, Elliott, Urman, Flores and Moc, 1999; Kraus, 1988; Upmeyer, 1989; Jenkins and Bell, 1997).

For South Africa, the study of homicide is crucial in understanding the anomic condition. The rates and patterns of homicides allow a historical understanding of the present and a look into the future for stability and cohesion for the nation. The study of homicide allows not only for an understanding of how the present levels of violence arose and are maintained, but also where the state and the society can act to reduce the levels of violence and the willingness of South Africans to use violence. The decline in the rates of homicide since 1994 are hopeful, but also hide a more worrying trend in the increase in non-lethal assaults. South Africans it seems are not getting any less violent. The continued pressures upon the state and society of economic and social disparity and divisions, combined with the effect that AIDS is and will continue to have upon the social framework, infrastructure and political economy could push South Africa into an even more violent future.

South Africa has managed to create a viable society out of a destructive, violent past. However, the rainbow nation is still divided, still violent and still scared. The levels of violence will continue to impact upon the ability of the state, the criminal justice system, communities and individuals to cope. If the state cannot provide safety for its citizens, they will find it themselves, and will turn inwardly to protect their own racial, economic and social communities. Homicide levels can be reduced, but only through the willing partnership of state and public. The

statistical evidence shows that South Africa has improved greatly since 1994, but that homicide could easily halt any advances that have been achieved so far.

The anomic condition of South Africa has encouraged the internalisation of violence and its acceptance as a normative method of social control, and punishment in the society. Sub-cultural theories fail to fully explain the levels of violence in South Africa. It may be that there are sub-cultures of extreme violence in the society, but the rest of the population play a significant role in the reinforcement of the violent behaviour by supporting its use, either by their own personal encouragement, or the hiring and use of others who will engage in the violence for them. These attitudes have to be understood in order for any behavioural change to occur and the levels of violence to be reduced. If those who are most at risk from being either victims or aggressors of violence; i.e. teenagers and young adults between 16 and 30 years, support the use of violence by others, then violence will have a greater chance of occurring.

The increase in privatised security and social control as seen in vigilante acts and the growth in private security after 1994 is not just a result of a changing police service, but a shift in the attitudes of the public in the state's ability to protect them. Although both vigilantism and private security are two economic sides of the same private coin, vigilantism in South Africa is part of the process of communities attempting to increase their inclusion into the greater society. Private security has however been more involved with the separation of communities from the rest of the society, and a result of a lack of faith in the police and state to continue to protect those communities. Private security offers the wealthy a social and psychological barrier to the rest of the society. It acts as a negative feedback loop, with the reliance upon a private system of social control the crime and violence situation is seen to have become worse. Ironically, those race groups who are least at risk from homicide are the most fearful of victimisation, and have a stronger belief that South Africa has become more dangerous (Burton et al., 2004). The White and Asian communities are

becoming more anomic, becoming more fearful of living in South Africa as the society changes. The rise of gated communities in urban areas, that reflects a worldwide trend, is creating a more divided society (Landman and Schönteich, 2002). This trend will create an increasingly divided and polarised urban environment, and serve to increase the internalised separation of those with the gated communities from the rest of South African society; they are isolated from the society in a manner that the Apartheid architects hoped to achieve with Black South Africans with the Group Areas Act. However, those who live there do not rely upon the state, but purchase their social control. This is a significant long-term problem that has to be addressed through policy measures restricting the abilities of communities to cut themselves off from their physical and social environments.

The anomic nature of South Africa places restraints upon the policing methods, in particular community based policing. This policy can, and has, created community based and community serving social control and community protection units, that will act on behalf of the elite within the community. At this stage in South Africa's transition a stronger centralised system of policing is needed, moves towards decentralised and regional police will only serve to reinforce the anomic attitudes and actions of communities as they will view the police as "theirs" to be used to protect their interests and their goals, to the detriment of any nationally directed goal.

The level of internalisation of violence as shown in the qualitative survey is worrying, but understandable. The racial differences match that of the ISS 2003 national study, with White and Asian respondents being more fearful of crime than Black and Coloured respondents are. What is however significant is the high level at which pro-violence attitudes occur. This research exposes the impact of violence in the society, and demonstrates how violence has become part of South Africa's collective consciousness. Even though the majority of



respondents are opposed to using violence themselves, they are supportive of its use, in particular by agents of authority.

With regard to homicide statistics, the state must release timely and accurate data. Withholding homicide and other crime data will not reduce any level of fear amongst the public, who will base their perceptions about crime upon their own experiences. Not releasing crime data does not mean that the crimes have not occurred, only that the public will be less trusting of the state and police in their abilities to fight crime. The classification of the data must be available on gender, age and race classifications, as well as on a station level basis. In order to reduce homicide it has to be known who is at greatest risk from being a victim and an aggressor as well as which areas suffer the highest rates. Victimization is not equally spread across South Africa, but concentrated within certain age, gender and ethnic groups. To hide this reality creates a barrier to effective change within these high-risk groups. It is only with accurate data that any social and policing policy can be implemented to increase safety and change attitudes towards reducing violence. Homicide data must be seen as a necessary reality, not a politicised football to be fought over by the state and interest groups.

The rate of homicide can be reduced through the improvement of access to adequate and timely medical care. Unfortunately, the state of South Africa's health care is greatly threatened by AIDS and its economic and social impact upon the health profession. As AIDS cases increasingly use up more health resources, the homicide rate will increase as victims of violence will die due to lack of medical care. This homicide problem is a public health problem and has to be addressed as part of this wider framework.

The role of alcohol and firearms is a more difficult issue. Prior to 1996, the majority of homicides were by knife or other stabbing weapon. The majority of homicides within the Coloured community are still with knives. Homicides occur

because someone wants to harm another person, firearms make the task easier. The change in the firearm act will make firearms more difficult to own, and there might be a reduction in the rate of firearm deaths, and a slight reduction in the overall homicide rate. Unfortunately if a historical perspective is brought to bear, then one can assume that South Africans will return to using knives to kill each other. Greater faith in the S.A.P.S. ability to protect South Africans will reduce the psychological need for a firearm, but the S.A.P.S. has yet to achieve the goal of large-scale crime reduction. The ownership of weapons is once more an indication of the anomic condition of the society, and the lack of connection with the central state. The S.A.P.S. has to be moulded into a national force that represents not just a local community, but a society.

Changing the police, restricting the ownership of firearms, improving medical services will all affect the rates of homicide, but to ultimately change South Africa what is needed is a change in the public's attitudes towards the use of violence. It will not matter what the law says if individual South Africans continue to support the use of violence to achieve their economic, social and political goals. As George so aptly states:

"Laws cannot make men free. Only men can do that; and they can do it only by freely choosing to do the morally right thing for the right reason. Law can command outward conformity to moral rules, but cannot compel the internal acts of reason and will which make an act of external conformity to the requirements of morality a moral act."

(George R.P. 1993, p. 1)

The political and social gains achieved since 1994 could be lost unless the state is willing to deal with the problem of reducing violence in the society. The legacy of Apartheid and the liberation struggle will continue to impact the society unless anomie can be reduced, and this will only occur if communities are brought within the control and protection of the state and the national criminal justice

system. The dilution and disbursement of justice to a local level will only increase anomie, and increase violence.

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## **Appendices**

- A Homicides**
- B Prosecutions and Convictions for Murder and Culpable Homicide 1949-1996**
- C Attitudes towards Violence Surveys**

## **Appendix A**

### **Homicide**

### Coding

Code	Sex	Item
<b>Total</b>		Total recorded deaths
<b>male</b>	male	Total recorded deaths
<b>female</b>	female	
<b>960m</b>	male	Fight, brawl, rape
<b>female</b>	female	
<b>961m</b>	male	Assault by corrosive or caustic substance, except poisoning
<b>female</b>	female	
<b>962m</b>	male	Assault by poisoning
<b>female</b>	female	
<b>963m</b>	male	Assault by hanging and strangulation
<b>female</b>	female	
<b>964m</b>	male	Assault by submersion
<b>female</b>	female	
<b>965m</b>	male	Assault by firearms and explosives
<b>female</b>	female	
<b>966m</b>	male	Assault by cutting and piercing instruments
<b>female</b>	female	
<b>967m</b>	male	Child battering and other maltreatment
<b>female</b>	female	
<b>968m</b>	male	Assault by other and unspecified means
<b>female</b>	female	
<b>969m</b>	male	Late effects of injury purposely inflicted
<b>female</b>	female	
<b>889m</b>	male	Violent death, unspecified as to whether accident, suicide or homicide
<b>female</b>	female	
<b>970-978</b>	male	Death by legal intervention
<b>female</b>	female	
<b>980-989</b>	male	Death by injury undetermined whether accidental or purposely inflicted
<b>female</b>	female	
<b>990-999m</b>	male	Death from acts of war
<b>female</b>	female	
<b>Total</b>	male	Total Homicides
<b>female</b>	female	
<b>% of total</b>	male	Homicides as a percentage of total deaths
<b>female</b>	female	

## **Appendix B**

### **Attitudes towards Violence Surveys**

- 1.** Attitudes Towards Violence Scale
- 2.** Funk et al.'s Attitudes Towards Violence Scale

## **1. Attitudes Survey**

### **To be read to the subjects:**

This survey is anonymous: Please do not place your name anywhere on these sheets. No one will be able to find out your answers.

Please be as honest and accurate as you can, your answers will help in understanding South African attitudes.

Thank you for your help in this survey.

Age \_\_\_\_\_

Race: **Black** **White** **Asian** **Coloured**

Sex: **Male** **Female**

Parent's Occupation: **Father** \_\_\_\_\_ **Mother**  
\_\_\_\_\_

**Do you agree with the following statements?**

**1= Agree strongly 5= Disagree strongly**

1.	It is necessary to carry a weapon to protect oneself.	1	2	3	4	5
2.	Communities should be allowed to protect themselves from crime however they want.	1	2	3	4	5
3.	You should be taught how to fight to protect yourself	1	2	3	4	5
4.	The police cannot reduce crime on their own	1	2	3	4	5
5.	It is okay to hit someone if they insult you or your family	1	2	3	4	5
6.	Society today is more violent than 10 years ago.	1	2	3	4	5
7.	You should do whatever you want to protect yourself	1	2	3	4	5
8.	You have to protect yourself, because no one else is going to	1	2	3	4	5
9.	I should have the right to kill someone who steals my property	1	2	3	4	5
10.	Traditional forms of justice and punishment would work better in reducing crime.	1	2	3	4	5
11.	More punishment would reduce crime	1	2	3	4	5
12.	The death penalty should be used to punish criminals	1	2	3	4	5
13.	The public should be allowed to punish criminals	1	2	3	4	5
14.	Those who use violence are respected	1	2	3	4	5
15.	The government doesn't care about my community	1	2	3	4	5
16.	My community is under great threat from violence	1	2	3	4	5
17.	Communities should be allowed to keep out potential criminals	1	2	3	4	5
18.	I would like to carry a gun	1	2	3	4	5
19.	I am worried about being a victim of violence	1	2	3	4	5
	<b>1= strongly support 5= not support at all</b>					
20.	Parent slaps child for lying to her	1	2	3	4	5
21.	A community-watch patrol stops and searches someone they suspect of being a thief	1	2	3	4	5
22.	Girl slaps her boyfriend who is flirting with someone else	1	2	3	4	5
23.	A man shoots someone who is trying to steal his car	1	2	3	4	5
24.	Husband slaps his wife when she argues with him	1	2	3	4	5
25.	A crowd of people chase, catch and beat up a suspected pick-pocket	1	2	3	4	5
26.	The police shoot and kill an escaping prisoner	1	2	3	4	5
27.	A crowd of people chase, catch and beat to death a suspected rapist	1	2	3	4	5
28.	A community-watch patrol catch and beat up a thief	1	2	3	4	5
29.	The police beat up a suspect to get information about a crime	1	2	3	4	5
30.	A man punches his girlfriend when she cheats on him	1	2	3	4	5

What action do you think would be correct in the following situations?

What should a mother do to her 8 year old child, when the child does the following?

1.	Child fights another child	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
2.	Child hits the parent first	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
3.	Child calls the parent insulting names	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
4.	Child hits a smaller child	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
5.	Child sexually grabs another child	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
6.	Child threatens to run away from home	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick

What should Tom do to his girlfriend Sally when she does the following?

7.	Sally cheats on Tom	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
8.	Sally hits Tom first	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
9.	Sally flirts with someone else	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
10	Sally calls Tom insulting names	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
11	Sally threatens to leave Tom	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
12	Sally hits someone smaller & weaker than herself	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
13	Sally refuses to have sex with Tom	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick

What should Frank do to Ed when Ed does the following?

14	Ed hits Frank first in an argument	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
15	Ed calls Frank insulting names	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
16	Ed verbally threatens Frank	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
17	Ed fights another person	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
18	Ed insults Frank's family	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
19	Ed hits someone smaller & weaker	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick
20	Ed flirts with Frank's girlfriend	No action	Talk to them	Verbally threaten	Physically threaten	Slap	Punch or kick



## 2. Funk, et al.'s Attitudes towards Violence Scale

Jeanne B Funk, Robert Elliott, Michelle L. Urman, Geysa T. Flores, Rose M. Mock.  
**The attitudes towards violence scale: A measure for adolescents**

*Journal of Interpersonal Violence*, Beverly Hills, Nov 1999, Volume: 14 Issue: 11.

1. I could see myself committing a violent crime in 5 years
  2. I could see myself joining a gang
  3. It's okay to use violence to get what you want
  4. I try to stay away from places where violence is likely (reverse scored)
  5. People who use violence get respect
  6. Lots of people are out to get you
  7. Carrying a gun or knife would help me feel safe
  8. If a person hits you, you should hit back
  9. It's okay to beat up a person for badmouthing me or my family
  10. It's okay to carry a gun or knife if you live in a rough neighbourhood
  11. It's okay to do whatever it takes to protect myself
  12. It's good to have a gun
  13. Parents should tell their children to use violence if necessary
  14. If someone tries to start a fight with you, you should walk away (reverse scored)
  15. Someday I'll be a victim of violence (dropped)
  16. I'm afraid of getting hurt by violence (reverse scored)
  17. It's too dangerous for kids my age to carry guns (dropped)
- a) Factor 1 = culture of violence: 1, 2, 3, 4, 5, 6
  - b) Factor 2 = reactive violence: 8–14
  - c) Loading on both factors: 7
  - d) Loading on neither: 15, 16, 17