An analysis of the SAPS crime statistics for 2009/10

Defining gratuitous violence

Understanding rape perpetration in South Africa

Corruption and the South African Police Service

Interview with Police Minister Nathi Mthethwa
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National Minister of Police Nathi Mthethwa smiles during the opening of the Police Station in Inanda, August 14, 2009. © Rogan Ward/africamediaonline.com

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Editorial

This December edition of SACQ doesn’t offer particularly good festive cheer. If anything it highlights the enormous challenges facing our society as well as our criminal justice system. Yet, the other side of this tarnished coin is that there are researchers, practitioners and academics who are conducting research, making recommendations and trying to find ways to fix what is broken, both in the criminal justice system and in society more generally. That is the good news.

The international conference hosted by the Crime and Justice Programme in early December provided an opportunity for researchers from South Africa and internationally to share the findings of research conducted on issues of crime and the criminal justice system. The findings of several new and innovative research projects were presented at the conference. A collection of the papers presented at the conference will be published by the ISS in 2011. This research contributes to the development of increasingly strong baseline, or foundational work on the nature of offending and the response of the criminal justice system, which is essential to informing how we respond to the problem of crime in South Africa.

We start this edition with an overview and analysis of the 2009/10 crime statistics, made public by the SAPS in September. This is followed by an article by David Bruce that grapples with how we think and talk about violent crime. Bruce takes as his starting point the reference that is often made in public forums, and in private spaces, to the ‘fact’ that it is not just the extent of violent crime in South Africa that is troubling, but also the apparently cruel use of violence during the commission of a crime – often referred to as ‘gratuitous violence’. He interrogates the use of the term ‘gratuitous’ and offers thoughts about the motives that underpin the use of apparently excessive, or cruel acts of aggression.

The picture painted by the work done by the Medical Science Research Council, presented in the article by Rachel Jewkes et al, is bleak. The study, conducted in the Eastern Cape and KwaZulu-Natal, found that more than a quarter of the respondents (who were all male) had, at some time in their lives, forced a woman to have sex with them against her will. The victims included intimate partners, strangers, and acquaintances. In addition, ‘among those who raped, the majority had raped more than once.’ These findings are unpleasant for a number of reasons. They tell us that something is desperately wrong with the way in which men view and behave towards women. They also tell us that addressing sexual offending requires us to address the socialisation of boys.

The article by Andrew Faull reflects the findings of focus group discussions that were conducted to deepen our understanding of police corruption and the effect of acts of police corruption on citizen perceptions of the police. The article offers examples of how the sexist behaviour of male police officers translates into an abuse of power and undermines the image of the police. Thus the article reaffirms the need for us to take seriously, and remedy, the vast power imbalances between genders.

We conclude with an interview with Minister of Police, Nathi Mthethwa, conducted by Johan Burger, in which the Minister speaks about the way in which he aims to improve command and control and how he believes the return to military ranks will contribute to improving command and control.

In the coming year I hope that SACQ will continue to provide a forum for the presentation of new research data, and for thinking about crime and criminal justice in South Africa. I particularly welcome articles that build on work that has previously been published in this journal so that it can become a space to debate and deepen our knowledge and understanding of the complexity of crime.

Chandré Gould
The state of crime in South Africa

An analysis of the SAPS crime statistics for 2009/10

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This article presents an analysis of the 2009/10 SAPS crime statistics, which are released by the South African Police Service in September each year. The statistics for the 2009/10 period show an overall increase in crime at a national level that is driven by increases in five categories of crime: shoplifting, commercial crime, residential and business burglaries, and theft from motor vehicles. While the statistics suggest that violent crime has decreased, there are a number of questions about the accuracy of the statistics. The article discusses this issue and reflects on how the accuracy and reporting of crime statistics could be improved.

Since 1996 the South African Police Service (SAPS) has released the crime statistics for South Africa annually, in September.¹ The statistics are disaggregated both by crime type and by location (i.e. nationally, provincially and at a precinct level). The statistics are usually six months out of date upon their release, and doubts about their veracity tend to bedevil the annual announcement of the crime figures. Yet, in the absence of regular victimisation survey data, the SAPS statistics are the only annual and relatively comprehensive measure of the change in crime trends over time. These figures also contribute towards influencing South Africans’ perceptions of their level of safety. For this reason it is worthwhile to critically assess what the statistics have revealed over time and the factors that affect their accuracy.

OVERALL CRIME LEVELS²

A longitudinal analysis of total national crime recorded annually shows that overall crime levels peaked in 2002/03, after which there was a gradual decline until 2007/08 when crime started to rise once again (see Figure 1). There are no clear explanations as to why total crime decreased by 25 per cent until 2007/08 before increasing by four per cent since then. In this regard South Africa is not exceptional. Efforts to explain the dramatic reduction in violent crime rates in the United States in the ten years between 1999 and 2010 have been fraught with controversy, and analysts have arrived at vastly different explanations for the drop.³

What the statistics reveal however, is that 97 per cent of the increase in total crime levels over the past two years is being driven by increases in the following five property-related crime categories:

- Shoplifting increased by 32 per cent or by 21 642 cases;

between 2003/04 and 2007/08. Burglaries at businesses began increasing a year earlier, during the 2005/06 period, but unlike residential burglary, there was no history of a sustained decrease in this type of crime.

Yet, if the economic downturn were behind increasing crime levels, it can be expected that this upward trend in property crime would be

- Commercial crime increased by 30 per cent or by 19 556 cases. (Since 2004/05 the absolute numbers of this type of this crime have increased by 57 per cent);
- Residential burglary increased by eight per cent or by 18 724 cases;
- Theft out-of-motor vehicles increased by eight per cent or 9201 cases; and
- Non-residential burglary (often referred to as business burglary) increased by 14 per cent or 8 778 cases (see Figure 2).

Over this two-year period, murder decreased by 1 653 cases (8,9 per cent), attempted murder decreased by 1 385 cases (7,4 per cent), assault with intent to inflict serious bodily harm reduced by 4 811 cases (2,3 per cent) and aggravated robbery reduced by 4 557 cases (3,9 per cent).

Since property crime has shown an increase while interpersonal violent crime has decreased, it may be tempting to blame the impact of the global economic downturn of the last three years for the increase in overall levels of crime in South Africa.

Residential burglary began to increase in 2007/08, after having declined over the four-year period.
mirrored in other countries. But this is not the case. The United States and Britain, for example, have seen an overall decrease in crime rates, in particular in relation to property crimes, in spite of the economic recession.\textsuperscript{4}

According to the British Crime Survey report these results were contrary to the expectation that property crime would increase during times of recession.\textsuperscript{5} A number of speculative reasons were offered for these unexpected results, for example that the downturn may have been the consequence of target hardening through measures to increase security at homes and of vehicles. This was backed by survey data that showed that in England and Wales households with ‘less than basic’ security measures were six times more likely to have been victims of burglary than those with ‘basic’ security measures and ten times more likely than homes with ‘enhanced’ home security measures.\textsuperscript{6}

The British Home Office report cites other studies and hypotheses for the change in crime rates, but concludes that while there is ‘broad’ support for the ‘improved security measures’ theory, there is no scientifically acceptable explanation for the reduction in property crime during a recession.\textsuperscript{7}

Violent ‘social fabric’ crimes

So-called ‘social fabric’ crimes include murder, assault, sexual offences and domestic violence. The police refer to these crimes as ‘social fabric’ crimes because they tend to take place in private spaces between people who know each other and, as such, are believed to be caused by social and interpersonal factors. As a result they don’t respond to traditional forms of visible policing such as patrols, roadblocks or ‘crackdown’ operations.\textsuperscript{8}

The SAPS statistics suggest that over the past nine years these types of crimes have either reduced or stabilised, with the exception of attempted murder that rose during the 2002/03 reporting period (Figure 5). However, serious doubts remain about the veracity of the assault, attempted murder and even the murder statistics.\textsuperscript{9} It is therefore difficult to offer a clear reason for the changes in trends of these categories.

The SAPS statistics show that since 1994/95, murder has reduced by 50 per cent. The decrease of 7.2 per cent in the absolute number of murders in the past year is the third largest year-on-year decline since 1995. One of the factors contributing to the decline in murders may be the 6.3 per cent decrease in the number of aggravated robberies. Since almost 16 per cent of murders in South Africa occur as a result of robbery, the decrease in aggravated robberies may have contributed to the decline in murders.

Yet, the decline in murders could also be a consequence of murders having been recorded as inquests (in other words as deaths requiring post-mortem examination in order to determine the cause of death). In a written reply to a parliamentary question, the Minister of Police\textsuperscript{10} provided data showing that the decrease in murders over the last three years has been accompanied by an increase in inquests (see Table 1). It has subsequently been reported that a special SAPS task team was instructed to urgently probe whether police stations have incorrectly registered murder cases as inquests.\textsuperscript{11}

It is notable that over the past 15 years, attempted murder has shown curious ups and downs. Attempted murder substantially increased between 2000/01 and 2003/04, then dramatically
Institute for Security Studies
decreased by eight times the decrease in the murder rate. It is possible that this unusual trend can be explained by police recording practices instead of any fundamental (but temporary) shift in the crime of attempted murder during that period.

Another peculiarity can be found in the relationship between the trend in murder and the trends for common assault and assault with intent to cause grievous bodily harm (Figure 6). Because most murders start out as assaults it can reasonably be assumed that there should be some correlation between the two categories. Although incidents of assault decreased by well over 20 per cent between 2002/03 and 2009/10, the figures have now stabilised, showing slight increases over the past year, during which murders decreased substantially. According to Bruce,13 the assault statistics are the most likely to be unreliable as there is likely to have been a significant under-reporting of assault by police seeking to improve their performance ratings. He argues that assault is a crime that would be easy for the police to under-report.14

**Aggravated robbery**

Aggravated robbery comprises seven sub-categories (street robbery, car hijacking, truck hijacking, cash-in-transit robbery, bank robbery, house robbery and business robbery) and remains a significant crime threat to all sectors in South Africa. This is because robbery has a major impact on perceptions of safety due to its violent nature, and also because it has a significant economic impact. The economic impact of aggravated robbery is both direct (stolen cash and property) and indirect (the cost of security, insurance and limitations on business investments).15

Robbery is the crime type most likely to cause a decline in feelings of safety as measured by three national victims of crime surveys since 1998.16 For example, whereas 56 per cent of respondents in 1998 indicated that they ‘felt safe’ walking in their own areas after dark, this figure dropped to only 21 per cent in 2007.17 This correlated with the

![Table 1: Recorded murders versus inquests 2007/08–2009/10](chart)

<table>
<thead>
<tr>
<th></th>
<th>Murder</th>
<th>% change</th>
<th>Inquests</th>
<th>% change</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007/8</td>
<td>18 487</td>
<td></td>
<td>29 464</td>
<td></td>
</tr>
<tr>
<td>2008/9</td>
<td>18 148</td>
<td>-1.8</td>
<td>30 558</td>
<td>3.7</td>
</tr>
<tr>
<td>2009/10</td>
<td>16 834</td>
<td>-7.2</td>
<td>31 265</td>
<td>2.3</td>
</tr>
</tbody>
</table>

![Figure 5: Murder and attempted murder: 1994/95–2009/10](chart)
2007 victimisation survey confirming that robbery rates had increased while victimisation rates for other crimes had decreased.

Although total aggravated robbery decreased overall by 6.3 per cent over the 12 month period 2008/09–2009/10, it has remained at a consistently high level for most of the past decade (see Figure 7). Interestingly, when the National Crime Prevention Strategy (NCPS) was launched in 1996 with the intention of drastically reducing crime, aggravated robbery was at its lowest recorded rate.18 Yet, the post-1996 trends, in robbery particularly and in crime in general, demonstrate that this strategy was not properly implemented.

The total aggravated robbery trend conceals the trends in the sub-categories of robbery that are of particular concern to many South Africans. This is particularly the case with the trends in so-called ‘trio crimes’: house robbery, business robbery and car hijackings (see Figure 8). The 2009/10 statistics suggest that levels of these crimes may have stabilised after a substantial year-on-year increase since 2003/04. In the 2009/10 period vehicle hijacking decreased by 6.8 per cent at a national level and there was also a significant national decrease in vehicle theft (18.5 per cent over the last seven years). This may indicate that technology to reduce vehicle theft and hijacking has improved along with the ability of the police to address vehicle theft syndicates.

House robbery, that increased by 100 per cent since 2003/04, can also be considered to have stabilised for the first time in five years with a small (1.9 per cent) increase in 2009/10.

Business robbery increased by 295.3 per cent between 2003/04 and 2009/10. The rate of
increase has however slowed over the past year, with an increase of only 4.4 per cent. The change in the trends of these crimes may be attributable to improved policing, particularly improved police intelligence and investigations targeting the perpetrators of these crimes.

**Provincial trends in the 'trio crimes'**

From a crime analysis point of view, it is instructive to consider the picture that emerges from the provincial crime rates. Gauteng, which records half of the national total of trio crimes, recorded a 1,7 per cent reduction in house robberies, a 2,8 per cent reduction in car hijacking and a small increase of 2,6 per cent in business robberies over the past 12 months. KwaZulu-Natal, which records the second highest number of trio crimes of all the provinces, experienced a decrease of 17,3 per cent in business robberies, a 0,5 per cent decrease in house robberies and an 8,5 per cent decrease in hijackings.

The picture is notably different in the other provinces where residential and business robberies have increased at a rate higher than the national average. In the Eastern Cape business robberies jumped by 49,6 per cent (851 to 1 273 cases) and the Northern Cape recorded an increase of 21,5 per cent (121 to 147 cases).

Although car hijacking decreased nationally by 6,8 per cent there was a marked increase in the Free State from 255 cases to 316 cases (an increase of 23,9 per cent), and the Northern Cape, from 7 to 13 cases (85,7 per cent).

Limpopo, however, showed the greatest increases in trio crimes, despite having had fairly low levels of these types of crimes in the previous six years (Figure 9). During 2009/10 Limpopo was the only province where increases were recorded in murder (1,5 per cent), street robbery (2 per cent), house robbery (13,6 per cent) and business robbery (19,1 per cent). This strongly suggests that there was a problem with policing in Limpopo since, with the exception of murder, these are the types of crimes that the police should be able to have the greatest impact on.

**Police impact on crime**

The South African government’s concern about the crime challenge is reflected in the substantial increases in the budget of the SAPS and numbers of police officials that have been recruited. Since 2002/03 more than 60 000 police personnel have
been recruited, representing an increase of 44.4 per cent (Figure 10). According to the Minister’s budget speech in Parliament in February 2008 the target was to increase SAPS numbers to over 200 000 in 2010/11.19

In addition, in the six-year period between 2004 and 2010, the police budget increased by almost 132 per cent from R22.7 billion to R52.6 billion (Figure 11). A large proportion of this budget went to recruiting additional personnel. Large investments were also made in technology and training. Yet, organised violent crime that is most susceptible to effective policing strategies remains unacceptably high. Fortunately, it has recently been recognised that swelling the ranks of the police alone is not sufficient to reduce violent crime. The National Commissioner of Police, General Bheki Cele, while addressing Parliament’s Portfolio Committee on Police on 14 September 2010, acknowledged that the ‘rush for new recruits’ and the ‘common perception’ that the police were the ‘last resort for those who failed at everything else’, had lowered standards in the police.20

It would be reasonable to expect that the increase in the SAPS budget and personnel numbers, and their concomitant gains in vehicles and other equipment should have a corresponding impact

Figure 9: Violent crime trends in Limpopo 2003/04–2009/10 (rates per 100 000)

Figure 10: Police personnel expansion 2002/03–2010/11

Figure 11: Police budget growth 2002/03–2010/11
on those types of crimes that have been shown to respond to improved policing, such as the trio crimes. Yet, so far this has not been the case. The police did achieve a level of success in terms of visible policing, high density policing, effective targeted investigations and reassuring the public during the recent FIFA World Cup in South Africa. This has raised questions in South Africa why the same quality of policing is not evident at other times, even bearing in mind that the World Cup was clearly an exceptional period within which the police could focus attention on visible policing around stadia.

However, there are many reasons not to place the blame for sustained high crime levels on the police alone.

In this regard it is worth considering the results of police case docket analyses (keeping in mind that the results reflect primarily on criminal cases where the perpetrators were either caught or at least known). Indeed, it is to this analysis that the police themselves have turned to explain the problem. SAPS case docket analyses have shown that the victims and perpetrators were known to each other in between 70–80 per cent of murders, 60 per cent of attempted murders, 75 per cent of rapes and 90 per cent of assaults. Approximately 65 per cent of murders were associated with 'social behaviour' such as drug and alcohol abuse and 'only' 16 per cent happened as a consequence of other crime, such as robbery. Policing can have little, or no effect on these kinds of crimes.

This is supported by international research that argues that so-called social fabric crimes are driven by social conditions and occur within social settings outside the control of the police. For example, Newburn and Reiner have made the following observation: 'Crime is the product of deeper social forces, largely beyond the ambit of any policing tactics, and the clear-up rate is a function of crime levels and other aspects of workload rather than police efficiency.'

The challenge for the police over the next few years will be enormous if they are expected to justify the increased expenditure of public money. Yet it is still far from clear that high expectations or improved policing will, or even can, have the desired effect.

**CAN WE RELY ON THE SAPS STATISTICS?**

Each year the release of the crime statistics by the Minister of Police leads to media hype about the state of crime in South Africa. Yet the extent to which the official crime statistics allow for an accurate assessment of the state of crime in South Africa remains contentious. David Bruce from the Centre for the Study of Violence and Reconciliation (CSVR) has argued that the implication of suspected widespread under-reporting of crime by the police, supported by proven individual cases, is that 'current crime statistics cannot be regarded as a reliable indicator of trends in crime, particularly in violent crime.' But since there is also no way to reliably ascertain the extent to which crimes have been manipulated or to the extent to which under-reporting affects the reliability of violent crime trends, these statistics are the only official indicators of trends in crime in South Africa.

Reliable crime statistics are important, not least because of the role they may play in informing the perceptions of safety of citizens. If citizens have reason to suspect the validity of the crime statistics, they may be more fearful of crime than if they could trust the statistics, because they will believe that the police are hiding the real extent of the problem. This in turn may have a negative effect on civilian trust in the police. In addition, inaccurate statistics pose a problem for crime analysts and the police themselves, who need accurate information upon which to base their crime reduction strategies. Addressing this problem requires several interventions. An independent audit of South Africa's crime recording systems and crime statistics would be one way in which to restore public trust in the crime statistics and determine the reliability of the figures.

Another way to address the shortcomings of the crime recording system would be to conduct a regular crime survey (preferably annually) that is capable of independently measuring the level of
crime, irrespective of whether crimes are reported to the police or not. A good example of such an independent instrument is the annual British Crime Survey (BCS) that supplements the police recorded crime statistics and thus provides a basis upon which to assess the accuracy of the police’s figures. The British Crime Survey is conducted annually amongst a representative sample of 45 000 households in England and Wales.27 According to the July 2010 British Home Office report on crime in Britain, the British Crime Survey is a better measure of trends in crime over time for those crime types that are included in the survey, because ‘it is unaffected by changes in levels of public reporting or in police practice in recording crime.’28

In 2006, an independent review group was appointed to advise the UK’s Home Secretary ‘... on what changes could be made to the production and release of crime statistics...’.29 The Review Group summarised among their main conclusions the following:

The focus must shift from the publication... of the aggregate national picture to a system of communication which encompasses local data at local level... [and] [g]overnance, management and organisation of the police and Home Office environments in which crime statistics are produced and reported must be revised to provide the public with complete assurance of actual and perceived independence and integrity of the statistics.30

The Home Office now releases crime statistics four times a year, based both on police recorded crime and the results of the BCS.31 There have been three national victims of crime surveys in South Africa, with the last two being conducted by the Institute for Security Studies in 2003 and 2007. Fortunately, government has recognised the importance of these surveys and Statistics SA will be conducting one in 2011 with a large sample of 30 000 households.

It is important for citizens to have an accurate picture of the extent of crime, both nationally and in the areas they live. This would include knowing the extent to which crime categories are increasing or decreasing in as close to real time as possible (e.g. weekly or monthly). This information should be made available more regularly than once a year and is important for a variety of reasons:

- Knowledge about the extent and nature of crime enables citizens to make informed decisions about, for example, where they invest, where they buy or rent property, and what they do to improve their personal or property security;
- If citizens are properly informed and understand exactly what crimes affect their areas they may be encouraged to become involved in local crime prevention programmes that target these types of crime specifically;
- Providing regular, reliable information about the extent and nature of crime is one way that the state can improve public trust in the police;
- Also, localised data, together with localised responses by the police acting with residents and community-based organisations such as CPFs, are much more likely to result in a reduction of crime in those neighbourhoods. Such reductions and successes are crucial to improving public confidence and trust in the police.

CONCLUSION

The 2009/10 statistics strongly indicate that it is not more policing that is needed, but smarter and more accountable policing, if we are to see a positive change in the rate of those types of crime that do respond to policing.

The Minister of Police’s statement on 20 October 2010 that he intends to improve partnerships between the police, business, civil society and communities is very welcome.32 However, effective partnerships require trust and sharing of information. It is therefore important that the credibility of the SAPS crime statistics is addressed and that up to date crime statistics are made available to the public regularly so that
communities can make effective use of the information and work with the police in a meaningful and goal-directed manner.

To comment on this article visit http://www.issafrica.org/sacq.php

NOTES

1 There was one exception to this. In 2008 the Minister of Safety and Security, Charles Nqakula, allowed the statistics to be released twice – in June and in September.


6 Ibid.

7 Ibid, 3.


9 David Bruce, ‘The ones in the pile were the ones going down’: the reliability of current violent crime statistics, South African Crime Quarterly 31, March 2010, 9–19.


12 Eggington, Police probe crime figures.

13 Bruce, The ones in the pile.

14 Ibid.


17 Ibid, 7.


20 Police sacrifice quality for quantity – Cele, News24, 14 September 2010.


22 SAPS Annual Report, 7.

23 Ibid.


25 Bruce, The ones in the pile, 9–17.


27 Flatley et al, Crime in England and Wales.

28 Ibid.


30 Ibid, iii.


Anger, hatred, or just heartlessness?

Defining gratuitous violence

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Violent crime in South Africa is sometimes said to be unusual, because it is perceived to frequently be gratuitous. This article engages with the question of how to define gratuitous violence. If the term gratuitous is understood to mean ‘for nothing’, gratuitous violence should be understood as violence that is ‘low on expressive and instrumental motivations’. Whilst the evidence is that much violence is ‘instrumental’, violence in South Africa may be unusual but it may be better to articulate this in terms of the concepts both of ‘expressive’ and gratuitous violence. Gratuitous violence and the apparent cruelty that characterises some acts of instrumental violence also appear to imply that ‘empathy deficits’ might be a characteristic of many perpetrators of violence.

It is widely known that South Africa suffers from high levels of violent crime. But concern about violence in South Africa is not limited to the frequency with which incidents of violence take place. Many people appear to believe that violent crime in South Africa is itself unusually violent. This perception is referred to by different people in different ways. For example, in a question to the Minister of Police in parliament, a Member of Parliament indicated that the key issue of concern, for him, was the high level of ‘cruelty’ distinguishing some incidents of violence. More frequently, however, this idea is articulated as being a problem of ‘gratuitous violence’. The concept of ‘gratuitous violence’ was for instance given emphasis by government officials when they initiated a study into violence in 2006. A 2006 article on violent crime states that violent crime often involves ‘actions which seem to be sadistic or gratuitous’. In another example, a 2010 Economist special report on South Africa, released to coincide with the opening of the soccer World Cup, stated that '[m]ore than the level of crime it is the sheer gratuitousness of the violence that is shocking.'

It should be acknowledged that these ideas may serve an ideological function for some. In other words, they may be a way of expressing or reinforcing racialised beliefs that the cruel nature of violence in South Africa is linked to the attributes of some or other South African population group. Whether ideological or not, they may also be part of the ‘mythology’ of violent crime in South Africa. The fact is that in the vast majority of robberies people are not physically harmed. Most robbers do not engage in actual physical violence for no reason. Consistently where people are killed or otherwise harmed in robberies this is related to resistance or non-cooperation. Reports of robbery highlight the fact that many robbers operate on a ‘professional’ basis. The threat of violence is used to establish control over their victims but once they have established control the victims are not hurt.

* Senior researcher at the Centre for the Study of Violence and Reconciliation. The author is indebted to two anonymous reviewers whose comments were invaluable in the development of this paper, as well as to the editor of SACQ and participants at a seminar at the UNISA School of Graduate Studies Seminar Series on 28 July 2010 whose engagement also assisted with the process of clarifying some of the concepts put forward.
But even if the general rule is that victims are not harmed in robberies, and that most violent criminals use violence in a largely ‘rational’ way to achieve control or get cooperation, there are nevertheless incidents where violence is used in a way that seems disproportionate, excessive or even purposeless. For example, in one incident a man’s ears were cut off by a group of robbers, ostensibly to punish him for not having money or a cellphone for them to take. In another incident it was reported that a shopkeeper was shot after ‘pleading with robbers to take everything he has but spare his life.’ These types of incidents are among the incidents of violence which people find most distressing and that contribute most to feelings of fear and anxiety about violence.

This article is therefore intended as a contribution to exploring the idea that violence in South Africa is ‘unusual’. It does this by grappling with the concept of gratuitous violence. In order to differentiate violence that is gratuitous from other violence it is necessary to define what is meant by the term gratuitous violence. After referring to ‘objective’ definitions of the concept, the article motivates for use of a ‘subjective’ definition, which defines gratuitous violence in relation to both instrumental and expressive violence. The article argues that the perceptions that violence in South Africa is unusual in some way would better be articulated as a perception that much violence is ‘expressive or gratuitous’.

Ultimately it may be very difficult to answer questions about whether or not violence in South Africa is disproportionately gratuitous or expressive or unusual in some other way. Nevertheless, this article is intended to take forward attempts to answer this question, partly because perceptions to this effect appear to be particularly widespread. Answering the question may also be helpful in efforts to address violence and crime in South Africa. For instance, ‘anger management’ programmes are provided to many perpetrators of violent crime in prisons in South Africa. But if the principal issue with many perpetrators is something other than anger, this would motivate for reconsidering the types of rehabilitation programmes that are provided.

**INSTRUMENTAL AND EXPRESSIVE VIOLENCE**

In analyses of violence, the standard terms that are used to differentiate acts of violence from each other relative to their motivation are ‘instrumental’ and ‘expressive’. In discussing definitions of gratuitous violence it is necessary to refer to these and therefore necessary to define them.

**Instrumental violence** is orientated towards a practical purpose. For instance, during the course of a robbery the robbers might threaten their victims with the use of violence. Where they actually use physical violence this is often for one or other practical purpose, such as to defend themselves against violent resistance from the victim, or force the victim to cooperate with them (for instance to provide information on where valuables or firearms might be found), or to defend themselves against police officers who are trying to prevent their escape.

**Expressive violence** has been defined as ‘emotionally satisfying violence without economic gain’. Expressive violence may include violence that expresses anger, hatred or the need to feel respected or in control, or (particularly in the case of sadistic violence) satisfies the urge to obtain gratification by hurting other people.

As will be discussed further, a key issue in the definition of gratuitous violence relates to the understanding of expressive violence. It seems valid to say that in the same way that instrumental violence can be seen to fulfil a practical purpose, expressive violence might be said to fulfil an emotional purpose. The emotional purpose that is fulfilled by expressive violence may be more subconscious than the more conscious practical purposes associated with instrumental violence. For instance, research indicates that people with ‘unstable high self-esteem’ are more likely to react aggressively in relation to criticism or disrespect. This appears to be due to the fact that this causes ‘losses of self-esteem’, which ‘evoke negative emotional responses such as shame and so these people
become aggressive as a way of warding off these very unpleasant feelings.\textsuperscript{15} It is not that that these individuals decide to ‘ward off unpleasant feelings’ but that aggression and violence fulfils a purpose for them, even if they are not overtly conscious of this. Violent behaviour by persons with ‘unstable high self-esteem’, related to their anger at being criticised or disrespected, is then not ‘for nothing’. If, as is argued below, gratuituous violence is violence ‘for nothing’ then violence of this kind, or other expressive violence, is not gratuituous violence.

One issue that needs to be emphasised is that acts of violence are not necessarily purely instrumental or expressive but often involve a mixture of instrumental and expressive motives. For example, robbers may act in a way that is fairly controlled, and not use violence in a way that is clearly unnecessary, but still find the act of carrying out a robbery exciting and get satisfaction from being able to control, and have authority over, other people through the threat or use of violence and the sense of power derived from wielding a gun. Individuals who are prone to ‘explosions’ of anger and apparent expressive violence are often those who have found that such explosions help in intimidating and obtaining compliance from other people. Their explosions of anger may in fact not be completely uncontrolled but take place in selective circumstances with specific people. While they do in fact become very angry and aggressive (they are not pretending), their outbursts are directed to situations where it seems to them (subconsciously perhaps) that it will be productive for them to act in this way.\textsuperscript{16}

This is important to the discussion of gratuitous violence below, where it will be argued that, in a similar way, violence might be partly gratuitous whilst also being to some extent expressive or instrumental.

**OBJECTIVE DEFINITIONS OF GRATUITOUS VIOLENCE**

It appears that there is no established standard definition of gratuitous violence. Analytical literature using the term does not always define it,\textsuperscript{17} or does not do so in any detail. For instance, one article on the subject merely indicates in parenthesis that gratuitous violence is ‘unprovoked’.\textsuperscript{18} A study that does provide a more detailed definition defines gratuitous violence as ‘excessive violence that went beyond the level that would be necessary to accomplish the homicide and/or caused the victim unnecessary pain and suffering.’\textsuperscript{19} Another study indicates that the term is used ‘if the amount of violence clearly exceeded the degree of force that that would have been necessary to merely control the victim.’\textsuperscript{20} In the latter definitions violence is not gratuitous if it seems to be necessary to carry out a certain crime (the principal offence), but comes to be seen as gratuitous once it goes beyond that which is necessary for this purpose.

The above definitions may be described as objective in the sense that they assume that whether violence is gratuitous or not is a question that can be answered through knowledge of the course of events of which the act of violence formed a part, or through knowledge of the physical details of the act of violence itself. Thus Porter et al indicate that their methods for establishing whether such violence was present involved consulting ‘official police, forensic/autopsy, prosecutor, and court reports.’ Though these sometimes include information on the offender’s version of events, the information that they regard as relevant to ascertaining whether violence is gratuitous is evidence of ‘torture/beating, mutilation or “overkill” and use of multiple weapons’ from the crime scene. Foreman-Peck and Moore state that ‘a person who resorts to gratuitous or unwarranted violence will have a subjective reason or “provocation” and that their definition of gratuitousness “stems from a notional dispassionate observer.”’\textsuperscript{21} In terms of their approach therefore the ‘subjective reason’ is not relevant to ascertaining whether violence is gratuitous or not.

But if it is valid to say that much violence which is not primarily instrumental nevertheless fulfils an emotional purpose, then it may be argued that these ‘objective’ definitions are in many ways merely definitions of ‘non-instrumental’ violence and that much of the violence that they are
defining as gratuitous could be described as expressive violence. These definitions could therefore be criticised for failing to differentiate between, and for conflating, 'gratuitous' and 'expressive' violence. Thus, for instance, Porter et al indicate that 'sadistic violence' was indicated by evidence that the 'offender obtained enjoyment/pleasure from the homicidal act', emphasising that this was 'enjoyment from engaging in violence'. They go on to note that:

For some cases of gratuitous violence (e.g., the victim was stabbed numerous times with inference of nonfatal intent), it is not possible to determine whether the motive for the excessive violence was pleasure seeking or to (sic) another affective state such as rage. The implication then is that for them sadistic violence is a type of gratuitous violence. Gratuitous violence might be for sadistic purposes, but might also serve other emotional purposes, such as acting out rage. But if the motivation for violence is 'pleasure seeking' or 'rage', this is its purpose. The perpetrator is not engaging in violence 'for nothing'. Though the emotional purpose here might be seen as perverted or unbalanced it seems reasonable to argue that these should be understood as forms of expressive violence.

A SUBJECTIVE DEFINITION OF GRATUITOUS VIOLENCE

The subjective definition of gratuitous violence that is put forward here is based on an understanding of the word gratuitous as meaning 'for nothing', and therefore excludes violence that has a well established purpose, whether this is instrumental or expressive in nature. Knowing whether an act of violence was carried out 'for something' or 'for nothing', and therefore whether it is gratuitous or not, seems to require, however, that we understand the motivations of the perpetrator. This raises the question of how gratuitous violence is different from violence that has instrumental or expressive motives.

Hypothetically, it is possible to map acts of violence on a graph in terms of the degree to which they are 'instrumental or expressive'. Thus, using the graph provided as Figure 1:

- Acts of violence that are high in instrumental but low in expressive motives would be mapped on the top left hand corner of the graph;
- Acts of violence that are high in expressive but low in instrumental motives would be mapped on the bottom right hand corner of the graph;
- Acts of violence that reflect some combination of relatively strong expressive and instrumental motives would be mapped on the top right hand corner of the graph.

The implication then is that for them sadistic violence is a type of gratuitous violence. Gratuitous violence might be for sadistic purposes, but might also serve other emotional purposes, such as acting out rage. But if the motivation for violence is 'pleasure seeking' or 'rage', this is its purpose. The perpetrator is not engaging in violence 'for nothing'. Though the emotional purpose here might be seen as perverted or unbalanced it seems reasonable to argue that these should be understood as forms of expressive violence.

Acts of gratuitous violence would therefore be acts of violence that fit into the bottom left hand corner of the graph. They would be acts of violence that are low on both instrumental and expressive motives. Just as acts of violence are not necessarily purely instrumental or expressive, however, acts of violence are not necessarily purely gratuitous. An act of gratuitous violence is perhaps likely to involve (perhaps must involve) some type of instrumental or expressive motivation, but this would be relatively weak. Whether or not an act of violence is gratuitous or not is therefore a matter of degree. Some acts of violence might be committed with very little expressive or instrumental motivation (and therefore be 'highly gratuitous') whilst others might have moderate expressive or instrumental motivations (and therefore be understood as partially gratuitous).
This approach to defining gratuitous violence also raises the question of how to factor consideration of the degree of violence used into an analysis of gratuitous violence. In general it might be said that the question of whether violence is gratuitous or not becomes much more significant when the violence involved is of a much higher degree (such as killing or torture). Where violence is of a more modest degree (such as restrained physical punishment of a child), gratuitousness might also be a factor, but an act of violence may potentially only qualify as 'highly gratuitous' when a high degree of violence is involved, accompanied by the relative absence of distinct instrumental or expressive motives.

Consider the example of cases where people are killed in a robbery in which the value of the money or property that is taken is relatively low. Some of these acts are not necessarily acts of gratuitous violence. If the perpetrator is desperately poor, there may be a strong material motivation to commit the robbery. If, for instance, the perpetrators' actions are shaped by emotions such as anger, this may also be relevant to understanding their motivation.

It may however be valid to characterise some of these cases as acts of gratuitous violence if there is not a strong motivation to acquire money or property, or no other specific reasons for the use of violence. If the person is hurt, or even killed, for something which is of low value to the perpetrator this may indicate that his or her violent acts were without any substantial motivation, though one would still have to consider whether other instrumental or expressive motives did not play a significant role. The importance to the perpetrator of the goods to be obtained is not the only factor defining whether instrumental motives are present or not. In some cases other factors shape the motivations of the perpetrator to use violence during the course of a crime, such as a robbery.

But is there in fact any reason to believe that gratuitous violence, as defined in this way, might be part of the problem of violence? Does this 'subjective' concept of gratuitous violence in fact make any sense at all? Why would a person engage in violence 'for nothing'? Does it not make more sense to assume that violence which is not essentially instrumental is then expressive in nature?

The inhibition against harming others

The answer to this question raises a more general question of why violence is not more widespread in society. Many of us experience similar instrumental motivations or emotions to those who act violently. Is it purely because of a concern about social disapproval or penal sanction, or fear of potential opponents, that violence in fact takes place so infrequently? A comprehensive answer to this question might acknowledge the relevance of the aforementioned factors. However, in addition to this it seems that most emotionally well-developed people have internal inhibitions against using violence against other people. The inhibitions against violence might also be assumed to be much greater (for the emotionally well adjusted) when it comes to acts of violence involving the infliction of much greater levels of pain or harm. A theoretical perspective that would help to make sense of this is, for instance, the idea that 'the main evolutionary heritage on the biological level' is that 'humans are hard-wired towards interactional entrainment and solidarity; and this is what makes violence so difficult.'

Confrontational tension and fear... is not merely an individual's selfish fear of bodily harm; it is a tension that directly contravenes the tendency for entrainment in each other's emotions when there is a common focus of attention. We have evolved, on the physiological level, in such a way that fighting encounters a deep interactional obstacle, because of the way our neurological hard-wiring makes us act in the presence of other human beings.

Whatever the explanation, the idea that harming others is not emotionally 'easy' for most people is endorsed by others. One writer for instance states that 'the findings of experiments in which the
intensity of victims' suffering and pain are systematically varied show that expressions of pain typically inhibit rather than reinforce aggressive conduct.\textsuperscript{33} Another indicates that, 'Absolute cruelty – brutality inflicted on innocent victims for sadistic pleasure – is rare.'\textsuperscript{34} A third states that those who engage in the most violent conduct are to some degree people with specific pathologies. 'Aggressive-sadistic personality disorder, which involves the derivation of pleasure from another’s physical or emotional suffering, or from control and domination of others can be related to "neuropsychological deficits"'.\textsuperscript{35}

An absence of empathy

Where there are strong expressive or clear instrumental motives for using violence these are part of what enable some individuals to overcome their inhibitions.\textsuperscript{36} But if it is true that humans are 'hard-wired' in such a way that they find violence difficult, it may be that there are some who find the barrier to violence easier to overcome because their 'hard-wiring' for emotional entrainment and solidarity is not strong. In other words, people who commit acts of gratuitous violence may tend to be people who have weak inhibitions against using violence, and therefore act violently without having strong motivations to do so. If Collins' concept of 'emotional entrainment and solidarity'\textsuperscript{37} can be equated with a natural disposition towards empathy then it would make sense that gratuitous violence tends to be exhibited by individuals who have a personality that might be described as callous and unemotional or lacking in empathy.

Individuals who have personality profiles of this kind might include those who would be classified as, for instance, psychopaths, sociopaths or people with attachment disorders or dissociative personality disorder.\textsuperscript{38} The quality of empathy (or its converse callousness or 'emotionlessness') is not uniformly distributed in any population. People with empathy deficits may not necessarily be restricted to those afflicted by psychopathy or one of the other pathologies mentioned. Social and historical factors, as well as the cultural, community, organisational or peer group context obviously also play a role in shaping violent behaviour. Some have argued that 'the capacity for empathy and identification is merely a potential, and one that may or may not be brought into being through the appropriate facilitating environment.'\textsuperscript{39}

Also, empathy deficits might not be general attributes of an individual’s personality but be selective or situational. Thus with some offenders the lack of empathy might reflect 'cognitive distortions', which enable them to ignore the distress of their victims though they retain the capacity for empathy in their interactions with others, an issue that has implications for the type of treatment programmes which are appropriate (if such programmes can be provided).\textsuperscript{40} If 'empathy' and 'sensitivity' are equivalent concepts then evidence suggests that alcohol abuse might also be an issue that should be considered here. Thus Holcomb and Adams 'found that intoxicated murderers had higher personal sensitivity scores than did sober murderers, suggesting that alcohol may help to nullify a person's sensitivity.'\textsuperscript{41}

In characterising the motives of perpetrators of violence it is therefore not adequate to distinguish only between 'instrumental' and 'expressive' motives, which provide a positive incentive to commit acts of violence. It is necessary to add a third dimension, potentially involving a 'lack of empathy' or being 'callous/unemotional', which is relevant to understanding the relative absence of inhibitions against violence. Violence then often involves some type of interaction, not only between 'instrumental' or 'expressive' motivations, but also the presence or absence of 'empathy'. It makes sense that when a 'lack of empathy' is prominent as a factor, 'instrumental' or 'expressive' motivations need not be as strong.

But this does not mean that they would be entirely absent. In a review of literature on the characteristics of violence committed by psychopaths, Porter et al cite evidence that violence committed by psychopaths is often partly instrumental in nature. Psychopaths are, for instance, often 'motivated by material gain or revenge and less likely to have been in a state of heightened emotional arousal at the time of the
violent act than non-psychopathic offenders.’ They also suggest that ‘thrill seeking’ may be a factor in some psychopathic violence. However, as indicated, it is not only these instrumental or expressive motives that characterise psychopathic violence, but also that it is ‘unemotional’ and ‘cold-blooded’. Psychopaths ‘consistently commit more violence’ and ‘perpetrated the most severe … acts of physical abuse.’ However, it would appear that the lack of empathy that characterises psychopaths does not only, as they state, facilitate ‘the perpetration of more extreme violence against the victim.’ This lack of empathy may be seen to facilitate violence by psychopaths per se, whether violence is extreme or not.

It is therefore likely that, when a lack of empathy is a prominent factor, violence may to some degree be gratuitous. The absence of empathy would not necessarily manifest itself in ‘excessive’ violence but might be significant in any incident where it seems that violence is used for little reason. As reflected in the following section, the absence of empathy might not, however, only be significant in incidents of this kind.

**THE RELATIONSHIP TO CRUELTY**

The idea that violence in South Africa is unusual is not always expressed in relation to the concept of gratuitous violence. It has also been expressed in relation to the idea that violence in South Africa is characterised by a high level of cruelty. If cruelty is defined as ‘disregarding or taking pleasure in the pain or suffering of others’ it seems that cruelty would be a prominent factor in sadistic violence, where the perpetrator’s motivation is related to the pleasure or gratification to be obtained from the pain of others. Other expressive violence motivated by anger or hatred might also include an element of gratification at the victim’s suffering and therefore also be ‘cruel’.

Is cruelty then more relevant to the characterisation of expressive violence and less relevant to instrumental violence? Violence might be committed to overpower, subordinate, or force compliance or cooperation, and therefore the infliction of pain might not be a principal objective. But this does not necessarily mean that such violence is not cruel. If a person is tortured because the perpetrators think the victim is withholding information from them about money which they believe is hidden in his home, the motive for the use of violence is instrumental, but the willingness to subject someone to torture still reflects cruelty.

Cruelty, then, would seem to be a factor associated with many acts of violence, whether the violence is instrumental or expressive in nature. Nevertheless, in many cases where violence is used instrumentally, it might be the case that ‘indifference to suffering or pain’ is much more of a factor than malice or sadistic pleasure. Such indifference might also then be most significant in characterising the cruelty of acts of gratuitous violence inflicted ‘for nothing’. If indifference to harm reflects a lack of empathy, this in turn suggests that an absence of empathy might not only be linked to gratuitous violence and might have a broader relevance. A violent act that reflects a high degree of cruelty, even where there are clear instrumental motives for it, might also be facilitated by an absence of empathy.

**CONCLUSION**

As indicated, there is a widespread perception that violence in South Africa is in some way unusual, that perpetrators are disproportionately violent, and that they engage in violence unnecessarily. This concern is often articulated by means of a concept of gratuitous violence. This terminology may be appropriate if an ‘objective’ definition of gratuitous violence is used. However, this article argues that the term ‘gratuitous violence’ needs to be distinguished from ‘expressive violence’ – something that objective definitions fail to do. If this is done, these perceptions might better be articulated as beliefs that ‘expressive and/or gratuitous violence’ plays a prominent role in the overall phenomenon of violence in South Africa.

However, even this formulation does not necessarily fully capture the issues of concern,
namely those extending to acts of instrumental violence that appear to be characterised by a high degree of cruelty. If it is true that gratuitous violence is a significant aspect of the problem of violence, both of these phenomena may reflect the fact that ‘empathy deficits’ play a significant role in violence in South Africa.

It is possible that there is some element of truth to the idea that violence in South Africa is unusual, in that expressive violence, gratuitous violence, or empathy deficits make a relatively more substantial contribution to violence than they do in some other countries. At the same time it should be remembered that among the narratives of violence in many countries are stories of extreme cruelty. Due to their exceptional nature it is consistently the acts involving the greatest degree of cruelty that receive the most attention. Paradoxically, for this reason, they sometimes tend to be seen as the norm and as representative of violence more generally, and play a particularly prominent role in contributing to public fear.

In order to engage further with the issues raised in this article it would be necessary to understand much more about the psychological attributes and motivations of perpetrators of violence in South Africa, and to access much better information about the interactions of rationality, emotion and personality that contribute to violence and violent crime in South Africa. These questions might partly be answered through better information on the role personality disorders such as psychopathy or dissociative personality disorder play in violent crime in South Africa, information that might be obtained through the resource- and skills-intensive process of systematic psychological profiling of perpetrators. It should be remembered, though, that such profiling might at best provide an indication of individual dispositions to gratuitous or other violence, rather than answering the more specific question about the types of interaction between instrumental or expressive purposes, and the presence or absence of inhibitions against violence in relation to specific acts of violence. It should also be remembered that there may be profound limits in terms of our ability to ‘obtain accurate understandings of why people engage in cruel and violent acts’.

Our motives often elude us; many of us are well defended against seeing ourselves in a bad light. People who commit wrongful acts that are blatantly against norms of a society are even more likely to deflect their own motives.

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NOTES

1 National Assembly question No 152 addressed to Minister of Police from Mr P J Groenewald (FF Plus), 12 June 2009.
2 In response to increasing public anxiety about high levels of violent crime the Justice, Crime Prevention and Security (ICPS) cluster recommended to Cabinet that the Centre for the Study of Violence and Reconciliation (CSVR) be commissioned to carry out a study on the violent crime. The work by CSVR as well as by the HSRC (see note 12) which is cited below was work produced as part of this study.
4 Geddes, Special report on South Africa, Economist, 5th June 2010, 1–16, 12.
5 Another manifestation of such mythology is the belief that houses that are to be robbed have a cold drink tin placed outside them. See R Zinn, Inside information – Sourcing crime intelligence from incarcerated house robbers, SA Crime Quarterly 32, 2010, 27–35, 32. Also in R Zinn, The Modus Operandi of House Robbers in Gauteng Province, Acta Criminologica, 21(2) (2008), 56–69, 59.
9 Man’s ears cut off for not having cash, Sowetan, 22 May 2007.
10 Geddes, Special report on South Africa, 1–16, 12.
11 In addition to the nature of violence used, or its apparent motivelessness, the identity of the victims, for instance when they are young or elderly, are also factors that sometimes provoke particular concern. See The Violent Nature of Crime in South Africa – A concept paper prepared for the Justice, Crime


14 Ibid., 811.


16 Based on Levi and Maguire, Violent Crime, 810.


21 Porter et al, Characteristics of sexual homicides, 463.

22 Foreman-Peck and Moore, Gratuitous violence and the rational offender model, 163.

23 A question may also be raised as to whether ‘objective’ methods are adequate for distinguishing ‘instrumental’ and ‘expressive’ motives. Instrumental motives such as the concern to eliminate potential witnesses may be known to the perpetrator but not apparent to an external viewer or even (surviving) victims.

24 Porter et al, Characteristics of sexual homicides, 464, emphasis in original.

25 Ibid.


27 This is assumed to be only hypothetically possible as in practice it would be difficult to assign a numeric value to instrumental and expressive motives.

28 This definition originally in Centre for the Study of Violence and Reconciliation, The Violent Nature of Crime in South Africa.


32 Ibid., 27.

33 A Bandura, A murky portrait of human cruelty, Commentary on V Nell, Cruelty’s rewards: the gratifications of perpetrators and spectators, Behavioural and Brain Sciences, 29(3) 2006, 225–226, 226. See also Kosloff et al in the same commentary, 231–2.

34 Baumeister, 1999 quoted in D Stein, Sadistic cruelty and unempathic evil: Psychobiology and evolutionary considerations, Commentary on Nell, Cruelty’s rewards, 242.

35 A Ruocco and S Platek, Executive function and language deficits associated with aggressive-sadistic personality, Commentary on Nell, Cruelty’s rewards: 239–240, 239.

36 According to Collins it is not merely the motivations which dictate whether or not violence in fact takes place. Those individuals who are good at violence are those who have found a way to circumvent confrontational tension/fear, by turning the emotional situation to their own advantage and to the disadvantage of their opponents.” (R Collins, Violence – A micro-sociological theory, 20). However Collins does not give attention to the psychological or emotional disposition as facilitating or inhibiting factors for violence.


38 Hare’s Psychopathy Checklist-Revised (PCL-R) records ‘callous/lack of empathy’ as one of the attributes characteristic of psychopaths (http://en.wikipedia.org/wiki/Hare_Psychopathy_Checklist. Accessed 19 November 2010). The World Health Organisation’s ICD-10 indicates that ‘dissocial personality disorder is characterised by at least three of a list of seven attributes or qualities including ‘Callous unconcern for the feelings of others and lack of the capacity for empathy (http://en.wikipedia.org/wiki/Antisocial_personality_disorder Accessed 19 November 2010); J Copley, Causes of psychopathy – theories on sociopathic personality disorder, Jul 30, 2008, indicates that ‘children who suffer from a lack of attachment due to early deprivation and neglect often exhibit symptoms similar to those of the psychopath including law breaking and cruelty’, (http://personalit ydisorders.suite101.com/ article.cfm/causes_of_psychopathy accessed 19 November 2010). Sociopaths are understood by some to be equated with similar attributes to those characteristic of psychopaths, with the differences in diagnosis being linked to questions of causality (http://en.wikipedia.org/wiki/Psychopathy Accessed 19 November 2010).

39 A Collins, Taking on Albeker – A Country at War with itself: the debate continues, SA Crime Quarterly, 28, 2009, 35–38, 37. The wording of the original is in fact ‘though (sic) the appropriate facilitating environment’. 


43 Ibid.

44 National Assembly Question No 152 op cit.

45 N Potter, Shame, violence, and perpetrators’ voices, Commentary on Nell, *Cruelty’s rewards*, 237.

46 Ibid.
South Africa has been dubbed the rape capital of the world, an epithet of quite uncertain validity. Whilst the number of rapes reported each year to the police is large (54 926 between April 2005 and March 2006), the rate is nearly four times higher than that in the United States, the relationship between these and true rates of rape perpetration in the community is unknown, with best estimates being that at most one in nine rapes are reported. Rape is highly stigmatised, and research has shown that women commonly define sexual acts when they are physically forced into sex against their wishes as 'not rape' in order to avoid the stigma and sense of defilement of 'having been raped'. Many women perceive that they are unable to legitimately refuse sex with a husband or boyfriend, to the extent that sexual coercion by an intimate partner is often regarded a 'not rape'. In similar vein, conducting research with women who might be victims may lead to underestimating the magnitude of the problem of rape in South Africa. Notwithstanding these limitations, research among pregnant women in ...
Soweto found that 7.9 per cent had been raped by a non-partner as an adult, 5 per cent raped before the age of 15, 12.4 per cent raped the first time they ever had sex, and 20.1 per cent had been forced or threatened into sex by a husband or boyfriend.5

Work to prevent rape and other violence against women lies at the heart of gender equality interventions targeting men. These proceed from an assumption that all men (and women) can be violent, or directly or tacitly support acts of violence, and that it is therefore important to work across the community to advance the end goal of reducing gender-based violence. There are at least two approaches: one seeks to work with men to change ideas about gender relations and develop their willingness to confront their own vulnerability, while another attempts to build support for peace while condemning violence against women. In South Africa important initiatives with men by community organisations and NGOs on gender equality include high profile media campaigns such as ‘Brothers for Life’ and ‘One Man Can’.

These interventions form one component of rape prevention strategies. If we are to develop holistic policy responses to prevent rape it is necessary to understand rape perpetration, including its prevalence, patterns, and why men rape. In most countries where this has been studied, the focus of attention has been on incarcerated rapists, yet given the very small proportion of men who rape that are jailed, this group may be a highly biased sub-set of the raping population. This paper presents an analysis of data from research conducted with a randomly selected sample of men from the general population who were asked in an anonymously conducted survey about their rape perpetration practices, motivations, and consequences thereof. It will aim to describe these, and reflect on their implications for developing appropriate responses to rape.

METHODS

The study was undertaken in three districts in the Eastern Cape and KwaZulu-Natal provinces of South Africa. These form a contiguous area, and include rural areas with communally-owned land under traditional leadership, as well as commercial farms, small towns, villages, and a city, inhabited by people of all South African racial groups, several ethnic groups (predominantly Xhosa and Zulu) and a range of socio-economic backgrounds.

The sample used a two stage proportionate stratified design to identify a representative sample of men aged 18–49 years living in the three districts. Using the 2001 census as the primary sampling frame, 222 census enumeration areas (EAs) were selected as the primary sampling unit, stratified by district and with numbers proportionate to district population size. The sample was drawn by Statistics South Africa. Households in each EA were mapped and twenty were systematically selected. In each household one eligible man was randomly selected to take part in the interview. Men were eligible for the study if they were aged 18–49 years and had slept there the night before.

Of the 222 selected EAs, two (0.9 per cent) had no homes, and in five (2.3 per cent) we could not interview because either permission from the local political gatekeepers was declined (n=1) or we could not access any eligible home after multiple visits at different times of day (n=4). In all the latter EAs, we established that many households were ineligible due to age or absence of a man. We completed interviews in 215 of 220 eligible EAs (97.7 per cent), and in these in 1 737 of 2 298 (75.6 per cent) of the enumerated and eligible households. Ethics approval was given by the Medical Research Council’s Ethics Committee. The men signed informed consent for the interview and as an incentive they were given R25 for the interview. All data were collected anonymously.

Questionnaires were administered in isiXhosa or isiZulu and English using APDAs (Audio-enhanced Personal Digital Assistants), and took 45–60 minutes to complete. They included categorical variables measuring age, education, race, employment and income. Rape of women and girls was assessed, using seven questions adapted for the study from previously used items, and further validated through cognitive interviewing.” A typical item was ‘How many times have you slept with a
woman or girl when she didn’t consent to sex or after you forced her?" Questions were asked about rape of a current or ex-girlfriend or wife, rape of a non-partner, gang rape and rape of a woman who was too drunk to consent. Men were then asked two questions about perpetration of rape of a man or boy. We also asked about the age of the youngest victim raped, and how many victims they had raped.

Respondents were also asked questions, which differed slightly by type of rape, seeking to understand the motivations associated with different rape forms. These took the form of a series of statements to which they should say if they strongly agreed, agreed, disagreed or strongly disagreed. At the end of the questions on rape a question was asked about the consequences of ‘making a woman or man have sex when they did not consent’. The question had a list of consequences and a ‘yes/no’ answer could be given for each.

Data analysis

The dataset provided a self-weighted sample. Analyses were carried out using Stata 10.0. All procedures took into account the two-stage structure of the dataset, with stratification by district and the EAs as clusters. Variables were summarised as percentages, and, when relevant, 95 per cent confidence limits were calculated using standard methods for estimating confidence intervals from complex multistage sample surveys (Taylor linearisation). Pearson’s chi was used to test associations between categorical variables. No efforts were made to replace missing data. To test statistical significance of associations between rape perpetration prevalence and race, income and education, adjusting for age and other factors, random effects logistic regression models were used, including a variable for stratum (study design).

Results

Overall half of the men interviewed (51.5 per cent) were aged 18–24 years, 19.1 per cent were aged 25–29 years, 11.7 per cent aged 30–34 years and 17.6 per cent aged 35–49 years. This is a slightly younger sample than men generally aged 18–49 in the South African population. About 40 per cent of the sample of men had completed matric or had attended a tertiary institution. Five per cent of the men had a tertiary qualification, 8.8 per cent incomplete tertiary studies, 27 per cent had matric and 4.2 per cent had never been to school. Eighty-five per cent were African, ten per cent were Indian and five per cent white and coloured. The high proportion of Indians reflected the choice of study site, which included Ethekwini municipality (Durban).

The majority of men (61 per cent) were single. Just under a quarter were married and about one in eight (12 per cent) were cohabiting. Only 31.4 per cent of men said they provided the main source of income for the home; nearly half (48.6 per cent) said the main providers were their parents. Nearly half of the men interviewed had no income, and two thirds either had no income or earned less than R500 per month. Less than a third of men had regular work throughout the year. More than half of the sample said they occasionally or regularly went hungry.

The proportion of men in the sample who had perpetrated different acts of rape is shown in Figure 1. Overall 27.6 per cent (466/1686) of men

Figure 1: Proportion of adult men who have perpetrated different acts of rape

[Diagram showing proportions of adult men who have perpetrated different acts of rape]
had forced a woman to have sex with them against her will, whether an intimate partner, stranger or acquaintance, and whether perpetrated alone or with accomplices. One in twenty men (five per cent) had raped a child under the age of 15 years, and a similar proportion had raped in the 12 months before the interview. Three per cent of men disclosed having raped a man. Among those who raped, the majority had raped more than once. There was some missing data (from 18.7 per cent of men who had raped), but the information given by 379 men who had raped revealed that 23.2 per cent had raped 2–3 times, 8.4 per cent had raped 4–5 times, 7.1 per cent 6–10 times and 7.7 per cent said they had raped more than 10 times. The others said they had just raped once.

Those men who disclosed having raped a woman said that they had most often raped a stranger or acquaintance (21 per cent). Fourteen per cent had raped an intimate partner and nine per cent had engaged in gang rape. It was not always disclosed whether the latter group raped a stranger or acquaintance or an intimate partner. There was considerable overlap between the perpetration of these different types of rape (Figure 2). The majority of men who had raped an intimate partner had also raped a stranger or acquaintance. 4.4 per cent, which is nearly one in twenty, had participated in a gang rape as well as raping a stranger/acquaintance and a girlfriend.

Table 1 shows the prevalence of having perpetrated rape by age, race, educational achievement and income. There were statistically significant differences between the prevalence reported by men from different age groups (p=0.004). The youngest and oldest men had the lowest prevalence, with 21 per cent of 18–20 year olds disclosing having perpetrated rape, as well as a similar proportion of 40–49 years olds. There was very little difference in the prevalence reported by the other age groups, at 32 per cent. This suggests that most men who rape do so for the first time as teenagers and almost all men who ever rape do so by their mid 20s.

There were significant differences in rape perpetration prevalence between racial groups (p=0.003). In particular coloured men in the sample were significantly more likely to have raped than black African men (p=0.012) and white men were significantly less likely to have raped than black African men (p=0.005). These differences were not explained by differences in age or income.
There were some statistically significant differences in the prevalence of rape by level of educational achievement (p=0.04), although rape perpetration was frequently reported by men in all educational categories. Men who had completed a university degree, or who attended school but without securing matric, were significantly less likely to have raped than their counterparts who had studied to tertiary level but without completion. The latter was the highest prevalence group.

There were also significant differences in rape perpetration prevalence between some of the income groups (p=0.0005). Men who had no income or an income of no more than R500 per month had a significantly lower prevalence than men earning R501–R2000 per month, even after adjusting for age and race.

Insights into why men raped are presented in Table 2. Most commonly, rape had been perpetrated out of a sense of sexual entitlement. This was captured in questions asking whether the men simply wanted sex, wanted the woman or girl, wanted to prove they could do it, or were experimenting with sex. This was a motivation for two thirds of rapes, and pertained across all rape types, although it was somewhat less common in gang rapes and more common in rapes of girlfriends or young girls. Half or more of men who had engaged in gang rape or raped a girl under 15 said they did so to have fun or as part of a game. Peer pressure to rape was evident here also, with over half of gang rapes seen as acts of ‘fun’, and this was a motive in a quarter of stranger/acquaintance rapes.

Raping out of anger or as a punishment was a motivation for more than half of the rapes of girlfriends, and also a common motive for rape of strangers/acquaintances and gang rapes. It was much less commonly seen as driving rapes of children under the age of 15, although some men disclosed having raped the girl to punish a third party, such as her mother.

Boredom was an explanation for a third of rapes, and was more common when young girls were raped. Men also linked these rapes to opportunity, as half the men perpetrating young child rape said they felt the girl wouldn’t tell.

**Table 2: Motivations for raping**

<table>
<thead>
<tr>
<th>Motivation</th>
<th>% strongly agree or agree</th>
<th>Girl friend or wife n/N</th>
<th>% strongly agree or agree</th>
<th>Non-partner n/N</th>
<th>% strongly agree or agree</th>
<th>Streamlining n/N</th>
<th>% strongly agree or agree</th>
<th>Girl under 15 n/N</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Anger / punishment</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anger</td>
<td>53.5</td>
<td>129/241</td>
<td>43.4</td>
<td>56/129</td>
<td>34.4</td>
<td>45/131</td>
<td>12.0</td>
<td>9/75</td>
</tr>
<tr>
<td>Punishment of her</td>
<td>50.0</td>
<td>112/224</td>
<td>38.7</td>
<td>48/124</td>
<td>34.4</td>
<td>45/131</td>
<td>11.4</td>
<td>8/73</td>
</tr>
<tr>
<td>Wanted to punish another person</td>
<td>36.4</td>
<td>82/225</td>
<td>29.3</td>
<td>36/123</td>
<td>34.4</td>
<td>45/131</td>
<td>7.1</td>
<td>5/73</td>
</tr>
<tr>
<td><strong>Fun / game</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wanted to have fun, it was a joke or game</td>
<td>n/a</td>
<td></td>
<td>24.7</td>
<td>30/122</td>
<td>53.7</td>
<td>80/149</td>
<td>50.0</td>
<td>35/70</td>
</tr>
<tr>
<td>Friends forced or pressurised me</td>
<td>n/a</td>
<td></td>
<td>n/a</td>
<td>n/a</td>
<td>54.6</td>
<td>72/132</td>
<td>50.0</td>
<td>35/70</td>
</tr>
<tr>
<td><strong>Sexual entitlement</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sexually desired her</td>
<td>69.3</td>
<td>167/241</td>
<td>65.1</td>
<td>84/129</td>
<td>57.1</td>
<td>85/149</td>
<td>70.7</td>
<td>53/75</td>
</tr>
<tr>
<td>Wanted sex</td>
<td>53.6</td>
<td>120/224</td>
<td>52.0</td>
<td>64/123</td>
<td>44.3</td>
<td>58/131</td>
<td>57.8</td>
<td>41/71</td>
</tr>
<tr>
<td>Wanted to prove I could do it</td>
<td>60.0</td>
<td>135/225</td>
<td>60.2</td>
<td>74/123</td>
<td>49.2</td>
<td>64/130</td>
<td>54.3</td>
<td>38/70</td>
</tr>
<tr>
<td>Experimenting with sex</td>
<td>40.1</td>
<td>91/227</td>
<td>34.7</td>
<td>42/121</td>
<td>31.5</td>
<td>41/130</td>
<td>47.1</td>
<td>33/70</td>
</tr>
<tr>
<td><strong>Boredom</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>29.8</td>
<td>67/225</td>
<td>32.0</td>
<td>39/122</td>
<td>31.1</td>
<td>42/131</td>
<td>45.7</td>
<td>32/70</td>
</tr>
<tr>
<td><strong>Cleansing</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15.8</td>
<td>36/228</td>
<td>18.2</td>
<td>22/121</td>
<td>n/a</td>
<td>n/a</td>
<td>22.9</td>
<td>16/70</td>
</tr>
<tr>
<td><strong>Had been drinking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>34.7</td>
<td>78/225</td>
<td>38.8</td>
<td>47/121</td>
<td>45.0</td>
<td>82/149</td>
<td>17.1</td>
<td>12/70</td>
</tr>
<tr>
<td><strong>Opportunity: thought she wouldn't tell</strong></td>
<td>n/a</td>
<td></td>
<td>n/a</td>
<td>n/a</td>
<td>49.3</td>
<td>34/69</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Alcohol was an important part of the context for gang rapes, being mentioned in relation to nearly half of these rapes, but was only in a third of girlfriend, stranger or acquaintance rapes. Overall, most men had not been drinking when they raped. Men were asked about whether cleansing had a role in their motivations for rape, and this was confirmed for rapes of girlfriends or wives as well as strangers or acquaintances, and mentioned by one in five men who had raped children under 15. The relatively large group of men who cited this as a motivation, and the mix of rape victim type, suggest that ‘cleansing’ reflects the broad indigenous medical views of sex as cleaning, rather than cleaning to cure specific diseases.  

Men were asked about the consequences they had experienced after having raped (Figure 3). A third said there had been none; these were men who had not only not been ‘caught’ but lacked remorse for their actions. More commonly, men said they had felt guilty and just under half of men worried about being found out, which clearly indicated that they feared the consequences. A substantial group had experienced disapprobation from family, friends, or someone respected because of their actions. Forty-two per cent had been verbally admonished, a third made the subject of negative gossip, and 29 per cent had been punished by family or friends. A substantial group had experienced threats (28 per cent) or violence (25 per cent) from supporters of the victim. In total, 21.2 per cent of men who had raped had been arrested in connection with a rape. Of those who had been arrested, half had eventually been jailed (53.6 per cent). Among the 401 men in this sample who had raped and for whom there was no missing information (86 per cent of the 466 men disclosing rape), 52 (13 per cent) had been jailed for rape – that is one in eight of the men who had raped.

### DISCUSSION

This study has shown that the prevalence of self-disclosed rape perpetration among men in the general population in South Africa is indeed very high; yet, it is not unbelievable, as it is relatively similar to the proportion of pregnant women in Soweto who had been raped and to the proportion of young men in a volunteer sample from the Eastern Cape who were participating in a HIV prevention trial and were asked about rape perpetration. Among the latter group, 21.3 per cent disclosed having raped a woman partner (8.6 per cent) or non-partner (16.2 per cent), whilst 13.9 per cent had gang raped a woman who was not a partner. Further, 5.5 per cent of men who had not previously disclosed sexually coercive

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**Figure 3: Consequences experienced after raping**

![Figure 3](image-url)
practices, reported coercing sex over 12 months of follow up, a figure very similar to the five per cent reporting perpetration in the last year in our sample.

We have shown that most men who rape do so more than once and commonly rape women with varying relationships to themselves. Furthermore, raping mostly commences during the teenage years. These findings support those of research on rape patterns from the United States. They highlight the importance of consistency in policy and criminal justice responses to rape across victim types, and irrespective of the age of the rapist. They also highlight the importance of addressing rape prevention activities in the first instance to children and teenage boys, and effectively using the school curriculum and environment to instil the appropriate values and gender attitudes.

The analysis of prevalence of rape perpetration by age, race, level of educational attainment and monthly income confirms that rape perpetration is found among all social groups. Indeed, none of the social subgroups examined had what might be regarded as a 'low prevalence' of rape perpetration. Yet there were significant differences among levels of all these social status indicators. The lower prevalence of rape among the youngest men is most likely to reflect their having had fewer years over which to perpetrate. Among men over 40, it is difficult to be sure whether the lower prevalence reflects an age-related recall bias, or whether there has been a true increase in rape perpetration prevalence in succeeding generations of men. This age pattern, and the prevalence levels, are similar to those found in recently released results of a survey of adult men in the general population in Gauteng province.

The pattern of prevalence by race was based on relatively small numbers of white and coloured men, yet differences observed were statistically significant. Whilst racial differences in exposure to important risk factors for raping, notably exposure to abuse and trauma in childhood, may explain the lower prevalence of raping by white men when compared to black African men, it does not explain the higher prevalence in coloured men. It is most likely that this difference reflects differences in cultural practices related to the socialisation of boys. They demonstrate the inherent possibility of reducing rape perpetration in South Africa through appropriate interventions around gender norms and gender relations. The finding among coloured men further confirms a pattern that has been related in many other studies on gender-based violence, namely a particularly high prevalence of socialisation into a very violent, accentuated masculinity of a type typified by gangsters. An essential part of prevention of violence and crime in South Africa must involve efforts to change this.

The inverted U shaped patterns of rape perpetration seen by income and educational attainment can be explained if rape perpetration is understood to be inherently a demonstration of gendered power. Rape is seen, at times, as an appropriate means of expression of gender power among men who have fantasies of status and power, but who lack sufficient education or earning ability to be able to enjoy most of the benefits of a higher social position. The importance of gendered power and the related concept of sexual entitlement in rape perpetration are very vividly demonstrated in the data on motivations for raping. Whilst there were some variations in the proportion of men agreeing that this was a motivation for rape according to the type of rape perpetrated, it was very common across all types of rape that men indicated that they sexually desired the woman or girl, or because they wanted to prove they could force her, with complete disregard for her wishes.

There has been considerable debate in the public arena, particularly the popular press, about motivations for raping, and popular attention has focused on varying factors from a virgin sex cure for HIV to the role of alcohol and drugs fuelling rape. At the extreme of these public debates is the spectre of a psychopath, the serial rapist (and often murderer) who is a danger to society. Our findings on motivations for rape indicate that the most common ones lie in our society’s accentuated gender power hierarchy, and the
concomitant socialisation of children from early childhood into social norms that legitimate the exercise of gendered sexual power.\textsuperscript{20} Related to this is the motivation of anger and punishment in rape perpetration, which clearly forms part of a common idea that punishment of women is not only legitimate but that this may be appropriately expressed through sex. The degree to which boys’ socialisation conveys norms and values of sexual entitlement may vary by social class and between other social groups in South Africa, and this may explain some of the patterns in rape perpetration prevalence between groups, as well as providing evidence that this would be amenable to change through social engineering.

Alcohol was clearly part of the context of many acts of rape, but these were a minority and furthermore our findings support evidence that suggests alcohol is a contextual factor in rape rather than a ‘cause’ of rape in its own right.\textsuperscript{21} Many of the rapes were perpetrated as recreation, either from boredom or by men seeking fun, or viewing rape as a game. In the case of rape of young children, they were often selected as victims with an expectation that there would not be consequences.

The consequences of rape perpetration can be divided into four categories: legal/criminal, familial, community and personal. As we have shown, relative to the national population of prosecutions and incarceration, a fairly large proportion of men (one in eight) who had raped experienced a legal/criminal consequence of their action. While the percentage remains low, especially bearing in mind the gravity of the offence, it is interesting (and possibly heartening) to note that 21,2 per cent of those who had raped had been prosecuted, and over half of these jailed. This compares well with national prosecution and incarceration rates but still calls for much more effective police and prosecutorial response. It is possible to speculate that familial responses have something to do with the relatively high levels of official action against rape perpetrators. Over a quarter had experienced violence or threats from family members or supporters of the victim, and nearly half had been scolded and criticised for their actions. The fact that men are identified and action taken against them by family members is likely to create a climate in which police and prosecutors will find it easier to identify and act against offenders. In a similar way, community action – primarily negative gossip and forms of street justice – is likely to deprive the act of rape of any social legitimacy, as well as create a climate of openness in which the gathering of information necessary for arrest and prosecution is created. But possibly the most important consequence of rape is the reflection of the perpetrator himself. Not all men who perpetrate rape understand their actions as criminal\textsuperscript{22} and there are indications that when they do, they are helped to understand the harm that they have done to the victim. Arrest and prosecution constitute a salient moment for reflection, for it is amongst those (a third of all perpetrators) who have not been ‘caught’ that lack of remorse is highest. There clearly is a sense, for the majority of respondents, that the perpetration (be it out of anger or seeking fun) is ‘wrong’. Feeling guilty and being remorseful are important in reducing levels of rape and in the personal project of rehabilitation, including highlighting the importance of work on masculinities as part of rehabilitation in prisons.\textsuperscript{23}

**CONCLUSION**

This research confirms the high prevalence of rape in South Africa and demonstrates that within the lives of men who rape, the trajectory normally starts young, in the teenage years. Also, men who rape commonly rape multiple women on multiple occasions and have different types of victims. The evidence on motivations for rape clearly places the problem at the foot of our accentuated gender hierarchy and highlights the importance of interventions and policies that start in childhood and seek to change the way in which boys are socialised into men. Building a more gender equitable society is crucial for efforts to prevent rape.

**Acknowledgements**

We thank Statistics SA for drawing the sample; Scott Johnson and his team from the University of Kentucky for
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NOTES

12 Ibid.
‘When I see them I feel like beating them’

Corruption and the South African Police Service

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afaull@issafrica.org

South African survey data on citizen attitudes towards police have, for the past ten years, indicated a lack of trust in law enforcers. Similarly, the SAPS has, since the early nineties, developed a public image as a widely corrupt organisation. In 2010 the SAPS reverted to military ranks and adopted a discourse of ‘force’ in an attempt to improve discipline, effectiveness and image. This paper presents a summary of findings from 15 focus groups conducted in mid-2010 that sought to explore public experiences and perceptions of police and police corruption.

Sixteen years into democracy, and ostensibly in response to civilian frustration with crime, the SAPS recently readopted both military ranks and a discourse of force. Initiated in April 2010, the shift has been touted as an attempt to improve discipline within an organisation that has developed a reputation as being plagued by corruption. The SAPS justified the change, saying ‘wars are led by commanders’. An underlying inference was that a police body that adopted a ‘forceful’ approach to crime, would be more effective and win more public support. This is however a controversial policy position, and does not appear to be based on what surveys have indicated is behind relatively low and declining levels of public trust in the police.

Surveys have shown that a lack of trust in police correlates with a belief that most police are corrupt, although this is not the only reason for a lack of trust in the police. While survey data provide a valuable indication of civilian perceptions and trust in police, they do not offer detail on the types of experiences civilians have of police. The ISS therefore undertook research with the objective of understanding how people from different communities experienced police corruption and its effect on civilian perceptions of, and trust in, the police. In addition, the research explored the kind of police organisation that victims of police corruption want and whether a more ‘forceful’, militarised police image has any appeal to those who have experienced police abuse of power.

METHOD

In May and June 2010, the Community Agency for Social Enquiry (CASE), on behalf of the ISS, conducted 15 focus groups that explored citizen perceptions and experiences of police and police corruption. Criteria for participation in the focus groups were that participants had to be older than 18 and had to have had contact with police in the preceding year. Additionally, at least half the participants in each group were to have

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experienced something they described as 'police corruption'. It is therefore important to note that this research is not generalisable to the average citizen. The research did not seek to provide answers to the extent of police corruption that occurred, but rather to explore the detail of the corruption experienced by people in different community settings and how these experiences impacted on their perceptions of, and trust in, the police.

Focus groups were conducted among people from different communities in Cape Town, Johannesburg and Durban. Within each city five groups were drawn; from an informal settlement, a formal township, an inner city area, a suburban area, and a rural area outside the city.

One hundred and forty-eight (148) participants took part in the 15 groups. Half the participants were men and half were women. Of the 156 participants initially recruited, 127 said that they had directly experienced police corruption.

Moderators asked participants the following questions:

1. Describe your ideal police official.
2. How are police officials different from this ideal?
3. Where would you turn if you had a problem with the police?
4. Do you trust the police generally?
   a. Why/why not?
   b. What would make you trust the police more?
5. What was your most recent experience with the police?
6. Can you give an example that you personally know of where someone gave a police official something (such as money or a gift) in order to get assistance from the police official?
7. What do you think police corruption is?
8. Have you, or anyone you know, ever experienced police corruption?
   a. What happened?
   b. Did you do anything about it?
9. What would you like the government to do to stop corruption in the police?

This article focuses on findings emerging from the discussions in relation to questions on the ideal police, trust in police, experiences of police corruption, and perceptions of what government should do to address police corruption.

**IDEAL POLICE**

Participants were asked to describe the ideal police official and police organisation. Overall there was a consensus among participants. The following quotes are indicative of typical responses:

To me the ideal policemen... are those who come immediately if I phone them. (Cape Town, informal settlement)

We are requesting that the police are fit. They are shooting because they cannot run. (Johannesburg, suburb)

Treat us like human beings and not like animals. (Johannesburg, inner city)

An ideal policeman should be a peace officer that coordinates with society at large. (Johannesburg, formal township)

I wish the police could be compassionate and respectful people. (Durban, formal township)

We need to have our police’s education and skill levels rise to international levels, because the world is laughing at our police. (Durban, inner city)

The notion of ideal police centred around police who were:
- Competent, providing hassle free service
- Punctual
- Educated and trained
- Friendly and approachable
- Patient and respectful

On the other hand, participants described SAPS members in the following ways:

The police that we have seem like they are doing us a favour whilst it is their calling to serve us. And they need bribes from us. (Cape Town, suburb)
You go to the counter, [the police woman] is the only person sitting there, she has her phone and her earphones. When you come in through the door she does not even lift up her head… you will wait there and sit. (Johannesburg, rural)

The police are always quick to beat up a person… You find it very often that the police beat up a person but in fact the person they are beating up knows nothing. (Durban, formal township)

If they have arrested you they ask you how much you have and they leave you there. They take your R100 or R200… and say 'go back home'. (Johannesburg, rural)

If you are not well known they don't want to help you. If you are a celebrity or something, your case will be solved right now. If you are an ordinary person [you wait] three years or longer just to find your case was closed. (Johannesburg, suburb)

Themes dominating answers to this question described police as:

• Rendering a poor service to clients
• Involved in corruption and crime
• Self-interested and uncommitted

Other descriptions of the police were as uneducated, as drunks, as impatient, as unfriendly, and as giving preferential treatment to certain groups of people. It was also said that they were disrespectful, and harassed women. What was most important to participants was the nature of police interaction with civilians. Although some reference was made to the importance of 'keeping us safe', very little emphasis was placed on the expectation that police should prevent and reduce crime. This stands in contrast to the 'war on crime' rhetoric emanating from police and political leadership.

TRUST IN POLICE

Overwhelmingly, participants in the focus groups indicated that they did not have trust in the police. In about half the groups, one or two participants qualified their response by stating that not all police were bad. These participants usually made reference to having received, or witnessed what they considered to have been good service from police. This demonstrates the positive impact that professional service can have on civilian perceptions of the police. Similarly, an ISS National Victims of Crime survey found that contact with SAPS officials often improved the perception of police in the minds of the civilians involved. Among focus group participants the same appeared true for those whose last contact had not involved police crime or corruption.

Asked to give reasons for why they didn't trust police, many participants referred to negative experiences they had had with police. The following are some examples:

I don't trust the police. I don't even want to see them. I hate them. They do wrong things. They don't help the community. If you ask a police van to be sent it won't come… the police will arrive in their own time… When you are drunk they just take you and arrest you without any questions… I was arrested [like that]. (Cape Town, informal settlement)

I don't trust them because if you go there for your problem they do not take you seriously. They make a joke out of your problem. (Johannesburg, informal settlement)

To prove police are not trustworthy, there was a time… when police used to come into the houses asking for slips of TVs and DVDs. They took a DVD [from my friend and me]. They tell people that they should go to the police station to get their stuff back and when they went to the police station [the police] said they did not know about the operation. How do we trust the police if such things happen with police in uniform? It is very common here. (Cape Town, formal township)

I cannot trust a policeman whom, when I go to report that I was abused by my boyfriend, he sees that as an opportunity to ask me out and he starts touching you. (Durban, rural)

These and other responses to this question can be grouped into the following themes:
• Experiences of poor or unprofessional service
• Experiences of police crime or corruption
• Experiences of police sexual harassment
• Perceptions of police as corrupt

In most instances, negative public perceptions of the police are closely related to direct experiences of what is considered criminal, poor or unprofessional service. However, perceptions (rather than experiences) that police are corrupt were the fourth most common reason given for a lack of trust.

Male participants tended to perceive police officials as giving preferential treatment to women, while some women complained of sexual harassment and threats by police. Participants generally spoke about police as being men. Jewkes and Morrell suggest that South African masculinities all valorise the martial attributes of physical strength, courage, toughness and an acceptance of hierarchical authority… they demand that men are able to exercise control.4 In this regard, participants’ perceptions of police are perhaps indicative of trends in masculinity across the country, rather than in the SAPS alone.

Nevertheless, sexual discrimination and harassment by police remains a matter that can be addressed within the organisation.

Asked what would increase trust in the police, participants said that police officials should:
• Do their jobs ‘properly’ and provide a consistent service
• Refrain from corruption
• Be monitored by an independent body
• Communicate better in person and with communities
• Be subjected to more stringent recruitment criteria

POLICE CORRUPTION

Corruption-related accounts that emerged during the focus groups can be ordered into the following themes:
• Petty extortion/bribery
• Serious extortion/bribery
• Attempted bribery

The majority of accounts related to bribery, while a few related to attempted bribery. Among experiences of bribery, most can be described as ‘petty corruption’. These incidents usually involved traffic or drinking-related extortion by police working alone or in pairs. Typical examples were of police at roadblocks requesting a ‘cool drink’ (money) to ignore the absence of a license, or to ignore alcohol on the driver’s breath. However, other examples involved police extorting money in the absence of an offence, for example from someone drinking alcohol in their front yard, or walking on the street with sealed bottles of beer. The following is another example:

I was next to the Spar…[the police] said we must face the wall. They searched us and did not find anything. They [asked] where is my ID. I said to them I am not a foreigner who always carry his identity… they arrested me and put me into the van. I tried to resist and they ended up beating me up… My mother came with my ID… they wanted R300 to bribe them to release me. (Johannesburg, inner city)

Some accounts involved more serious bribery, mostly in return for closing cases on behalf of the accused. Examples included the accused in a domestic violence case paying police to release him without opening a docket, a detective lying to a magistrate about lack of evidence in return for payments from the accused, and police regularly accepting alcohol from an illegal tavern in return for not closing it down:

I used to have a tavern with no licence… the police would check when we go with a bakkie to stock liquor… When they see us with stock the police came to take our liquor as if they were arresting us, we were scared… [we] gave them some and took some. That is very common here. (Cape Town, rural)

Accounts of attempted bribery were also shared. In three instances the victims refused to pay and were let off. In the remaining two accounts, police became abusive when they realised their victims did not have money. In one instance the victim was driven around by police, then left on the side
of the road, at night and in the rain. In the second, police forced the victim to run back and forth across a busy road, carrying a stone. The effect of such abuse is summed up by the victim of this incident when he says, ‘When I see [police] I feel like beating them.’ This participant’s words, perhaps more than any others, sum up the negative impact that corrupt and abusive encounters have on civilian trust in police.

CIVILIAN COMPLICITY IN BRIBERY

Focus group participants tended to describe police officials as the initiators and benefactors of illicit transactions, while positioning themselves as victims. Although police officials appear to have initiated the transaction in most instances of petty bribery recounted, this was not always the case. In some petty offences and in at least half of the serious bribery accounts, participants reported initiating the exchange themselves. While blame must be apportioned where it is due, it should be recognised that civilians are only likely to offer bribes where there is little risk of punishment and a fair degree of potential for success. Such an environment can only exist where police are known to be open to offers.

The normality of police willingness to engage in such exchanges, at least in certain Johannesburg townships, is well illustrated in research conducted by the University of the Witwatersrand. This research suggests that for many people, it can be difficult to access service from the police without relationships based on some form of exchange. Most importantly, though, the fact that civilians may initiate an exchange does not negate the fact that the encounter contributes to their loss of faith in the police.

ROBBERY, THEFT AND OTHER ILLEGAL AND UNPROFESSIONAL CONDUCT

Most serious criminal encounters with police involved robbery and theft. A few participants described being robbed by police while one described participating in armed robberies with an off-duty police official:

I also have a friend you see... That guy is a policeman... Most of the time we go in the night with that guy right. He has a firearm... We have our own firearms with our licences. When we didn't have money, we could say ‘Man, here is the people let us stop them.’ We used to stop the people and take their money. (Johannesburg, suburb)

Another account involved police robbing a foreign national. Two involved police stealing items from people being searched during police operations, and one involved police stealing items from passengers in a taxi involved in an accident:

The taxi I was in collided with a car. The police arrived and the first thing they did was search our bags... They take our money, cell phones and everything. (Cape Town, informal settlement)

Experiences of theft by police officials included theft out of a vehicle impounded by the SAPS, the theft of items left in police safekeeping, and theft from the body of a deceased following a car accident.

Other examples offered were not clearly criminal, nor did they involve simple incompetence. Instead they described grossly inappropriate behaviour by police. One example was of police who refused to open a docket after a woman reported that her former boyfriend had pointed a firearm at her. After pursuing various channels she was directed to speak to a superintendent:

I asked for this [superintendent]. [He] was wearing a jacket and in it was an Oude Meester Peppermint brandy. [He] held me close to him and led me outside the police station and told me that I must be aware that they as police have families and they would not like to be killed for family issues. He reminded me that I was in love with this man... He then gave me some of his brandy, I drank it and I left. (Cape Town, formal township)

Another example involved a victim of car theft. Community members caught one of the alleged car thieves and beat him to death. When the police
arrived they arrested the owner of the stolen vehicle when she refused to identify those involved in the beating. They took her to the police station where:

They tortured me and I was so scared and begging them to open at least the window... I sat in the corner scared and the police asking me to tell the truth about the people who had beaten up the boy.

She was later released without charge but her ordeal was not over. The policeman driving her home:

... drove the car and on the way he started telling me that even though I was older than him but my vagina was not old… (Cape Town, formal township)

The woman managed to avoid his advances but the policeman returned the following day in civilian clothes, apparently to sexually proposition the victim once more. She pretended to call out to her husband (she did not have one) and he left.

Although this example represents an extreme rather than a norm, the extent of abuse was so severe that it in all likelihood destroyed any trust the victim had in the police. Furthermore, it is likely that such accounts are shared with friends and family who in turn may lose faith in the police. As such, this kind of abuse erodes police-civilian relationships far beyond that of the victim alone.

**KNOWLEDGE OF OVERSIGHT AND COMPLAINTS MECHANISMS**

Asked whether they had done anything to report their criminal and corrupt encounters with police, only one participant had, and this had been unsuccessful. One other participant successfully laid a grievance against an official at a station. That complaint was about unsatisfactory service rather than corruption.

Generally, participants revealed ignorance or mistrust of the civilian agencies that exist to oversee or independently investigate cases of police abuse. Most participants said they didn’t know where they could report a complaint against police, or that none of the official channels could be trusted. Some said they could turn to senior police at station level, though few had sufficient trust in the police to pursue this option. Seven participants mentioned South Africa’s official complaints body, the Independent Complaints Directorate (ICD), though it was not spoken of favourably.

Although on paper South Africa has an impressive oversight and complaints framework, participants’ lack of knowledge about, or faith in these bodies suggests that complaints services don’t practically reach or serve the needs of many South Africans. Importantly, recent legislative amendments further empowering the ICD may see it becoming a more effective body in 2011, which may in turn lead to greater public confidence.

**WHAT GOVERNMENT SHOULD DO**

Most of the research participants wanted the government to create a police agency that provides quality service, is responsive to public needs and is not corrupt. However, there was a lack of trust in the ability of the police to monitor themselves. One participant went so far as to say government should hire spies to watch the police, while another said police should be ‘monitored’ from the moment they start work to the moment they end. More common suggestions to combat police corruption were:

- **If the police committed a crime he mustn’t be suspended but dismissed.** (Johannesburg, rural)
- **If they were well paid they wouldn’t want a bribe… that’s why the police are corrupt.** (Durban, rural)
- **They must tell people that if you see a police officer doing something wrong, where you can go to report it. It must be a place where they are going to take you serious and act so that you can see that they have acted for you.** (Johannesburg, inner city)
Technology might help here and there… they show everything through the cameras… all those people who are doing wrong things can be seen immediately. (Cape Town, informal settlement)

I think the state has the responsibility to educate the community, because you see, corruption is there where the community does not know. (Johannesburg, suburb)

The police force is being politicised. You cannot have the police commissioner coming out of a political party. He is not skilled and he doesn’t know anything about policing. (Johannesburg, inner city)

These examples are indicative of six overall general themes that covered most answers:

- Arrest and make examples of police involved in criminal and corrupt activities;
- Improve the salaries and working conditions for police;
- Introduce hotlines and reporting centres independent of the SAPS;
- Introduce technology to monitor police;
- Educate the public on the role of the police;
- Depoliticise the position of chief of police.

Interestingly, some of the suggestions have already been implemented over the past few years. For example, the SAPS budget, salaries and access to resources improved significantly from 1999, though of course they could be further bolstered. The Department of Public Service and Administration (DPSA) has for more than ten years hosted a national anti-corruption hotline, as has the ICD for the past five years. Participant feedback suggests these initiatives have not been adequately communicated to the public, nor have they led to significant changes in public perception.

CONCLUSION

This research sought to provide insight into civilian perceptions and experiences of the South African Police Service, particularly with regards to trust and corruption. When participants explained their ideal police official and organisation, little emphasis was placed on crime fighting, certainly not on ‘waging war’ on crime. Rather, they described motivated, competent and resourced individuals who treated the public with patience and respect.

The importance of this is highlighted by the fact that despite constant reductions in overall crime over the past decade, perceptions of police remain fairly negative. Conversely, the apparent success of the SAPS’ ‘Be an ambassador for the 2010 Fifa World Cup and Beyond!’ campaign suggests members can, when they put their minds to it, and when under close supervision, engage with civilians professionally. The SAPS and its members were heralded for their professionalism, particularly at the various stadia during the World Cup in South Africa.9

Participants tended to have minimal knowledge of police oversight and complaints infrastructure. Where they did have knowledge of these, they demonstrated a lack of faith in reporting complaints at police stations or to the ICD. This highlights the reality that currently there is no simple, swift and effective complaints and investigation mechanism in South Africa to which victims of police abuses can turn. This may improve in 2011 when the ICD becomes the Independent Police Investigations Directorate, though far more than legislative and name changes will be necessary. Effective feedback mechanisms need to be in place if SAPS senior managers are to understand, and respond effectively to, the extent and nature of police misconduct that occurs in South Africa.

The type of corruption most commonly experienced by participants was petty roadside bribery involving officials working alone or in pairs. However, numerous other offences were mentioned too, including robbery, theft, torture and gross sexual harassment.

The data illustrated the damaging effects of criminal and unprofessional police conduct on civilian trust in police. If the April 2010 shift in
rank and discourse really is part of a bigger strategy of reform around discipline and professionalism, then the changes are indeed positive. However, in contrast to a rhetoric of force, participants in these groups called for police who were polite and respectful. These data serve as a call to create a more professional national police body that puts service to the people first, and ensures that its military ranks and ‘war on crime’ do not create police officials who alienate the citizens they serve.

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NOTES

1 SAPS Media Statement, Police ministry announces new police ranks, 12 March 2010.
2 PMG, Independent Complaints Directorate (ICD) strategic plan and budget 2010; SAPS on its new rank structure, 16 March 2010; PMG, Information Sharing Meeting with the German Parliamentary Delegation, 12 April 2010.
8 The Independent Police Investigative Directorate Bill (15 of 2010) was debated before parliament in August 2010, and should come into effect in early 2011.
9 See for example: Keynote address by Honourable Ghishma Barry, MEC for Transport, Safety and Liaison at the 2010 FIFA World Cup law enforcement agencies thank you parade, available at: http://www.info.gov.za/
Johan Burger (JB): One of the many outstanding successes of the FIFA World Cup was the security of the event. What, in your view, are the most important lessons from this event that we can integrate into policing more broadly moving forward?

Minister Nathi Mthethwa (NM): The World Cup for us was an outstanding event, especially because it was an international event and because some people doubted our capacity as a country, and we pulled it off. This was the result of proper planning. We emphasised this throughout the coordination and the communication of the event. It informed how we worked with other police organisations and how we interacted. We also maintained regular communication with South Africans and with the world, assuring them that they would be safe. We will be taking that with us, as well as some of the spin-offs of the FIFA World Cup, for example, the focused training of our public order police units and how people were secured by the visibility of the police. We now also have additional equipment and together with the training and the planning, these form an arsenal in the fight against crime and making certain that people are and feel safe. But I must single out the fundamental job done by our intelligence community in interacting and networking with others the world over. It provided us with timely answers to our questions and intelligence as a whole became very practical during the World Cup.

JB: The new administration elected in 2009 has announced a number of bold policy changes in relation to the South African Police Service.

Amongst these include referring to the police as a ‘force’ rather than a ‘service’, changing the rank system to a more militarised style, amending section 49 of the Criminal Procedure Act that governs the legal use of deadly force to effect an arrest, and strengthening civilian oversight. Please can you tell us where these policy changes came from and what is behind them?

NM: The President said to all of us from day one we must do things faster and smarter, and differently. We then had to assess the kind of beast we are faced with, which is the scourge of crime in our country. And your question is a clear model of that – how to fight crime toughly. That is why we needed to be unambiguous about our message out there: whether we are talking about the police; whether we are talking about the ranks and the department. We wanted people to know that those who find themselves on the other side of the law – we will be acting, and acting toughly. But at the same time we came up with a way of working smartly. For example, if you take the concept of war rooms, which is a combination of intelligence work, police visibility and the application of a communication strategy, it tells you that this is the best way of dealing with policing in South Africa. In it there is a very significant presence of detective capacity of the South African Police Service.

We did not seek to change the Constitution. We remain the South African Police Service in our Constitution and our laws and so on; but for matters of emphasis, and in particular of command and control, we felt that there is an obvious lack of discipline within the force. We saw
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for example how the marshalling of their forces by commanders, who were station commissioners at police stations, left much to be desired. You found people running police stations from offices at their homes, not taking the police through a parade in the morning, not knowing who is and who isn’t there, and whether people are ready to execute their jobs. This emphasised the issue of command and control as an operational mechanism and added to what we saw as the decay from that point of view. I will be visiting a few police stations myself to see whether there is an improvement.

What I call my management does not constitute the militarisation of the police per se, because the very fact that we are balancing this with a civilian secretariat for oversight and the IPID – the Independent Police Investigative Directorate – which was the ICD (the Independent Complaints Directorate), says that within the law and within the human rights culture, away from the ‘skop, skiet en donner’ of the past, police have to move this way in the fight against crime. And we believe that somehow there has been a lack of focus in the fight against crime in the police. People have been involved in other things and that is why it is not surprising that some police from different areas are being arrested almost on a daily basis, and as we begin to clean up the force we are finding some of the people who are not supposed to be here in the first place.

We need a strong arm as far as command and control is concerned so that not everybody does as he or she pleases. If you don’t have clear command, everybody becomes a commander and you end up with anarchy and you can’t have that. And we emphasise the issue of the force, because the police remain a force, whether you call it a service or anything else. They are responsible to ensure that the law is upheld in the country and that people are safe. They are given tools of trade that are there to enforce the law and to ensure everything is happening within the law itself. So for us it is a matter of emphasis. That includes the amendment of section 49 of the Criminal Procedure Act, because there are areas in the section with ambiguities that may be technical in nature, but must be simplified so that everyone will know what is expected of him or her.

JB: Although the transformation of the SAPS has been successful in many respects, we continue to experience problems with ill-discipline and corruption, which international experience and research have linked directly to weaknesses in internal command and control. How do you see changing the ranks as a step towards addressing these challenges and what else is being considered to strengthen police management at all levels?

NM: Well, we’ll continue to address these areas in a multi-faceted fashion because they are systemic issues and if you want to address them you can’t address them in isolation. You have to look at the entire system and how it operates. As a result people today talk openly about police who are ill-disciplined and police who are involved in corruption, because there is confidence that if they report these things something will happen to these people, there will be consequences. So we will continue along those lines together with what we want to achieve with command and control.

JB: Many people will welcome an approach that sees the police taking a more aggressive approach towards tackling criminals, but there is concern that without first strengthening internal controls, we will see increased levels of police abuse. You have stated that a more forceful approach by the police is balanced by strengthening the civilian oversight structures in your ministry, as well as by strengthening partnerships with communities. Could you please elaborate on how you see this working?

NM: It works well, because our human rights culture is central, and the police are reminded of this. Whilst this is the case, you still find some excesses within the force. Every member should know what is acceptable and what is not, so that when someone is dealt with he does not take it personally. If police become aggressive in a non-aggressive situation where a law-abiding citizen has become involved in some misdemeanour, they should know that that is not acceptable and that they, as the police, would themselves face the wrath of the law.
And as for the oversight, we have strengthened the oversight structures, as I have said, with the IPID and the Secretariat, but also from the Minister’s office, through certain programmes. We have over the last few months dealt with a couple of challenges, one of which was in the ICT section of the SAPS where a number of changes were made and people were relieved of their duties. We are now dealing with the Firearm Control Registry and as we do that it tells you that we are concerned with the internal situation. At the same time there is a huge amount of enthusiasm of people who want to participate. We meet with communities on an ongoing basis. The public are with us. They have taken a stance against crime, and any side that has the support of the people will win the war.

Now, having done that, we must look at ourselves and the kind of people we have to fight this war and see if they are the right people. We also want to do these things speedily so that that the confidence grows. There is a growing level of confidence in our communities, but I would like to see it grow even more so that when they talk to us, we act. For example, people have been raising issues with us around the Firearms Control Act and we took task with those issues, and I announced the results of our interventions at the press conference earlier today. We will continue in other areas to ensure that things are where they are supposed to be and that those who feel that this is not for them should move before we get to them and before they are booted out.

JB: In May this year, in your budget vote speech in Parliament, you referred to a ‘new kind of police officer.’ Please tell us a bit more about your vision for this new type of police officer and how this will be achieved?

NM: In any society, the police are one section of society that is very much empowered. You can imagine the powers of a person that can stop and search any person anywhere. And because of the magnitude of the powers they have, the human factor creeps in and it’s bound to be abused. The kind of officer we want is first and foremost the kind of person that will know that we are involved in a war against crime and in this war he has already taken sides, the side of the weaker in our society, those whose homes are broken into, whose businesses are destroyed, and who are hijacked and so on. The first thing is that you (the police officer) are here to serve the community – that’s the policemen we have. You have some who do not have that kind of quality.

We want the kind of police officer that can serve as an example to our society, an upright policeman, and because of that we decided to review how we recruit these police officers. One of the ways of doing this is to move the process of recruitment away from an individual recruitment officer to a broader kind of forum or formation that will involve other stakeholders representing communities, such as Community Policing Forums. For example, when communities know someone in a village or township with the right kind of capabilities to become a police officer, it is not left to the prerogative of one police individual whether that person should be allowed to join the police. We want to ensure that whatever the police do they do as police officers, as law enforcement officers, and that they are upright and there to protect everybody in society without fear or favour. We want the kind of policeman who will not be bound to some form of administrative process when, for example, people report something and the policeman would say ‘I’m sorry, I’m now off duty now.’ Because the kind of officer we are looking for has a love for people at heart and puts people first, and as government has stated in its policy: people first or batho pele. We then find that, without any supervision, such a police officer consciously finds it within himself or herself to take that up.

The six months’ training is also being changed to one year and part of what we want to introduce is civic education and the civic duties (inclusive of training in aspects of constitutional and batho pele principles) of the police officers we have.

JB: In Parliament you also referred to 2010 as the ‘year of action’ and the fact that you had to sign a performance contract with the President on behalf of the Ministry that you will ensure that all
people in South Africa are and feel safe’. Can you give an indication of what performance indicators you will be held accountable for and how these will be measured?

NM: Well, in the main we believe as the Ministry and as the Cluster [Justice, Crime Prevention and Security Cluster] that people have felt safe during the World Cup and that we have done part of our job. Going forward we need to ensure that everybody feels safe. The levels of what we refer to as the trio crimes (house robbery, business robbery and car hijacking) is a priority area for us, and making a dent in that says to us that we have done much but that we still have to do more in ensuring that we live up to what we are expected to do. We will be accountable too, of course, for the levels of crime in the country. Besides the feelings of being safe and feeling safe, practically there are some things such as street and other robbery where people expect a difference. And where they may compliment some of the things they think we are doing better and point to others where they think we are not doing okay, we seek to correct those that have been pointed out to us as areas of concern or defect, and continue to strengthen ourselves in the areas where we are complimented.

JB: You often refer to the 1998 White Paper on Safety and Security 1999–2004. What are the key policy proposals that you think should be implemented and do you think that it’s time to update this policy document?

NM: The White Paper is an omnibus and a basis for gaining perspective on policing policy in South Africa, and as such most of its aspects have been taken on board. It is a 1998 document and it does need to be updated. For instance, if we are going to succeed, as we argue, in doing things faster, smarter and better, we need to look to the introduction at some of the shifts we made in the police. For example, if you talk about the oversight scope, it’s there in the White Paper. What is perhaps not forthcoming is the tough stance we have taken in the fight against crime. If anything, we would want to integrate that within the broader framework itself. There is nothing wrong with the broader framework. I have already tasked the Secretariat of the Police to look into the White Paper itself, based on the fact that it has been there for more than ten years, and to also relate that to the kind of emphasis we have been making in policing in general.

Intelligence is an important component, but we would like to go through the overall process of policing policy because for us we would have done much in fulfilling our obligations in terms of the Constitution if we can prevent crime. If we can prevent crime, then emphasise the combating of crime – for us that would be a success, a good story and a legacy we would want to leave when we move on.

JB: You have stated that the research community has an important role to play to assist government in understanding and addressing violent crime. How do you see such partnerships being practically established with the SAPS, who have the most detailed information and statistics on crime and policing, and how could future partnerships avoid a situation whereby it takes years for government to respond to or engage research reports, as has been the case with the CSVR (Centre for the Study of Violence and Reconciliation) report on violence?

NM: In 2007 the Executive took a decision to commission a study on the nature of crime in South Africa, in particular the violent part of it, and the report based on this study will now be tabled in parliament. It has been shared with all the structures, such as Cabinet, the Cluster and the IMSC. We think the research community has a big role to play, including tapping into the information of the police, because I take this study by the CSVR as the beginning of the process. We must be conversant with this issue so that we get to the bottom of it, because if we don’t we’ll be curing the symptoms of the problem. So, this is one area I would want to see continuing, because you’ll understand the study we’re talking about also had some limitations, and one of those limitations which they have raised upfront with us is the period within which they conducted the study. The second area is the fact that the study
focused only on metropolitan areas, and you have the vast majority of criminal activities happening in the rural areas. That is why we have adopted the Rural Safety Plan, which covers a lot of things such as crimes in villages, farms and the entire rural community. So you can’t give a proper comprehensive response to this question if you’ve not looked into the South African psyche generally, whether they are in urban or rural areas. Then you will have the complete picture of what is happening.

However, the fundamental question still remains, because there are a number of areas which the report is pointing us to, issues that are socio-economic in nature and so on, but you have this uniqueness of crime in South Africa. Why this level of crime, this level of intolerance, and this level of violence? Because some have argued that a country like India is also poor, perhaps even poorer, but you don’t have similar levels of violence accompanying their crime activities. That is why I’m saying that to us this study is a beginning and we will on a continuous basis, together with the research community, get to the bottom of the problem. Most of the things we’ve discussed are things we have discussed before, and that is why I made that call [for more and continuous research into crime, its causes and its violent nature] when I addressed the ISS conference [Policing Conference, 30 September 2010].

I’ve gone through the report itself. I’m not dismissing it, but I am pointing out that there are gaps because there still is the fundamental question that is outstanding, and that is why crime in South Africa is so violent. And that is a question we must answer so that whatever arsenal we employ and assemble is aimed at dealing with the actual thing. It’s no use dealing with the symptoms of the problem and leaving the problem, and coming back tomorrow to complain about the same problem. We must know that this is what we are doing so that whatever plans we are coming up with we know and check, and say that our approach is orderly or not, or we need to make changes. We can’t do any of these things if we don’t first go to the questions and answer them correctly. For us it is very critical, within the broader intellectual discourse, that people must start appreciating some philosophical fundamentals of crime, and understand what this ideology is, and what it is that drives people to commit themselves to this kind of ideology. If we fail to get to the bottom of these problems, we will also fail to permanently crack the crime problem in our country.

JB: Minister, thank you very much for your time and for making yourself available for an interview with the SA Crime Quarterly.