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From urban street gangs to criminal empires:

The changing face of gangs in the Western Cape, June 2000

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Gang warfare in the Western Cape:
Background

National and local trends

Structural changes and growth in gang activities

Controlling the problem

Action, inaction and overreaction

The future, gangs and society

Gang warfare in the Western Cape:

Background

Introduction

The ongoing gang fights between the Americans, the Hard Livings and other gangs on the Cape Flats have caught the attention of the nation. The fights were started in an attempt to establish the new leadership of these gangs in the face of the assassinations of their old leadership core by vigilantes during 1998.

It is significant that gangs have chosen to fight one another while facing of attacks by vigilantes, and have continued to defend themselves while simultaneously carrying on with their illegal operations. The trend of violence unfolding in South Africa and particularly in the Western Cape follows the same pattern of other developing countries undergoing transition. Countries such as those belonging to the former Union of Socialist Soviet Republics (Russia, for example), East Germany, Poland and Argentina all experienced a general increase in criminality during periods of political transition.

This monograph examines the changing patterns of gangs across the Western Cape during the past few years. It sketches patterns of development in the organisation of crime with particular reference to the major street gangs in the Western Cape.

It is not uncommon for people living in remote areas of the country to have heard of Western Cape street gangs such as the Americans, the Hard Livings, the Sexy Boys, the School Boys and the Junky Funky Kids. This is largely due to the fact that these gangs have managed to capture the attention of the media through their actions. Identification with American gangsters through popular culture characterises even the most docile of communities in rural and urban areas of the country. The growth of the gang subculture is a result of a combination of various factors which include social factors such as unemployment and poverty, its deep rooted nature in the Western Cape, cultural persuasions and the globalisation of gang culture.

During times of political transition, social controls are invariably relaxed. This has also been the case in South Africa after 1994. The relaxation of social controls, coupled with social disorganisation and political uncertainty, provides ample opportunities for the growth in crime. Crime serves a legitimate social function by forcing the government to promulgate new laws and regulate existing legislation in order to extend its social control capabilities. In this sense, crime serves a useful social purpose. The change in the function of ordinary street crime must also be understood in these terms. The context for the operation of street gangs has changed due to the growth of the illegitimate opportunity structure which has been strengthened by the relaxation of social controls.

Street gangs are no longer characterised by youngsters who hang around the streets of local communities to 'defend' the community from rival gangsters. They have developed into organised criminal empires.

International examples also clearly show this trend. In Colombia, the Cali cartel used the police against the Medellín cartel in order to secure the market for itself. The fights between the Majimbos and the Varados in the Westbury area of Gauteng are no different from the fights playing itself out on the Cape Flats. There are similar patterns emerging in different communities across the country and, indeed, across the world.

More significantly, the fact that the Moroccans and Nigerians, as well as the Russian and Italian Mafia have all established operations in Cape Town indicates the extent of the growth in the

illegitimate opportunity structure.¹ It is this opportunity structure that will be considered here and how it has helped with the growth of the gangs. In addition, social and political transition has also played a key role in shaping the ability of local street gangs to deal with their international competition.

It is the purpose of this monograph to examine how the relationship between transitional factors and gang activities has developed and how it has contributed to local crime trends. More particularly, it will focus on the impact of the organisation of gangs on local destabilisation and control over communities. The general trends in the development of gangs across the Western Cape will be examined, as well as national and international developments.

Until now, most studies have focused on aspects of policing and security, with very few considering how gangs have changed as a result of the political changes that have occurred in the country. These studies have also not examined the organisational changes which gangs have undergone as a result of democratic changes.

The existing literature, moreover, does not contain sociological analyses, an important focus in ascertaining the reasons for the continued existence of the problem. This monograph has attempted to make a contribution in this regard.

Methodology

In preparation for this monograph, many people were interviewed. They included gangsters, police officers, community activists, academics, journalists, as well as intelligence operatives both within the police and outside. It was often difficult to talk to them and some granted interviews only on condition that they remain anonymous. Certain sources will therefore not be identified by name on their request. The reader must also be mindful of the safety implications for these sources.

First-hand experience of having lived and worked in Manenberg for a considerable number of years and witnessing many of the events when they occurred, have significantly contributed to the insights presented here. It remains a challenge to write and undertake research under these conditions, especially where it appears that there is a real possibility of people being killed.

International trends

Crime families in the United States, Europe and Latin America have all had small beginnings. The Gambino family, the Corleone family and other important crime syndicates such as the Cali and Medellín drug cartels, at some time or another, were small-time street criminals within their respective communities. Criminal organisations flourish in a situation where there is uncertainty about the political and economic development of any country undergoing transition. This uncertainty creates opportunities for criminal syndicates. At stake is the international organisation of the proceeds of crime in view of the international focus of crime prevention agencies co-ordinated by the United Nations.²

In Colombia, for example, the former leader of the Medellín cartel, Pablo Escobar started his business as a local street criminal and graduated to greater criminal activities in the face of social uncertainty. The same is true of the elusive Giovanni 'The Pig' Brusca, the head of the Corleone section of the Sicilian Mafia before he was caught.³

After the democratic elections in 1994, South Africa 'opened up' to international criminal trade. It is evident that drug cartels that are under pressure from their own governments have been

looking to South Africa as an emerging market. The UN and Interpol have achieved some notable successes in the fight against international crime syndicates in recent years. The rush to South Africa is therefore not surprising, given the country's relative inexperience in dealing with drug and other international syndicates. Today, the Western Cape and indeed the entire country are dotted with Nigerian cocaine cartels, Chinese triads, Moroccan protection gangs and, to a lesser extent, Pakistani textile syndicates.

These syndicates have exploited the relative inexperience of their South African criminal counterparts and muscled in on the territory. The precise nature of deals that were struck between the international syndicates and their South African counterparts will be discussed elsewhere in this monograph.

An important development in the fight against organised crime is the creation of the Southern African Regional Police Chiefs' Co-operation Organisation (SARPCCO) which is part of the Southern African Development Community's (SADC) security organ, the Inter-State Defence and Security Committee (ISDSC). The fact that this body has now commissioned a study of organised crime is indicative of the seriousness with which all SADC member states view the problem.

Defining gangs

The traditional view of gangs includes the so-called of 'skollies' who function within the coloured communities on the Cape Flats. However, this definition and especially that of Pinnock⁴ changed considerably as the events on the Cape Flats showed that street gangs have become much more organised. Importantly, prison gangs that traditionally operated inside prisons started to recruit outside members, especially those who belonged to street gangs. Although a strict delineation between members of street gangs and prison gangs exists, it is accepted that the 'generals' controlling prison gangs were far more disciplined than those controlling street gangs.

The study by Gastrow⁵ of organised crime provides definitions of organised crime, crime syndicates and gangs. He distinguishes between the European Union's definitions and its shortcomings with regard to the South African context. He notes the following:

"In general, gangs tend to be less formally structured than syndicates. They are often territorially based, their criminal activities involve less sophistication than those of syndicates, their members tend to be youths and they tend to identify themselves by a gang name. The many different manifestations of criminal gangs make it unlikely that one single definition will ever be adequate or comprehensive enough to cover all shades and variations."⁶

He provides a definition of gangs which reads as follows:

"A criminal gang consists of an organised group of members which has a sense of cohesion, is generally territorially bound, which creates an atmosphere of fear and intimidation in the community and whose members engage in gang-focused criminal activity either individually or collectively."⁷

It is important to return to the question of what constitutes a gang, as the traditional definition has been altered as a result of changing circumstances. While some elements of Gastrow's definition apply, it is helpful to understand the differences between the current definitions that are used. Gastrow correctly points out that no one definition will ever be adequate. He concentrates in particular on the theoretical aspects applicable to gangs.

Pinnock points to the structural aspects of gangs, as well as to the organisation of deviance. He distinguishes between the different types of gangs and notes the differences in structure between so-called corner kids, defence gangs, reform gangs, mafia gangs and syndicates.⁸ He points to factors such as age, economic activity and social organisation, and notes that all these factors influence the typology and structure of gangs. The important factor that is missing in Pinnock's definition relates to their motivation and world view.

It is contended here that gangs define themselves in relation to their social world and that this world engenders the loyalty, brotherhood and universality of their beliefs. The structure of the gang is open to change as the gang progresses in a world of changing criminality. All of these factors influence the typology and structure of gangs.

Some common problems emerge when other categories are considered, especially when the government's definition of gangs as 'youth at risk' is examined. This categorisation has been dominant and proposes to deal with youth at risk of getting into trouble with the law. But, it excludes the category of youth that makes a rational choice to join gangs despite their age and the myriad risks attached to membership of a gang. The category also does not take into consideration those layers of gang members who are adults of up to 30 and 40 years of age. The popular definition of gangs refers to all gangsters from street level operators to sophisticated syndicate bosses of drug cartels.

No one definition of what a gang is, seems to be adequate. A consideration of some prevailing definitions of gangs points to the fact that:

- Gang members may range in age from youngsters ('corner kids') to adults between 20 and 40 years of age.
- The nature and activities of gangs are mainly determined by their social context.
- Membership of gangs may include persons both inside and outside of jails.
- Gang members may be anything from street level operators to sophisticated syndicate bosses.
- They may belong to the category regarded by the government and its agencies as being at risk of becoming involved in criminal activities, or may make a choice to become involved with full cognisance of the associated risks.
- Gangs may be involved in criminal activities for the sake of survival, or may be high-level, structured criminal organisations.

Notes

1. *Cape Times*, 7 July 1998.
2. See S Flood, Illicit drugs and organised crime: Issues for a united Europe, University of Illinois, Chicago, 1992; S Mahan & K O'Neil, *Beyond the Mafia: Organised crime in the Americas*, Sage, California, 1998.
3. T Sancton, 'The Pig' is penned, *Time*, June 1996.

4. D Pinnock, *The Brotherhoods: State control and gangs in metropolitan Cape Town*, David Phillip, Johannesburg, 1984.
5. P Gastrow, *Organised crime in South Africa: An assessment of its nature and origins*, ISS Monograph 28, Institute of Security Studies, Halfway House, August 1998.
6. Ibid, p 9.
7. Ibid, p 10.
8. Pinnock,op cit, p 4.

National and local trends

National trends

Nationally, local gangs are dominating and controlling access to illicit markets in certain communities. This has compelled regional and national police commissioners to declare gang-related crimes as a priority. It is echoed in the National Crime Prevention Strategy (NCPS) and most of the provincial policing priorities of the South African Police Service (SAPS). The same cannot be said for the Western Cape, however, as there is no reference to gang-related crime in the policing priorities for the province.¹

Another aspect of the national trend in gang culture is the growth and activities of criminal syndicates that are not necessarily classified as gang-related crime by the police. Statistics provided by the SAPS do not reflect the percentage of crime that is attributable to gangs, although it has been estimated that gangs are responsible for at least 70% of all crime in the Western Cape.² The Cape Town victim survey undertaken by the Institute for Security Studies in 1998 found that:

"Forty per cent of murders, 41 one percent of robberies, 28 per cent of assaults and 20 per cent of sexual assaults were believed to be gang-related. Of those men who were victims of assault, 42,6 per cent believed that the crime was gang-related, while this was the perception of only 7 per cent of women."³

Recent gang fights in areas such as Eersterust and Westbury in Gauteng, and Gelvandale in the Eastern Cape emphasise the national character of the phenomenon, and a variety of issues undoubtedly give rise to different gang fights in the different provinces.

In the Western Cape, gangs have become much more developed and sophisticated in their method of attacks, business operations and organisational structures.

On a national level, the gang problem has had scant resources available as a result of other policing priorities. This is a consequence of the fact that there has been no holistic national strategy to address the gang problem anywhere in the country. It is evident in the way police operations against gangs are planned. These operations usually have a high profile, but an insignificant impact in addressing the reasons why more young people join gangs. It usually has a strong law and order approach with very little emphasis on combating crime. Its designers

usually look to reassure the public that there is (nominal) control over the streets.

Moreover, the available statistics provide a sense that there is no national strategy to deal with the linkages that bind gang members across the country. In addition, little consideration is given to the equally explosive situation of illegal Nigerian, Moroccan, Chinese, Pakistani and Russian immigrants becoming involved in local crime syndicates.

Local context

In the Western Cape, the growth of gangs has also been facilitated by the advent of vigilantes, corrupt police officers and ineffective prosecutors. Moreover, police intelligence agencies have not been co-operating with one another, nor have they been sharing information, mainly as a result of historical divisions.⁴ It became apparent that the criminal justice system was unable to cope with the increase in gang activities soon after the 1994 elections. There was also no uniformity in the approach towards gangs between the departments of Justice and of Safety and Security as a result of political divisions. The police in the province was controlled by the New National Party (NNP) and the Department of Justice was controlled by the African National Congress (ANC). There was a clear lack of synergy between their respective fights against crime. The gangs on the Cape Flats sensed this paralysis among these government actors and proceeded to build and consolidate their empires with new vigour.

Gangs such as the Hard Livings, the Americans and the Sexy Boys have grown considerably in size and stature soon after the 1994 election. They have become more organised and have embarked on an organised campaign of criminality intended to build up their legitimacy within the communities where they are active.

Another important factor that has contributed to the organisational sophistication of local gangs has been their need to keep foreign syndicates out of their markets.

The development of local gangs into regional and national players poses many challenges to the SAPS. It has turned the spotlight on the transformation of the police as an institution and has also forced the police to re-examine its stance on organised criminality. This will be examined below.

The initial inability of the police to respond to gang violence in a satisfactory manner has resulted in the growth of civilian initiatives against gangs since the mid-1990s. These span the entire spectrum of community-based initiatives co-operating with the authorities, those working with the authorities while remaining critical of their stance, and vigilante organisations. In the Western Cape, the most notable organisation with clear vigilante strategies is People Against Gangsterism and Drugs (Pagad) and vigilantes linked to the taxi industry in the townships.

Violence between gangs and vigilantes has taken its toll over the years. For example, the Hard Livings and the Americans have suffered severe losses with the death of their leadership (first and second tier), at the hands of vigilantes. To illustrate the effectiveness of the strategy, statistics show that vigilantes have executed almost thirty senior gang leaders during 1998. While this has seemingly assisted the vigilantes in achieving their short-term objectives, it has also set the scene for younger and more ruthless gang leaders to inherit the leadership, creating a new leadership hierarchy and setting the scene for new ascendancy battles.

Such a situation holds many dangers for residents of the Western Cape, especially Cape Town. During 1999, the focus has shifted from the more organised gang member to the vigilante urban terrorist. With the police almost exclusively focused on monitoring Pagad and other emerging

Muslim-oriented vigilante groups, such as Muslims Against Global Oppression (Mago) and Muslims Against Illegitimate Leaders (Mail), new gang leaders have largely gone unnoticed. This has allowed them to capitalise on the divisions that exist between the different government departments that are part of the criminal justice system, and to extend their operations significantly.

Gang leaders have seemingly been able to cut their losses, reorganise themselves and open for business as usual in the face of the national obsession with, among others, Pagad and Mago in a short period of time. Gangs have also started to venture into the sex industry as a natural development of their criminal empires and due to the inability of the police to come to terms with transformation.

Although there are no available statistics, organisations working in the sex industry of Cape Town indicate that there has been a significant increase in the number of sex workers in the city. Gangs have generally moved into the arms trade, and the sex, entertainment, fishing, diamond and property industries. They also participate in assassinations, as well as armed and payroll robberies. These industries have legitimately 'opened up' after the political transition, allowing South Africa to trade with the world through various agreements such as the General Agreement on Trade and Tariffs (GATT) and various European Union agreements. The illegitimate opportunity structure was created on the back of formal agreements. Though this complicates the problem, it may allow the authorities to track changes in the criminal underworld, especially in relation to the growth of gangs and their connection to international drug syndicates.

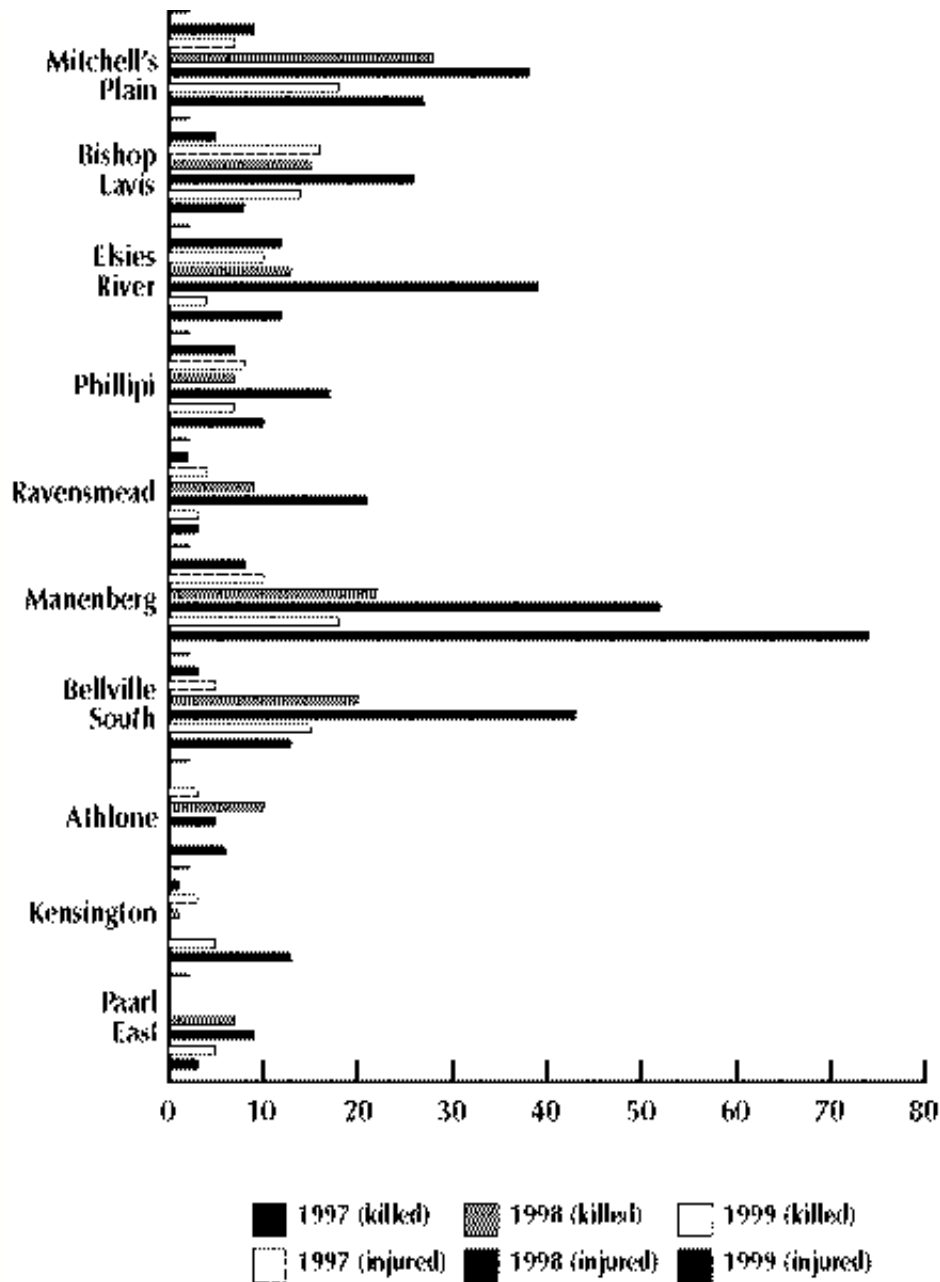
General growth indicators

The growth of criminal syndicates in South Africa, as elsewhere under similar circumstances, is facilitated by a loosening of social controls as a result of the transition from a totalitarian state to a democratic one.⁵ Democracy has deepened the illegitimate opportunity structure by allowing anyone to trade and invest in the country. Restrictions on trade were lowered or removed, and the borders were opened up to ensure virtually unrestricted movement of people and goods. The main beneficiaries of these changes were mostly gangs. If intelligence reports are to be believed, the gang problem is being reduced substantially by police standards. As indicated earlier, however, police statistics are to be taken with a pinch of salt, especially in relation to these matters.⁶

From 1 January to 31 October 1998, the number of shootings on the Cape Flats and outlying areas such as Hermanus, Paarl, Oudtshoorn, Saldanha and Vredenburg attributed to gangs totalled 358 recorded incidents. The highest incidence of shootings was recorded in January and February 1998 with 45 and 50 shootings.

Manenberg recorded the highest number of shootings with 55 incidents in the police area. This translates to about 15% of the recorded incidents, a very high percentage for one area. It could be a reflection of the intense competition for the Manenberg market which has seen many gang fights for control of turf and the right to trade illegal substances (see figure 1).

Figure 1: Number of people killed and injured as a result of gang attacks, 1997 - 1999⁷



Although the statistics were made available by the SAPS, they do not indicate the types of weapons used in committing crimes. According to the Cape Town victim survey, guns were used in 46.4% of murders and in 44.1% of robberies and muggings.⁸ Statistics point to the areas where gang violence has become the norm for residents on the Cape Flats, with Manenberg clearly showing significantly more activity than other areas in 1999. Even more disconcerting is the fact that, with the concentration on the visible policing of violence associated with gangs or vigilantes, it has been the more discreet drug dealers who have escaped the attention of the police.

Considering gang-related murders over the period 1997-1999, it is clear that there has been an increase of up to 36% in the case of Manenberg, 32% in the case of Mitchell's Plain, and 100% in the case of Athlone. The year 1998 was undoubtedly one of the most violent in terms of the number of people who were killed and injured as a result of gang attacks. It is widely accepted that this trend can be ascribed to the ongoing attacks by anti-drug vigilantes.

Trends in Western Cape communities have shown a significant increase in particular crimes. The crimes committed by local gangs also show a greater sophistication and more thorough

planning.

Opportunities to participate in the illegitimate economy have flourished since 1994 and gang syndicates have increased considerably. Prior to 1994, the former South African Police (SAP) did not have an organised crime division. It was only in 1996 that the SAPS set up an organised crime division.

Since 1996, the gangs on the Cape Flats, of necessity, had to progress to bigger operations in defending their turf from the likes of the Nigerian and Russian criminal syndicates that have established themselves in Cape Town. Judging from the response of local gangs, attacks on Moroccan and Nigerian criminal groups, in particular, have also increased.

In his book, *The Brotherhoods*, Pinnock estimated that gang membership in the Western Cape could easily be close to 80 000. There is no new quantitative study available except this one by Pinnock that was undertaken in the mid-1980s. The SAPS Gang Unit has provided the following figures: approximately 137 gangs are operating on the Cape Flats with membership ranging between 80 000 and 100 000.

Transitional societies

The fundamental lesson to be gleaned from the transition to democracy concerns the growth of the illegitimate opportunity structure. More importantly, the impact of the continuing opening up of South Africa's borders on the gang underworld has to be taken into account. This has brought many opportunities for illegal diamond and drug dealers from Brazil and Argentina, for example, as well as marine poaching, all of which have impacted locally. Since 1994, the seemingly 'independent' character of local community-based gangs has fed the growth of the more organised formations of bigger syndicate gangs.

The question that has to be posed is at what point a gang stops being a street gang and moves into the arena of a more organised criminal formation. Information from the Gang Unit of the SAPS suggests that gangs have become socially organised after the transition to democracy and communities that have played host to these gangs have remained socially disorganised. In the early 1980s, for example, the Hard Livings gang operated on a small scale within its immediate vicinity. The gang used to make money from gambling, betting on soccer matches, collecting donations from people for funerals, and extorting money from local shops. After the transition, the business grew very fast and was soon involved in 'taxing' taxi operators, extorting businesses outside Manenberg, recruiting sex workers and running brothels. It also became involved in protection schemes in the entertainment industry, and established a link with tow-truck operators. In the mid to late 1990s, the gang started to buy properties in the rural areas, such as garages and other shops.

In the Western Cape, the tendency towards bigger Mafia-type gangs has been eclipsed by syndicates that have rapidly consolidated their control over the street gangs. This was witnessed by the formation of, for example, The Firm and the Community Outreach Forum (Core). In an interview conducted with Ivan Waldeck, the former chairperson of Core, he stated that Core was founded to liberate the community from fear and that all the gangs were involved in Core.

The killing of a drug dealer in a street in Salt River in August 1996 by the vigilante group Pagad, hastened the greater organisation of crime. Former sworn enemies who were members of the Hard Livings and the Americans united against the perceived and real threat of Pagad.

It should be pointed out that drug dealers who headed the cartel known as The Firm were also part of the gang consortium called Core. This consolidated what many observers were secretly fearing: an alliance of criminals who was intent on continuing their business.

The number of gangs have not increased in the Western Cape since the 1994 election. However, members entering their ranks have increased noticeably. There are currently fewer gangs in operation, but with a far wider reach. For example, the Americans gang has been able to recruit smaller gangs under its banner and has thus become a bigger organisation. The end result is that there are fewer gangs in an area like Manenberg, but with more members and better organisational abilities.

Schärf contends that gangs have come of age since the early 1990s, and have become more organised with the formation of The Firm.⁹ The fact that gangs have become more organised in this period reflects the social status frustration which marginalised sections of the population experience as a result of the unequal distribution of wealth. Apartheid ensured that wealth would not be shared among people. With the advent of democracy, few were more attuned to the intentions of the new government than the gangs. As Waldeck proclaims:

"Everyone waited for [the democratic] changes. When it did happen, they were disappointed as they expected jobs. There were no jobs available as affirmative action put paid to their hopes. Besides the fact that everyone of them had criminal records, this affected their belief in the change."¹⁰

The frustration reflected by the communities is indicative of the perception held by gangsters that democracy would mean extended legitimate opportunities. This would eventually translate into employment opportunities. In the South African transition, this has not transpired as it was expected and gangsters turned to illegitimate opportunity structures for income. If Core is considered, it is clear that it attempted to seek reacceptance in the communities terrorised by its members, with its leaders proclaiming publicly that they wanted to end the violence and live in peace. This was a typical strategy of a leadership who realised that they were not going to survive if the government managed to fulfil its responsibilities to the people. Those who made lots of money attempted this strategy and, when it was rejected by the political system, turned to their old ways.

Corruption of communities

During the formation of gang organisations such as Core and The Firm, communities were targeted as support bases for their activities. It was no coincidence that Manenberg, Bonteheuwel, Valhalla Park and Mitchell's Plain were used as headquarters for the different gangs operating on the Cape Flats. By operating various loan schemes within these communities, gangs won their support by providing money and resources for sections of the communities across the Cape Flats.

By gaining access to local community police forums (CPFs), gang members were transformed into respectable community workers and members. A case in point is the Bishop Lavis CPF where re-elections had to take place once it was established that gangsters had infiltrated the executive committee.

Corruption is not only found among police and public officials. Communities can also be corrupted to protect leaders of gangs and syndicates. Nowhere was this more obvious than in Bogota, Colombia where the late Pablo Escobar succeeded in corrupting large sections of both

the town and including local town council, as well as politicians and the police. His lookouts were the local townspeople of whom many owed their allegiance to him as their main provider in the face of poverty.

Events on the Cape Flats suggest similar experiences, especially when police raids occur. Many of the residents throughout the Cape Flats have often supported the activities of the gangs and attacked the police when raids occurred.

The local reaction to the police should always be a consideration when undertaking raids on gangsters living in poor communities. It is obvious that residents would mostly choose to defend gang leaders when they are in trouble with the law. This is apparent in a case against Rashied Staggie where a member of the community defended him in court.¹¹ The person was found to be an unreliable witness by the magistrate. The magistrate pronounced in his verdict on the bail application of Staggie:

" The testimony of Mrs Matthews can justly be criticised. She [made] a claim that was highly improbable, in favour of the accused. Such claims that she for example had the keys in her possession for the whole night that no-one else could get it from her ... not because she associates herself ... though in one breath she claims not to know that the defendant is a gang leader and in another, claims that she reads the newspapers ... newspapers report on the leader of the Hard Livings. She ... has fallen into the trap and then have tried to change her testimony by saying that she does not read the Argus everyday. The court rejects hers testimony as lies and a false alibi."¹²

The economics of poverty and power

Poverty has always played a major role in organised crime in any developing country. Before the political transition, many communities, as well as the banned political organisations saw poverty as a collective problem. When democracy was attained in 1994, the new political élite soon changed this position. In the 'new' South Africa, it was 'your own fault' if you were poor. This has led to criminals exploiting the demoralisation that set in with the realisation that governing a country was not as easy as resisting a government.

The results of the expectations of the masses and the ability of the new government to fulfil them led to a crisis that engendered criminality. The bosses of criminal syndicates were soon able to recruit people who were previously disinterested in crime. The results were telling: newspapers reported that former police officers and former Umkhonto We Sizwe (MK) soldiers were involved in payroll and cash-in-transit robberies.

The Cape Flats have borne the brunt of the organisation of crime if statistics of the SAPS on gang and drug-related crime are examined. The Western Cape has by far the most convictions for drug-related and gang-related crime in comparison with other provinces. The issue remains of what constitutes gang-related and drug-related crime. The SAPS categorises gang-related crime as crime committed by gangs as groups or by individuals who are part of a gang. If a crime is committed as a result of membership of or affiliation to a gang, then the crime would be categorised as gang-related.

The abuse of power within legitimate structures by illegitimate actors was nowhere more obvious than in the Bishop Lavis CPF. During the late 1990s, gangsters infiltrated the CPF and set themselves up as community workers, thereby gaining access to police strategies. After it was discovered that one of the 'community workers' was the brother of a prominent drug dealer, a new executive was elected. In a follow-up of the case, it was discovered that a person

belonging to the CPF had approached the Goodwood magistrate's court with the view of becoming a lay assessor. The same person later interfered with the case, and a charge of attempting to defeat the ends of justice was laid against him.

What is clear from the above two examples, is that gangs have become much more sophisticated than those operating in the early 1970s to the late 1980s.

An old trick of winning community support was to provide food and basic necessities to community members who needed it. During the period 1994 to 1996, Rashaad Staggie operated a loan scheme from a shop, assisting some poor families. He was able to provide bread and other basic necessities to people in need. As a more blatant tactic, he would also drive through the streets and throw money that was illegally obtained from his moving car to ensure that people would continue to support him.

The act of throwing money from a moving car was quite a spectacle.¹³ Staggie would first drive his car up and down the street and tell the children that he would be throwing money out when he returned. As a consequence, hundreds of people, including adults, were drawn into the street. They would wait for the car to pass and everyone would scramble at the first sight of fluttering money. Adults, children, old and young would run around to get their hands on some money. In this way, the gang leader would sometimes throw up to R20 000 out of his car window for the community.

This allowed Staggie to win large sections of the community to his side when he was in trouble with the law. He did not restrict his activities to the streets alone: it was extended to soccer fields where champion clubs pulled large crowds, especially at derby matches. It would invariably disrupt matches with people running onto and across the field to pick up money. This ploy was extended to the urban riots during the 1989 tricameral parliamentary elections. While people were standing in the streets waiting for the riot police to arrive, the gang leader would drive his car down the street and throw money from the window. It angered many of the political activists who felt that the gangs were trying to hijack legitimate political protests.

In this way, a situation developed where the stature of gang leaders was considerably enhanced in the eyes of the poor. Another way gang leaders used to find favour in communities would be to show that they cared when someone died. They would send a few of their people around to collect money from other residents. They would deliver the money to the bereaved family as a sign of respect, or personally go and sympathise with family members.

The act of providing for the community is a stepping stone in gaining control of the community to the point where gangsters are able to commit crime without fear of being reported. Gangs in the Western Cape have succeeded in doing this by effectively exploiting the economics of poverty.

Notes

1. Department of Safety and Security, *Policing priorities and objectives for 1999/2000*, CTP Book Printers, Pretoria, 1999.
2. Police Commissioner Smit, Provincial Head of Detectives, Opening of SAPS Gang Course, Bishop Lavis Police College, Cape Town, March 1998.
3. L Camerer, A Louw, M Shaw, L Artz & W Scharf, *Crime in Cape Town: Results of a city victim survey*, ISS Monograph 23, April 1998, p 82.

4. The recent revelations by Deon Mostert about police complicity in the Cape Town bombings provides useful evidence of this.
5. I Kinnes, *The Hard Livings: The impact of political and social transition to democracy on the gang in Manenberg* (1992-1998), unpublished MSc dissertation, London School of Economics, 1999.
6. See *Cape Times*, 29 October 1999. Even the president has questioned the accuracy of police statistics, for example, on rape.
7. M Oosthuisen, SAPS, CMIC, Cape Town, December 1999.
8. Camerer et al, op cit, p 61.
9. W Schärf, The Firm: Organised crime come of age, in R Galant & R Omar (eds), *Pagad, gangs and drugs*, Claremont Mosque Publications, Cape Town, 1996.
10. Interview conducted with Ivan Waldeck, 24 November 1999.
11. *The Argus*, 19 January 1995.
12. Transcript of the bail hearing for Rashied Staggie.
13. This is the author's observation over many years residing in Manenberg.

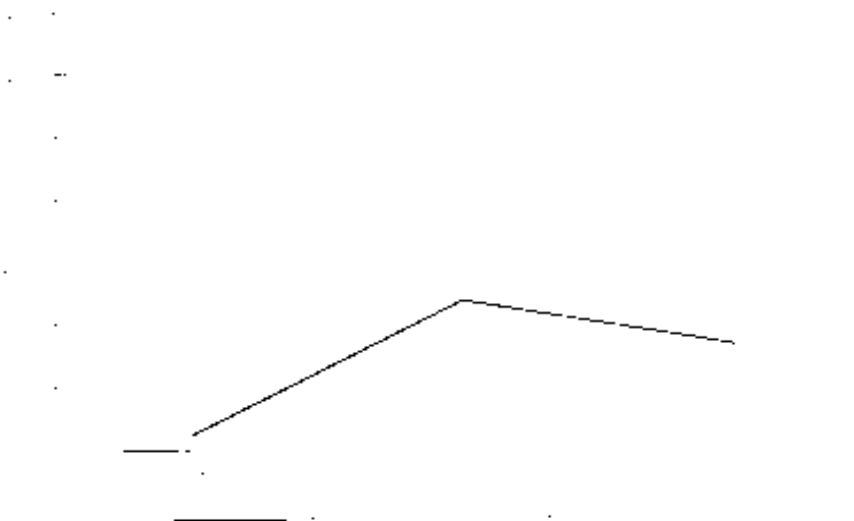
Structural changes and growth in gang activities

The growth in the economy of crime

Gang-related crime is an effective indicator of the growth of gangs and their ability to strike terror into the heart of the community. The statistics in figure 2 show gang-related murders and attempted murders over the period 1997-1999 for the Western Cape. It also implies an increase in the rate of crimes committed by gangs.

Figure 2: Gang-related murders and attempted murders in the Western Cape, 1997 - 1999

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There seems to be a geographic shift in the areas where gang crime has increased. Organisations such as the Western Cape Anti-Crime Forum (WCACF) have long held that gangs have been concentrating their activities in rural areas when it became too risky to continue in urban areas. The levels of displacement of crime committed by gangs are telling: areas on the West Coast have responded by starting their own anti-crime forum to deal with the issues at hand. In rural areas, gang operations differ markedly from those in urban areas. Conscious planning of the criminal enterprise is evident in rural areas, while gang problems in urban areas have remained the same.

Observers point out that the increase in killings could reflect battles for territory and market share in a world characterised by changes in the hierarchy of commodities. As the crack and cocaine markets are far more lucrative than the marijuana and mandrax markets, gangs may have been fighting for access to and control of these markets. It is also notable that the killings occur in predominantly black and coloured areas and very seldom include white communities.

It has been obvious to activist and gang investigators that gangs have had a strategy of 'buying the town' in rural areas especially on the West Coast in places such as Saldanha, Piketberg, Arniston and Paternoster. The same is evident on the South Coast in places such as Hermanus, Bredasdorp and Genadendal. The action involves gangsters initially buying property in these towns. They would then proceed to buy property that involves common use by the community such as petrol stations, shops and game arcades, to provide the means to recruit local youth to sell their commodities.

Often, it would involve bringing a few gang members of the Cape Town areas to live in the rural community for a few months before recruiting local members. This is exactly what happened in the Bredasdorp area where five gang members were burnt to death by the community. Community action against gang members has been consistent in the face of the perception that police officers are involved with gang members.

Gangs evolving to a more sophisticated and indeed higher level is a natural development that occurs in all countries that have in some way undergone transition. In the South African experience, specific factors have given rise to gangsterism, among them, unemployment, poverty, restricted access to opportunities and lack of education. These factors are still in place

more than six years after the political transition. Foreign criminal syndicates have clearly attached great significance to the opening up of South Africa's borders and regard the country as a new launching pad for their activities. This is further facilitated by the fact that South Africa is the healthiest economy in Africa and is therefore a potentially lucrative market. Poor law enforcement and corrupt officials further promote their activities.

The Hard Livings and the Americans: Gangs on the move

Until 1994, the Hard Livings and the Americans were the two biggest gangs on the Cape Flats with an estimated membership of between 3 000 and 10 000, respectively. Given the fact that these two gangs have had the monopoly on drug distribution for years, it was inevitable that they had to become the natural partners of foreign syndicates with better resources to bring drugs into the country. However, they did not have the monopoly on supply, which was the terrain of others.

Considering the fact that these gangs had access to all parts of the Western Cape through their distribution networks, their transformation into criminal organisations was a natural outcome.

Moreover, both gangs had to position themselves to enable them to operate on a level where they were able to both co-operate and compete with foreign syndicates. They experienced radical changes in structure and operation to prepare themselves as junior partners of organised crime in the Western Cape soon after 1993.

The year 1993 was a watershed year in the history of gangs. Firstly, it was on the eve of the political transition to democracy. Secondly, the government was in the process of relaxing social controls during the negotiations for a democratic South Africa. This signalled the opportunity to gangsters that there is money to be made. The fact that the government at the time and the opposition forces were discussing amnesty and indemnity from prosecution was a green light to gangsters that they too could benefit from the same negotiations. At a time when there was much uncertainty in the country, numerous political killings and upheaval, gang members interpreted the social and political uncertainty as an opportunity to commit crimes (in the name of freedom) and get away with it. It has to be pointed out that gang members presumably did not draw a distinction between the crimes they had committed and those committed by members of the liberation movements. In particular, they argued that the notion of amnesty and indemnity from prosecution should be extended to them as well, as they were also victims of apartheid.

While this may seem far-fetched to an observer, from their point of view, the gangs regarded this demand as legitimate. Hence, preparations for the elections continued with great expectations. The Hard Livings, in particular, used this as their reason for supporting the ANC. The same could not be said of the Americans who were split with its leadership supporting the NP and certain of its sections supporting the ANC.

Members of these gangs were prepared to pay for buses to transport people to political rallies held by both these parties. They expressed their goodwill towards particular parties by keeping the opposition out of each other's territories. Nowhere was this more obvious during the 1994 elections other than in towns such as Manenberg and Bonteheuwel, in particular. Gangs ensured that political parties could campaign in peace in their areas. What was never made clear, however, was what the rewards would be for their participation.

Compared to past years, 1993 saw increased gang fights, with many people dying as a result of conflict over control of the various areas. It was indeed one of the most violent years in the

history of gangsterism. Gang fights occurred between all the major gangs on the Cape Flats to the point where they were busy robbing each other for mandrax and dagga, Eventually, the Americans and the Hard Livings managed to succeed in establishing their leadership. They created effective organisations ready to deal with the changes that were about to sweep the country.

Structural changes

The leadership structures of the Hard Livings and the Americans changed to more centralised control over all operations. Their leaders no longer became directly involved in crime and set out to launder illegal money earned from the drug trade. Not shy to make new investments, they started to look for new partners to share their profits. At this stage, there was significant antagonism between the Americans and the Hard Livings with gang wars raging between the two.

Other gangs were offered protection at the cost of joining the Hard Livings or the Americans. They offered guns, cars and manpower in turn to assist in turf wars and were expected to pay through allegiance and loyalty. The Americans were the first to deal in drugs and were the most successful. Protection rackets were started, especially in relation to taxis and businesses, and extortion rackets were extended to businesses and shebeens located in poor neighbourhoods. It was not to remain limited to these areas, especially as the demand for drugs grew.

Very soon, all parts of Cape Town and its surroundings were affected and former white areas became the most lucrative markets because more people could afford the new designer drugs.

Violence was also displaced as the realisation grew that more profit was to be made from transactions within the city limits. As a result, more violent clashes occurred more frequently inside the inner city limits.

Among others, clashes, gunfights and brawls also occurred between local gangs and the Moroccans who operated a parking and protection scheme for local city night clubs. They 'taxed' businesses within the city limits for protection and the right to trade drugs in clubs.¹ Local gangs started to resent the influx of foreign syndicates and soon they managed to set up bases in areas such as Sea Point, Kloofnek and Camps Bay. In fact, they deployed their own parking attendants and started to tax everyone parking vehicles in the city. These illegal parking attendants started to extract cash from the public when watching vehicles. Soon more gang fights occurred between competing parties, and the competition spilled over into prostitution and drug concerns.

The gangs had come of age and had realised that it was much more profitable to take direct control of the market and to keep the opposition out.

By 1992, The Firm — a cartel of drug dealers — was founded with gang leaders among its ranks. By 1993, The Firm was regulating the flow and supply of drugs into the Cape Flats. It demarcated certain areas that became the trading floors of specific dealers, and persuaded gangs that it was in their best interest to keep the peace in communities that were traditionally soaked in gang violence. It remains doubtful whether gang leaders such as those of the Hard Livings and the Americans were part of The Firm.

After the much publicised gang fights of 1993, a plethora of peace agreements were entered into in the run-up to the 1994 elections. Community-based organisations started to petition government to deal with gangs. It was commonly agreed in the gang underworld that police

action and attention as a result of gang fights were bad for business. Most gangs declared their allegiance before the elections, causing renewed tensions between gang leaders, but The Firm reigned them in.

By this time, the gangs had also succeeded in capturing the attention of the government as a result of community protests. The same could also be said of the foreign syndicates, who desired to utilise the ready-made distribution networks of the gangs. By 1995, The Firm had succeeded in establishing itself as the main supplier to gangs in the Western Cape.

Numerous investigations became focused on these gangs as a result, but were unsuccessful. There were persistent allegations that senior police officers were involved in the gangs. This did not go down well with police officers who were faced with community protests about police corruption.

Gang leaders obviously did not want to divulge their interest in and links with the police. It was not until the Truth and Reconciliation Commission (TRC) that the links between the state and gangs were exposed. It emerged from testimony that there were agreements between the Americans and the Civil Co-operation Bureau (CCB), for example, to eliminate top anti-apartheid activists.

The chaos resulting from the transformation of the police opened the way for external criminal organisations to forge links with local gangs. The merging of eleven policing authorities in some instances made way for corruption and confusion. Some staff members were promoted without authorisation prior to integration into the SAPS. Where gangs were previously loosely structured according to the categorisation laid down by Pinnock — street/defence gangs, family mafia and prison gangs — they now appeared to have transcended these traditional boundaries. The Italian Mafia made contact with the gangs and it was soon revealed that Italian/Sicilian Mafia leaders had settled in South Africa, led by the infamous Vito Palazollo, the alleged money man of the Corleone family.

Significantly, government intelligence identified clear links between the Hard Livings and Palazollo. Similarly, one of the biggest drug dealers to emerge in the Western Cape, Colin Stanfield's premises were raided by the police and he was arrested in 1996 after two years of painstaking investigations. During the raid, the police found millions of rands in cash and estimated that he was worth over R30 million. The arrest made headlines and the day before he was due to appear in court, the court was burned down. Stanfield was granted bail.

Local gangs become organised

Until the early 1980s, dagga was the major commodity changing hands in the country's prisons. The gangs of the early 1980s were not that tightly controlled as they were to become in the late 1980s and early 1990s. There were only a few drug suppliers at the time who controlled the market and who did not have to fight with one another. According to intelligence operatives, there was sufficient place for everyone at the time with the market growing.²

The prison market was consolidated with a few suppliers reaping rich pickings for a number years. The authority of these suppliers went unchallenged and even the gangs protected their identities and their businesses because the livelihood of the gangs depended on this supply.

During the early 1980s, suppliers such as Colin Stanfield had unrivalled control as they covered a wider area. The gangs acted as dealers, musclemen and distributors of the product to its end-users. Where there was competition, however, it was violently suppressed.³

None of the local suppliers had international contacts with whom they could negotiate prices directly. Usually, deals went through a middleman who in turn made his commission from setting up these deals. The only gang that did have some connections with international drug dealers was the Americans whose leader, Jackie Lonte depended on his connections in the CCB. The CCB was set up by the old security apparatus under the apartheid government to eliminate its opponents. Lonte had access to internal drug dealers because he was recruited by the CCB to 'deal' with supporters of the United Democratic Front (UDF). The Americans was the only gang that initially restructured its organisation to be able to deal in mandrax, in particular.

Members of the Americans first introduced mandrax in prisons. This move impacted the price of dagga in prisons. The Americans were also the first to set up their own crack cocaine factories to produce crack for local consumption. (Producing crack is not difficult if the financial resources and time are available). This move consolidated Lonte's advance and entry into the world of organised crime in the early 1990s.

Other drug suppliers banded together after Lonte's move into the crack and cocaine market and founded The Firm to exploit the market in such a way that there would be a fair share for everyone. Led mostly by gang leaders, The Firm rapidly consolidated its control over the local drug market. It had its own networks stretching from Cape Town to Upington in the Northern Cape, and members set about to recruit gang leaders and cement solid relationships in terms of distribution networks.

While The Firm had entrenched its operations, the Hard Livings gang was in the process of setting up its own empire. They started robbing members of The Firm. This action by the Hard Livings was seen as a threat by members of The Firm. At this time, the leadership of the Hard Livings was also setting up networks with police officers and smaller gangs that would jeopardise The Firm's traditional trading floor.

Staggie and the Hard Livings were invited to become members of The Firm soon after 1994. The Hard Livings would become a major asset to The Firm because it had muscle power and could harass the opposition, particularly the Sexy Boys. By 1994, Staggie had succeeded in setting up operations in Sea Point and was entering the prostitution market and the drug business on a large scale.

The Western Cape was divided according to The Firm's hierarchy, as well as geographic areas and everyone was reasonably happy. After 1995, a call was made for everyone to stop the fighting so that peace could reign. Gang fights were considered as bad for business, as it often drew the attention of the police to their activities. Peace in the communities across the Cape Flats often facilitated the consolidation of drug businesses ran by gangs, and served to resuscitate their links with suppliers.

From 1995, a peaceful calm descended on the Cape Flats and gangs could go about their business in peace. This was the result of an internal arrangement between members of The Firm, but it did not last very long. However, it should be borne in mind that not all gangs on the Cape Flats were members of The Firm, something which was set to change between 1996 and 1998. More importantly, the formation of Pagad was to change the playing fields forever as far as organised crime was concerned.

Decentralisation

A dangerous development in the gang underworld has been the decentralisation of gang

activities. Where gangs were previously very strong and centralised, they had also laid their leadership open to police investigations that could disrupt organisation. Decentralisation made perfect business sense, in that leadership was cascaded and minor leaders were each set up with their own sections and infrastructure for distributing drugs.

Before 1995, gangs had centralised their activities under the command of a strong leader who had to take personal responsibility for ordering the death of an opponent, negotiating a drug deal, possessing and distributing weapons, as well as having to deal with collecting money from street dealers. Decentralisation was a necessary strategy to free gang bosses from their day-to-day responsibilities to concentrate on supplying dealers and collecting money at the end of the week. More importantly, it released gang bosses from personally taking responsibility for having incriminating evidence such as drugs and guns on their person and in their houses. This exposed leaders in the past to considerable risks as they had to flee, more often than not, from the police as all fingers invariably pointed to the leaders of such gangs. However, they were seen as 'untouchable' as the police were very seldom able to pin crimes onto them. They normally portrayed a clean image, while giving orders to take out opponents and supplying local drug dealers at the same time.

Another part of organised crime involved the entertainment industry, which was particularly vulnerable to extortion rackets. This is one of the arenas where members of the former old security establishment decided to base themselves after the 1994 elections. Protection rackets were mainly run by groups of former security police, and murder and robbery informants. They are allegedly controlled by a local group of security companies. They started to emerge in the late 1980s and provided security for parties and the old Coke clubs. They also had an association with the Americans gang because of its links to the former security establishment.

Protection rackets provided bouncers to nightclubs from their bouncer networks. These bouncers would distribute designer drugs such as Exstasy and LSD. This market is smaller than the hard drugs market, but is more jealously guarded.

These racketeers preferred not to deal with the Hard Livings, because of its image associated with street-fighting. Most if not all of these operations took place in Cape Town's inner city and, to lesser extent, in the northern suburbs like Durbanville and Kraaifontein.

International syndicates

What distinguished international syndicates from local gangs was the former's ability to supply drugs in large quantities. The Nigerians and the Chinese, in particular, have been unable to break into the market because, although they possessed the means to drugs in bulk, they have been unable to sell these as they had no access to the distribution networks controlled by local gangs.

The Nigerians were initially so desperate that they even went to prison to negotiate entry into the market with prison gang generals. When they were unsuccessful, they decided together with the Somalis to undercut local prices by setting up their own operation in Sea Point. After local gangs attacked them, gang fights broke out all over town. This eventually led to an agreement between the foreign syndicates and local cartels over distribution rights. Soon local suppliers set up their own mandrax processing plant just outside Cape Town. This factory was uncovered and raided by police. It belonged to a prominent drug dealer who had links with a prison gang. The dealer is currently the subject of court action by the Investigative Directorate of Organised Crime (IDOC).

Because of the opposition of local gangs, the Nigerians started to enter the synthetic drug market and started to supply Exstasy, LSD and speed. These are mainly drugs with meth-amphetamines as the base. The Nigerians also started to extort other illegal immigrants in the inner city, and to undertake business protection rackets.

The Moroccans have also had a hand in protection rackets and have teamed up with a local white security company to provide the muscle power necessary to extort money from club owners.

What usually happens, is that a company is approached for a security contract. The company refuses if it already has a contract with a security company. The Moroccans are then contacted by the security company to harass the business. Thereafter, the same security company approaches such a business and offers to protect it from the Moroccans. The company agrees and the contract is usually signed. The Moroccans are also known to have provided protection at local flea markets and car parks.

The Chinese triads were the successors of the Table Mountain Taiwanese gang. The main commodity of the Taiwanese was sharkfin which is marketed as an aphrodisiac in the East. They were displaced by the Chinese 14K Hau and the Wohing Wo triads from Hong Kong. They managed this by murdering some of the Taiwanese gang members. They subsequently teamed up with local suppliers belonging to a gang to help them set up processing plants. China is the main supplier of methaqualone, an important ingredient of mandrax, a fact which was to their benefit. They did not deal with the Americans, as they had their own crack cocaine processing plants.

The Italian/Sicilian Mafia has also been another player in the Cape Town area. They have allegedly been able, through the links set up by Vito Palazollo, to set up legitimate businesses, although the police and Interpol are investigating members of this group for money laundering.⁴

Information on the type of business dealings undertaken by the Italian Mafia has been sketchy, but it is believed by police intelligence that it could include extortion of established businesses in the formal market sector and in the inner city. Vito Palazollo was reported by the police to have met with Hard Livings leader, Rashied Staggie, but the exact nature of the meeting was not disclosed. It remains unclear what the precise nature is of the business of the Italian Mafia in Cape Town.

Another area where there has been clear growth since 1996, is prostitution. Statistics indicate that an absolute growth pattern in this area. This is not uncommon in cities that are also undergoing a transition as a result of recent political changes. It is also one of the emerging markets on which gangs have focused their energies. The growth is also associated with Cape Town's development as a tourist mecca.

Local gangs, in particular the Hard Livings, moved very fast and started recruiting more people, especially schoolchildren, to become sex workers in Cape Town. It is a commonly known fact that one of the most notorious leaders of The Firm operates a prostitution market that spans the entirety of Voortrekker Road in Goodwood, Parow, Bellville and Kuilsriver.

Local gangs have also not discontinued their theft syndicates, which are responsible for robbing warehouses. Clothing items obtained in these robberies are sold to the communities where gang members live. Moreover, the alcohol market is far larger than the drug market, and provides gangs with their base income, especially from illegal shebeens. The liquor trade

continues to be the number one activity for extending gang control.

It is estimated by a senior police intelligence officer that the drug trade is so lucrative that the Americans gang is reportedly churning out between 50 to 60 kilograms of cocaine per week. The above provides some idea of the extent to which drugs, liquor, prostitution and stolen items are peddled in Cape Town and its surroundings.

Market share

It is arguable whether the current market share in terms of drugs, alcohol, prostitution and the entertainment industry will remain as it is presently. As gangs become more sophisticated, they will continue to develop better operating methods such as setting up front companies to launder money.

What is clear at present is that local gangs have not allowed the foreign competition to grab a sizeable share of the market. Instead, local gangs themselves have assumed the role of suppliers and have acquired a sophisticated edge in dealing with international markets. This is evident in the fact that local gang members are now supplying the Amsterdam and London markets with dagga. It still constitutes only a small percentage of the drugs the Nigerians are supplying to these markets. However, intelligence officials estimate that, of the mandrax, cocaine and dagga markets in the Western Cape, local gangs control about 90% of the markets, with the Nigerians, Moroccans, Chinese and other syndicates controlling the rest. This is largely the synthetic, designer drug market like speed, LSD and Exstasy.

Notes

1. This refers to extortion schemes run by the gangs
2. According to an SAPS intelligence officer.
3. The case of Nazier Kapdi can be used as an example. He was a supplier and was found guilty of murdering one of his henchmen in the early 1980s. He was subsequently sent to prison and served a number of years while his wife continued with the business. This person was murdered when he tried to take over the business.
4. Cape Times, 7 July 1999.

Controlling the problem

Policing

The challenge to police the gang problem has been one of the most topical and daunting developments in post-apartheid policing. At issue is whether the strategies of the police have kept abreast with developments in the gang underworld. It is contended that the reaction of the police as an institution has traditionally lagged behind developments in the underworld of organised crime. It is correct to classify the strategy of the police as *ad hoc* and short term. It may be a case of the police not really understanding the transition in the underworld, therefore rendering them unable to make an impact on the developing problem.

In addition, there is the problem of the mismanagement of police resources. Further compounding the issue are problems with racism in the police service. The police as an institution cannot achieve maximum effectiveness if some of its members are perceived by sections of the community to be racist. This has resulted in the community refusing to work with the police to provide them with information on criminals. It also means that criminals will be protected by the community, because the common enemy is the (racist) police. Such a state of affairs leads to the community being perpetually caught up in a spiral of violence and fear. In this climate, criminals sense that they can commit crimes without fear of being reported.

The police have not had an official policy on policing gangs until 1999. The policy that was adopted in this year is largely based on American-style gangs. The police manual for gang control used for training does not take into account the regional and local peculiarities of gangs operating in South Africa. When considering gangs and their characteristics in the United States, it is clear that there are stark differences in the structure and organisation between those in the US and those in South Africa.¹

- The police are nominally in control of the streets of, for example, Los Angeles and New York and other parts of the US with regard to policing gangsterism.
- Gangs in the US are decentralised and not mass-based. In contrast, gangs in South Africa have a strong centralised culture, as well as being mass-based in some instances. In the South African context, this means that gangs can succeed in getting hundreds of people into the street in areas such as Manenberg, so that gangsters can avoid arrest by having the community fight with police officers.
- The age range of gang members in the US differs considerably from their South African counterparts. In the US, gang members rarely involve themselves in gang activities if they are over the age of 25. By this time, they will be out of the gangs or dead. In South Africa, it is the exact opposite, with gang members up to the ages of 40 to 50.
- Given the nominal control that the police and other social agencies exercise in the US, the chances of preventing youth from joining gangs are fair, while the same cannot be said for South Africa. There is a definite problem with the magnitude of the issue and the insufficient resources to address the problem of youth at risk effectively. Moreover, the legitimacy of the police in the Western Cape has been in tatters despite the political transition. In fact, the perception that the police is corrupt, is also underscored by outside experts.²

The history of police responses to the gang problem can mainly be traced to the various operations that have been conducted in the Western Cape at a huge cost to the taxpayer. From these, it is clear that there has not been an effective policy towards policing gangs and organised crime in the long term.

Operations against gangs have almost always failed to result in convictions. Invariably, the accused would walk free from the court after a high-profile arrest. This has led observers to remark that the police are either not thorough in their investigations, or in gangsters' pockets. The latter is not far-fetched, considering that there have been consistent allegations of police complicity with gang members. During 1994, the provincial member of the executive committee for Safety and Security at the time, Patrick Mackenzie vowed to deal with crooked police officers and promised to prosecute them mercilessly. Nothing happened.

At issue for the police was corrupt members among their own ranks as gangsters claimed that they were usually tipped off before raids took place. This made a mockery of the efforts of honest police officers to defeat the gangs. Numerous operations were undertaken to deal with the gangs and all failed to achieve their objectives.

Public pressure encouraged the police to launch operations such as Gangbust, Saladien, Recoil, Shaka and Good Hope with much fanfare. However, these operations failed to make even a dent in gangsterism in the Western Cape. What did happen, was that gangs became more organised and sophisticated when dealing with law enforcement agencies. They recruited police officers to work with them, to provide them with information and to assist them with robberies and other types of crime. This was once more revealed in January 2000 when police officers assisted the Hard Livings gang to break into a police base in Faure to steal firearms.³

More importantly, the gangs won a huge psychological battle over the police when the media accompanied them on raids. During most of these raids, no firearms or drugs were found in substantial quantities, as was predicted. This often led to police officers having to arrest people for trivial offences such as urinating in public. Gangsters openly bragged that they were tipped off by the local police before such raids. This put paid to many hours of operational planning and was an important factor in lowering the morale of rank and file officers.

It has been argued that two of the elements in the police's failure to deal with the gang problem, have been their inability to understand how gangs have changed and the absence of a provincial strategy to address gangs effectively. The lack of trust in the police compounded this failure. The police also did not seek to cultivate a sound relationship with the community, despite the introduction of community policing in the early 1990s.

The responses of the police remained reactive rather than proactive, with almost no intelligence-led policing. In fact, the head of the violent crimes unit, who was responsible for the management of the gang unit at the time, rejected the concept of intelligence-led policing. The response of the police to establish a gang unit when events had already degenerated seriously, was typical of police planners. When the first wave of gang attacks became unbearable in the late 1980s, the SAP started a gang unit. The unit was set up under the leadership of Captain Hein Smit in 1989.⁴ Smit made it clear that he was given the task of setting up the unit to respond to pressure emanating from affected communities. Initially, police management recruited about 30 officers to staff the unit. The focus of the unit was to come down hard on gangsters and violence was often used.

The formation of the Western Cape Anti-Crime Forum (WCACF) in 1994, was in response to gang killings across the suburbs of metropolitan Cape Town. Being a coalition of different community organisations, CPFs and anti-crime committees, the WCACF became critical of what was perceived as a racist approach by the white management of the SAPS.⁵ At issue was the inability of the police to redistribute and reallocate existing resources such as forensic laboratories, police vehicles and personnel to black and coloured communities on the Cape Flats. In addition, the police were accused of failing to respond adequately and to investigate murders timely in these communities.

The effect of this attitude was that it alienated communities who could not trust the police nor work with the various station commissioners. The collection of police statistics was also questioned at several meetings of the eastern and western police area boards. It became clear that people living in white areas were more likely to report crime, even the most trivial of offences, and that black and coloured people did not sufficiently trust the police to report crime.

The fact that there seemed to be more crime in white areas, ensured that whites retained the lion's share of resources.

The inability of the police to act decisively led to many communities launching their own campaigns against gangs with marches and demonstrations condemning gang violence. The management of the police came in for severe criticism from community-based organisations around the perceived collusion by senior members of the SAPS with the gangs.⁶

Commissioner Perry Anderson of the Cambridge police force in Massachusetts, made the following comments in a report on policing in the Western Cape, completed in 1995: "The Western Cape Town [sic] police has many challenges facing and confronting it. The first and primary concern being that of corruption."⁷ The findings of the report were never made public.

By 1996, the police had still not taken note of accusations of racism among its ranks and complicity with gangs levelled against certain sections of the service. Many communities had lost faith in the ability of the police to deal with the problem and the clamour for community action had become louder.

It is plausible to argue that, while the police were not prepared for the social effects of political changes, the gangs were clearly ready. They seemed to have made preparations to exploit the new political freedom in marginalised communities such as Valhalla Park, Bonteheuwel and Manenberg, among others. Through Core, gangs had embarked on public relations campaigns, negotiating peace with rivals and challenging the police in shootouts, while establishing themselves in other areas.

It seems as if the police still struggles to redeem its image in the Western Cape. The ISS victim survey conducted in the metropolitan area of the city in 1998 confirmed the perception of the community that the police were ineffective in policing gangs.⁸ Community action and reaction

Throughout the long history of conflict between gangs, communities across the Cape Flats have had to bear the brunt of attacks by gangs. Various organisations were formed through the years to deal with gangs and their violence. Although these community-based social movements have heightened awareness of gangs, they have seldom been able to penetrate the social reasons why more young people have chosen to join gangs. Non-governmental welfare organisations such as Nicro have played an important role in raising awareness of the effects of gangsterism, but they have not impacted the socio-economic conditions underlying the reasons why people join gangs.

One of the oldest community organisations, the Peacemakers, was founded in the early 1970s. It was a home-guard group that started in Manenberg and rapidly developed into a major social movement on the Cape Flats. It sometimes even paid people's rent when they had difficulties, and helped to build a sense of community within the different townships. The victory of the Peacemakers was that it succeeded in lowering the crime rate in the inner city areas of Cape Town, although this was short-lived.

As a social movement, members of the Peacemakers were very violent. Soon, it became a vigilante movement that indulged in excesses, and found itself the victim of the police's anti-apartheid legislation, among others, the *Riotous Assembly Act* (1976), which decreed that people could not gather in groups of more than three at any time. Members were soon given the choice either to become police reservists, or to disband. The majority chose not to become police reservists and the movement was decimated with many of its members joining the

emerging political organisations and civic movements.

After the elections in 1994, the WCACF was started in Manenberg with the co-operation of communities where there was gang violence. It grew soon into an influential lobby, especially as it included representatives of some 30 communities across the Western Cape. The WCACF succeeded in launching several initiatives across the province and, by 1996, launched the West Coast Anti-Crime Forum. Among others, the WCACF made submissions around several pieces of legislation, including the *Witness Protection Act*, the *Prevention of Organised Crime Act* and the *Proceeds of Crime Act*. In addition, it launched community campaigns against crime and supported the establishment of community police forums and neighbourhood watches.

Their meetings were vibrant and, for a few years, they were at the cutting edge of community efforts to deal with gangsterism. They assisted in getting legislation to Parliament, as the organisation became a very effective lobby group.

The killing of Hard Livings co-leader, Rashaad Staggie, catapulted Pagad onto the national scene and even government officials and ministers were heard supporting the actions of Pagad. Pagad set its objectives as the eradication from society of all drug dealers and gangsters in the Western Cape. The run-up to the events of 4 August 1996 saw Pagad delivering ultimatums to drug dealers to quit dealing or face the mandate of the 'people'. Very soon, those who earlier chose to support its activities, accused Pagad of being a vigilante organisation.

By then it was too late, as the vigilantes had set their sights on working outside the framework of the law and had succeeded in intimidating many drug dealers into stopping their activities. Initially, the police tolerated the actions of the few people in Pagad who had hidden agendas. Among its own ranks, members felt that Pagad had been hijacked by fundamentalists with an Islamic agenda. People who made such accusations were expelled from the organisation in the aftermath of a leadership purge. When this agenda was exposed, there were condemnations from all over the country for Pagad's actions.

By the end of 1996, gangs had come together to form the Community Outreach Forum (Core) with the aim to defend gangsters and facilitate their reintegration into the community. Vigilantes and gangs

With stories of the gangsters making the news headlines almost daily, the police were even more distrusted and seen to be failing. By 1996, gangs — the Hard Livings in particular — were seen to be untouchable with their leaders becoming local celebrities in communities. People rallied to their defence and when the police raided their headquarters, the residents attacked the police. A feeling of helplessness permeated the communities where these gangs were active.

By 1996, Pagad had emerged. Its leadership was determined to defeat gangsterism and crime, and invaded the home of the minister of Justice with demands that the death penalty should be brought back. They warned that they would act against drug dealers and gangs. In August 1996, the execution of Rashaad Staggie set the tone for the protracted war between the vigilantes, the police and the gangs for control of the streets of Cape Town.⁹ Thereafter killings of gang leaders, Muslim businessmen and Pagad members continued without ceasing for the following two years. An assortment of weapons, including pipe bombs, handgrenades and automatic weapons were used. Remote-controlled bombs and other sophisticated devices also made their appearance.

The media, cabinet ministers, businessmen and academics initially rushed to support the

actions of the vigilantes as they felt that the public were sick and tired of gangs. The WCACF, however, warned against support for Pagad and predicted that the organisation would resort to lawlessness to eradicate and eliminate all drug dealers and gangsters, as it set out to do. The euphoria of public support for the activities of Pagad soon died down as the media, the police and the government realised that they were dealing with a vigilante group that was strongly influenced by hardline extremism which would stop at nothing to achieve its aims.

However, the moral support of the police, the media and the government was withdrawn when it was too late. By then, vigilantes had clandestinely succeeded in launching bomb attacks on most of the drug dealers and gangsters. By 1998, the vigilantes had executed some 30 gang leaders and drug dealers without any vigilante being convicted. Most of the charges brought by the police against vigilantes collapsed in the same way that charges had earlier collapsed against leaders of the Hard Livings. The police embarked on a variety of operations to deal with the vigilantes, but have yet to achieve success.

The attacks by Pagad have since shifted to police officers and businessmen. Police stations have been attacked to procure weapons for vigilante death squads. Businessmen in the Muslim community, who refused to provide money to vigilantes, were attacked with pipe bombs and assassinated. Pagad resorted to extortion to extract money from its victims. Businessmen who refused to pay, were labelled as cohorts of the drug dealers, and their businesses and properties were bombed by vigilantes.

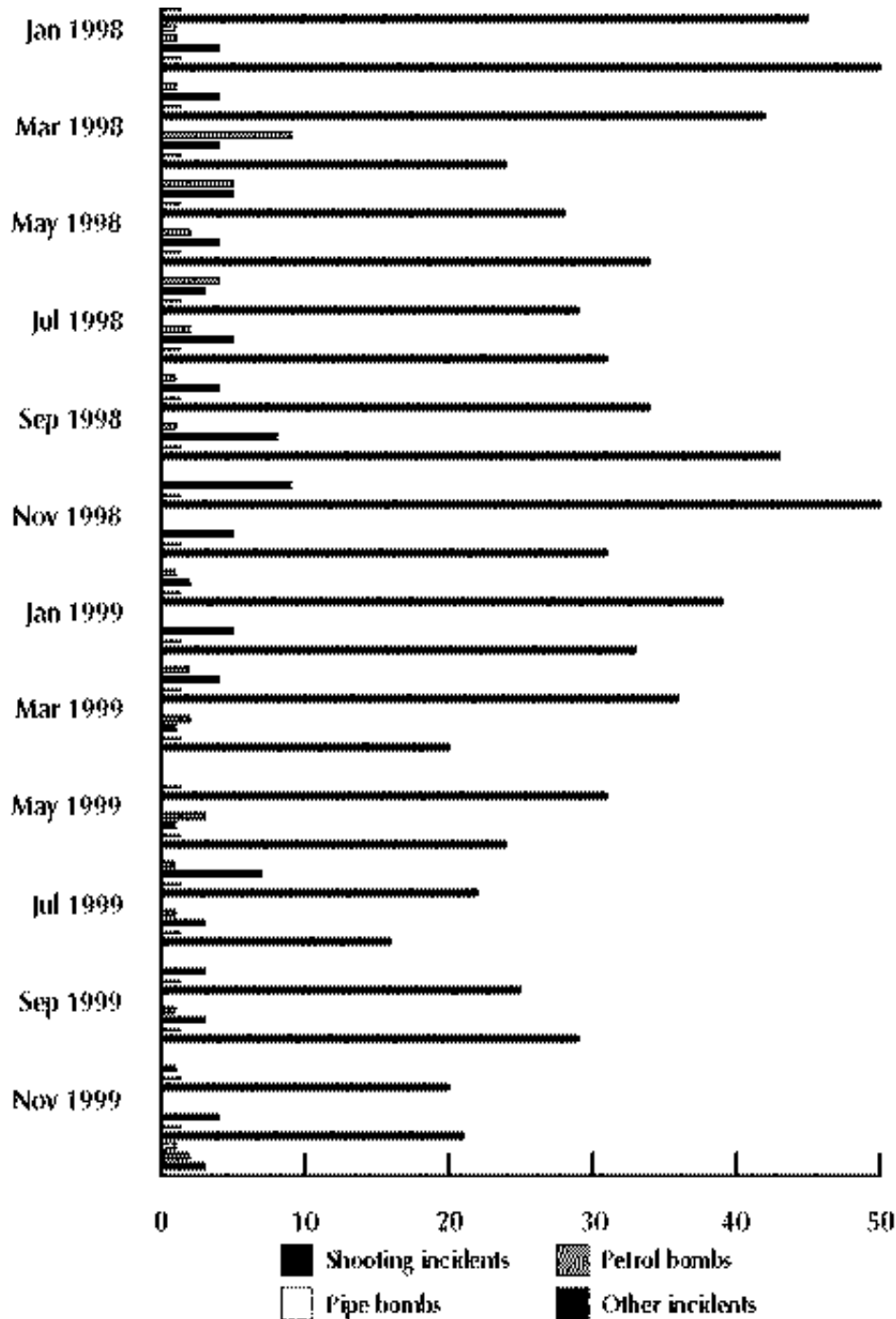
Instead of blunting gang activities, the Pagad actions of 1996 had the opposite effect and succeeded only in uniting gang leaders and drug dealers. Opposing gangs came together to start Core, an organisation that intended to defend their criminal interests. Its professed aims were to respond to Pagad attacks and assist the community with various projects to deal with unemployment.¹⁰ It also proclaimed that it wanted to fight crime. It was headed by the surviving leader of the Hard Livings and its membership included most of the gangs on the Cape Flats.

The hegemony of The Firm was consolidated by the formation of Core. In fact, the gangs became so brave that they launched a march on Parliament and attracted over 3 000 supporters in 1996. A series of ultimatums were issued by Core to the government, which led to tit-for-tat killings across the Cape Flats.¹¹ The actions of the vigilantes were also an informal means of social control with many people fearing to criticise both Core and Pagad for fear of reprisals and attacks.

The resultant attacks and counterattacks by gangs led to a full-scale war on the Cape Flats between Pagad and Core members.

Statistics for 1998 and 1999 show the following trend in terms of urban terror and gang-related violence (see figure 3).

Figure 3: Trends in urban terror and gang-related violence, 1998 - 1999



This figure shows that there has been a decrease in gang attacks during 1999, with the greatest number of gang-related incidents occurring in 1998. There were over 441 gang-related shootings during 1998, whereas this was reduced to 316 incidents in 1999, a decrease of 28%. There were very few pipe bomb attacks during this period. This is clearly not a preferred method of attack among gangs.

Gangs were under attack from vigilantes, however, whose preferred method of attack was the use of pipe bombs. Police regard vigilante attacks as urban terrorism, as shown in figure 4. 'Urban terror' refers to those criminal activities designed to strike fear in the hearts of the local population and to undermine the criminal justice system and the government in the process. The trend shows that urban terrorism has also succeeded in striking fear among gangsters in 1998, with no fewer than 72 pipe bomb attacks.

Figure 4: Urban terror incidents, 1998 - 1999

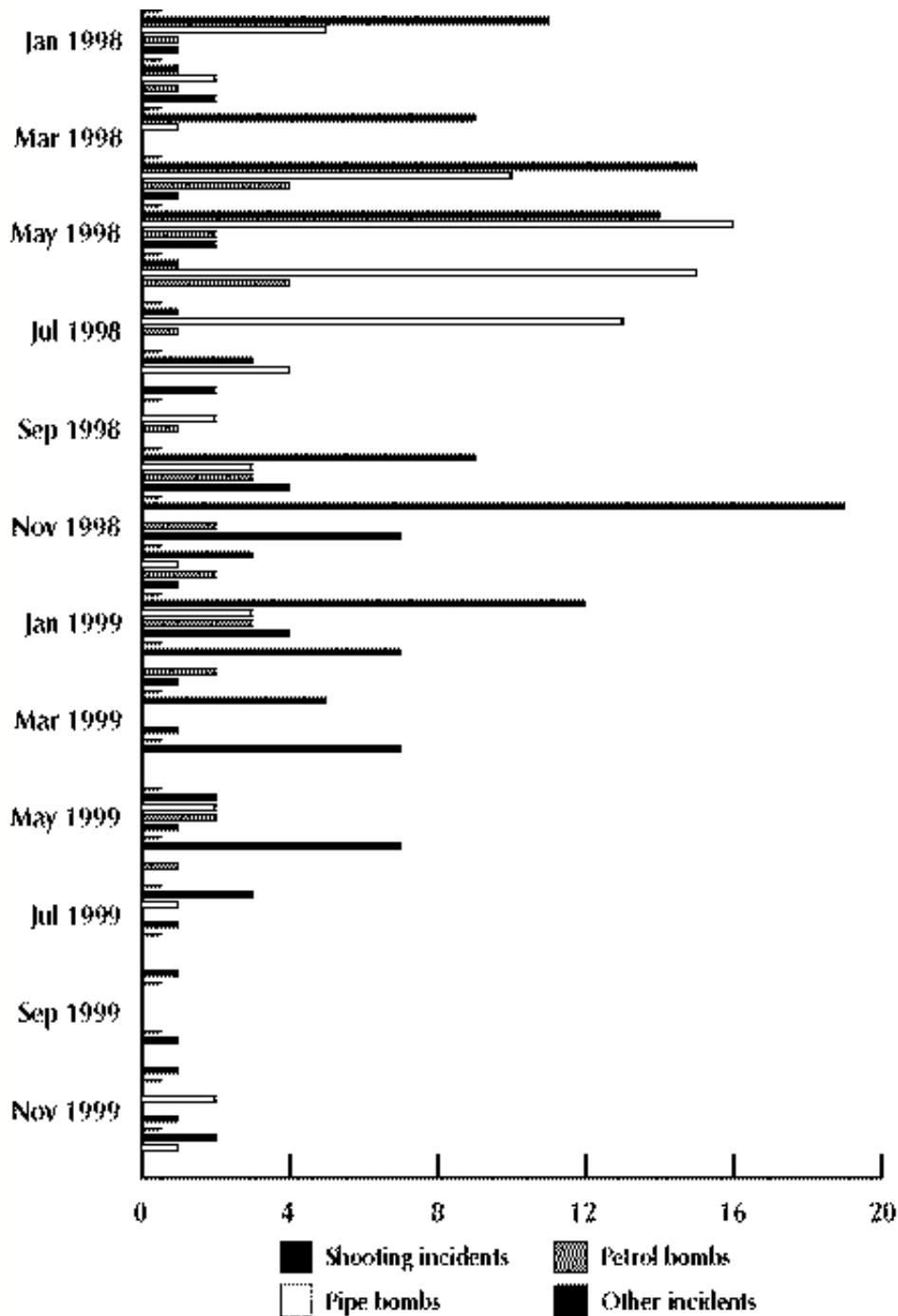


Figure 4 shows a similar pattern of decreasing as that of gang attacks. In total, there were 86 shooting incidents with 72 pipe bomb attacks in 1998. By 1999, this decreased by 45.6% to 46 attacks. Similarly, pipe bomb attacks totalled a massive 72 in 1998 compared to 9 in 1999, a decrease of almost 87.5%.

A number of reasons can be proposed to explain the sharp decrease in incidents. No doubt, the police would be the first to claim that Operation Good Hope was the reason. The fact that there is a visible drop in the incidence of attacks, however, is not sufficient evidence that the operations of gangs or vigilantes have been stopped. The figures show that gangs have been fighting among themselves while, at the same time, having to deal with threat and attacks from vigilantes. More importantly, it remains doubtful that the response from Pagad has seriously dented the ability of drug dealers and suppliers to continue operations.

It also has to be considered that the security forces were already moving against Pagad towards

the beginning of 1998, with arrests of its members and search and seizure operations against its leadership. It is also plausible to consider the claim that there were other perpetrators of violence in the Western Cape, according to Deon Mostert, for example, a police informant who made allegations of police complicity in bombings in the city at the end of 1999.¹²

It is generally accepted that the choice of weapons of anti-drug vigilantes have been pipe bombs and an assortment of firearms, which included the police-issue R-5 rifle. The fact that some attacks showed modifications to the type of bomb being used, is evidence of the growing sophistication of the vigilantes. Remote devices such as cellular phones and telephone or facsimile tones have also been used to detonate bombs.

As many as 30 gang leaders have been killed by stealth attacks, considerably slowing them down when responding to vigilante attacks. However, it has by no means stopped the drug trade. In fact, the death of these dealers and gang leaders has to be seen in context. Leaders who died at the hands of vigilantes have consolidated their financial earnings and built up empires over the years. It is a natural development that someone would replace them. Younger, more militant sections of the gang will undoubtedly vie for control of the profits and the gang. This younger generation who will now start new wars among themselves for control of these empires. The events in Manenberg has shown an increase in gang fights during 1999, clearly as a consequence of leadership battles.

The killing of gang leaders has provided the prison gangs with the opportunity to regain some lost glory in the drug underworld, as they have attempted to reassert control and respect with regard to their former position, from their positions of relative safety.¹³ Some of these leaders have since been released and have also come into conflict with the existing leadership, others have taken control and some have started their own operations anew. It remains to be seen whether the gang leadership will collectively continue to honour the agreements made in The Firm.

During 1998, there were attacks on many senior leaders of The Firm, and they retaliated in some cases and killed prominent Muslim businessmen and Pagad members. Some of the leaders of gangs have chosen to relocate to other parts of the country, like Colin Stanfield who has moved to Johannesburg and Rashied Staggie who has temporarily moved to Durban. The fact that Staggie has converted to Christianity speaks volumes of the strategy to get people on his side and isolate the vigilantes. It has been a very effective short-term insurance policy. While most of the other leaders in Core were killed, Staggie survived.

Waldeck suggests that some gang members think that Staggie has succeeded in hoodwinking the community, as they believe he will return to the gang underworld.¹⁴ Politics, gangs and organised crime

Organised crime has a reputation as the part of crime that is organised for the explicit purpose of refining acts of crime with maximum returns while remaining undetected. The description of Mahan and O'Neil finds resonance in South African examples and indeed in those of other developing and developed countries:

"[O]rganised crime really consists of a coalition of politicians, law enforcement people, business people, labour leaders, and (in some way least of all), gangsters. There is an inherent tendency of business, law enforcement, and politics to engage in systematic criminal behaviour. This is not so because there are too many laws but rather criminal behaviour is good business, makes sense and is by far the best, most

efficient and profitable way to organise the operations of political officers, business, law enforcement agencies and trade unions in a democracy."¹⁵

The fact that the chairperson of Core stated that he wanted to urge Core to support the ANC in the run-up to the second national elections in 1999, needs to be explored.¹⁶ Initially, under the auspices of Core, gangs indicated that they would be forming their own political party called the United Democratic Alliance (UDA) that would fight against coloureds' political exclusion. It is not without reason that, after initially campaigning on its own, Core decided that it needed to support the ANC. Although the ANC did not publicly express its position on gangs joining the party, it is a well-known fact that the Hard Livings applied to the Manenberg ANC branch for membership before the 1994 elections. They were rejected and members of the gang applied directly to the regional office where they received membership cards. The tendency of organised crime — such as the gangs in the Western Cape — to dabble in the world of politics is not new. All over the world, for example in Russia, East Germany and Latin America, crime families need political parties in power that would turn a blind eye to their activities.

From today's vantage point, Core has disintegrated in the face of Pagad attacks, and the support base that it attempted to cultivate, has collapsed. In fact, the gangs have not made enough political capital, but they were important constituents, especially on the eve of the 1994 democratic elections. Although both Core and Pagad were potential vote carriers, the influence of these organisations have waned considerably over the last two years.

The fact that Pagad seemingly recruited its members from traditionally middle class areas, and Core recruited in traditionally working class areas made for some interesting debate. However, in the context of organised crime, such a debate is of no real consequence. Organised crime knows no boundaries and transcends all religious, political and racial boundaries. At its core is an economic imperative, which seeks to supply goods and services illegally at the highest possible prices outside the traditional market economy. The debate over the middle/working class divide is only important in the context of unequal distribution of income and the levels of poverty in the areas concerned.

It is contended that Core succeeded in capturing the attention of working class communities precisely because it could provide families with resources that were unavailable to them under normal circumstances. It displayed an open bravado in sharing its illegally gained profits with the victims of poverty. If the government did not intervene, Core would certainly have posed a real threat to the ability of provincial and national governments to deliver programmes to the marginalised sections of communities that brought them to power.

Pagad also had a political agenda, which proved to be its undoing. Soon after the Staggie killing, Pagad set itself up as the gatekeeper over crime issues. Its inability to recruit sufficient people from religious groups other than Islam was the factor that led to its decline. In addition, its intransigent stance on certain pieces of legislation that was proposed by the government, such as the *Prevention of Organised Crime Act*, further undermined its position. Pagad failed to capture the high moral ground in the face of its move towards criminality, and as a result of the official impotence of the government.

Core seemed to achieve greater community support when considering where it proclaimed it was going to invest its money. It purported that consideration would be given to development projects in communities, and it offered to build a preschool for the Tafelsig community in Mitchell's Plain. It made donations to various churches, charities and even football clubs. However, this generosity could not forestall its demise. The demise of Core

Claimed by many police officers and community anti-crime activists to be a front for The Firm, Core reached the end of the road when it was exposed that it was undertaking operations to secure control over all the Western Cape gangs, allegedly to act against Pagad's killing spree. It seems as if political organisations such as the New National Party (NNP), the ANC and the Democratic Party (DP) initially miscalculated the effects of the internecine conflict between Core and Pagad. All were at first silent on the war raging on the Cape Flats. The ANC allegedly accepted that the community would eventually blame the provincial government led by the NNP, while the NNP tried to show that the blame for the situation in the Western Cape sat squarely at the door of the national government. The DP was unusually quiet in the face of these events. Eventually, all the political parties were blamed for the state of affairs when the WCACF went to see the president and called for the dismissal of both the national and the provincial ministers for Safety and Security, Sydney Mufamadi and Gerald Morkel in October 1997.

In the face of the killings, and attacks by Pagad, Core was split as the more militant elements among its ranks wanted to strike back at the Muslim community and at Pagad, while the leadership was publicly committed not to attack Pagad. Although there was a public stance not to attack, a few Muslim businessmen and Pagad members were killed as a result of this faction's actions. The real cause of Core's demise, however, was its claim that it represented all the gangs on the Cape Flats.

In its campaign to build a defence fund, all gangs were asked to contribute money to Core's 'war chest'. This proved nothing more than a clever extortion racket and some of the gangs refused to pay, leading particularly to a confrontation between the Sexy Boys and Core. As a result, other members rebelled and stopped paying membership fees. At the heart of the matter was the control of The Firm over Core. The Firm was run by members of the powerful Twenty-eights prison gang, while the other leaders were playing second fiddle. Core's extortion schemes were well-planned, and gangsters and shebeen owners who refused to pay, were attacked.

Core also threatened and killed Muslim businessmen and proceeded to buy their properties, especially in the Belhar area. This was to set the tone for a well-developed extortion network that the vigilantes were to adopt as a strategy when dealing with other Muslim businessmen. Many people were shot and killed as a result, and businesses and homes were also bombed.

An intelligence report presented to the Integrated Planning Group on Safety and Security questioned Core's ability to stop gang fights: "CORE's ability to impact on gang related violence in the Western Cape is also questionable given its sectional association with gangs affiliated with the Firm."¹⁷ The report also confirms that "traditional street and area based gangs associated with CORE have become peninsula and provincially based organised crime syndicates with infra structural links to crime syndicates in other provinces."¹⁸

Whereas a few of the leaders of Core — such as Rashied Staggie and Ernest La Pepa — were holding out for negotiations with the government and Pagad, the more militant elements did not agree. When the government refused to meet with Core, its public image and the reason for its existence were blown out of the water. The result was that some gang bosses such as Glen Khan and Simon Stanfield became impatient and warned of attacks. This led to counterattacks, and during 1998, a series of violent attacks decimated the executive of Core, leaving about 60% of its leaders dead.

The Firm did not stop operating, however, and by the end of 1998 was still active, albeit with fewer leaders to share in the spoils of ill-gotten gains. It mainly concentrated on illegal poaching

in the Saldanha are and in other West Coast towns, as well as in the Hawston area where abalone and crayfish were caught. They also started different schemes in which they paid community members on the West Coast to tender for fishing quotas which were subsequently sold to the leaders of The Firm.

Interestingly, Waldeck, the former chairperson of Core, resigned during the height of attacks on Muslim businessmen. In an interview, he offered the following reasons for his resignation:

"I sensed that within the leadership there was distrust and a power struggle coming. I tried to sort it out, but because of the pressure from Pagad, we found it difficult in 1996. It was peaceful amongst the gangs then. They told me to step down or be killed."¹⁹

It became apparent from the interview that Waldeck was one of the leaders of Core who had supported negotiations with Pagad. He was marginalised in the process. Notes

1. See I Kinnes, Unpublished report to the Western Cape Anti-Crime Forum on a visit to the United States, 25 February 1998.
2. P Anderson, Report into South African Police Service: Western Cape, April 1995.
3. The Argus, 5 January 2000.
4. Structured interview conducted with Superintendent Hein Smit (SAPS), 19 April 1999.
5. Biennial Report of the WCACF, 1997
6. C Ferndale, Democratising policing, in F Nel & J Bezuidenhout (eds), *Human rights for the police*, Juta, Cape Town, 1995, p 45.
7. Anderson, op cit, p 40.
8. L Camerer, A Louw, M Shaw, L Artz & W Scharf, *Crime in Cape Town: Results of a city victim survey*, ISS Monograph 23, Institute for Security Studies, Halfway House, April 1998, p 10,
9. R Galant & F Gamielien, *Drugs, gangs and people's power: Exploring the Pagad phenomenon*, Claremont Masjid, Cape Town, 1996, p 37; see also Open letter to President Mandela, *Cape Times*, October 1997.
10. SAIRR, *South African Survey 1996/1997*, SA Institute of Race Relations, Johannesburg, 1997, p 73.
11. *Cape Argus*, 12 August, 1996 and 31 July 1997
12. *Cape Times* and *Cape Argus*, 9 December 1999.
13. Informed sources inside prison.
14. Interview with Ivan Waldeck, 24 November 1999.

15. S Mahan & K O'Niel, *Beyond the Mafia: Organized crime in the Americas*, Sage, California, 1998, p 109.
16. T Viljoen, *Saturday Argus*, 22 May 1999.
17. *Ministry of Police Service: Western Cape*, Nicoc report to IPG for Safety and Security, 27 May 1997, p 39.
18. Ibid.
19. Interview with Ivan Waldeck, 24 November 1999.

Action, inaction and overreaction

The government (over)reacts

The criminal justice system has been slow to react to the activities of gangs in the Western Cape. This has not been due to a lack of resources or capacity, but chiefly because the government seemingly did not care what was happening in the Western Cape, especially in the light of other, more important national priorities. These included the provision of houses, schools and drinking water, as well as dealing with the transformation of the public sector, especially the criminal justice system.

The apartheid government had a cosy relationship with gangsters, according to revelations made during the proceedings of the TRC. Gangsters were used to intimidate and even kill opponents of the government.¹ The history of repression of political opponents has added a new dimension of criminality to the government.

The actions of gangs only caught the attention of the government when they dared to tread on the government's ability to deliver. Examples include when the day-hospitals in Manenberg and Heideveld were closed as a result of gang attacks. In Manenberg, both the rent office and the library were also closed as a result of intermittent gang shootings. This became the trend in other communities as well.

Under these circumstances, the residents of these communities arranged mass demonstrations at Parliament and at the Cape Town police headquarters. While it is important to note that organisations such as the WCACF were very vocal in their attempts to bring the issue to the national agenda of Safety and Security, the focus of the government was still on ongoing political strife in KwaZulu-Natal.

While the gangs have not been created as a result of the inception of democracy, the government attempted to deal with them in a way that is consistent with democratic norms. However, the media have had a field day in deriding the efforts of the police, in particular, as too little, too late. It has helped to create the impression that gang leaders were beyond the reach of the law and were in fact, untouchable. Various newspapers published profiles of gang leaders such as Hard Livings' kingpins, Rashied and Rashaad Staggie. They emerged as media personalities in their own right, thus creating news and becoming newsworthy. This had a spiral effect: whenever they appeared in court, newspapers would report on the event, and when they walked away scot-free. it made news headlines.²

As a result of the fear generated by these failures, the government decided to act and declared that it would ban gangs from operating and would look at the doctrine of common purpose when prosecuting them.³

The Department of Justice considered legislation that would deal with the illegal proceeds of crime, as well as legislation banning the activities of gangs. The result was the *Prevention of Organised Crime Act* and the Proceeds of Crime Act of 1999, which proposed to deal with gang members who have not declared their income. It offered powers of seizure to the police and Department of Justice to confiscate the property of druglords and gang bosses. It also proposed to deal with organised crime structures such as gangs and syndicates in a similar manner where membership of such structures would be held against persons convicted of any offences. Initially, human rights organisations protested arguing that banning gangs would violate the constitutional right to freedom of association. Human rights organisations also did not trust the motives of the government and even the WCACF did not support the proposed legislation. The legislation was subsequently abandoned.

It could be argued that the government attempted to introduce legislation similar to the *US's Rico Act* (racketeering, influenced and corrupt organisations).

Although not entirely successful, the government attempted to regain the strategic moral high ground from the gangs. It had become more aware of the existence of organised crime syndicates and had begun to categorise it. Shaw notes that as many as 194 syndicates with 1 903 suspected members are known to be operating in South Africa.⁴ Most of the crime syndicates specialise in drugs.

A series of revisions to existing legislation — such as the *Criminal Procedure Act* — gave law enforcers more power to deal with gang deviance. In addition, the *Prevention of Organised Crime Act* was passed by Parliament in 1998 and thereafter amended a few times, but could not be applied retrospectively. It has caused huge embarrassment to the government which has lost cases in court to well-known drug dealers when attempts were made to confiscate their property. The police and their strategy to deal with gangs are clearly not addressing the problem effectively.

While the police have not kept track of the changes in gang organisation, gangs and drug cartels certainly benefited from political conditions, which greatly facilitated their growth and development.

The political uncertainty of the past years brought about the erosion of the moral authority of the bureaucracy. It is the rationale behind the development of The Firm from a relatively obscure street gang into an organised criminal empire. It remains to be seen whether the gangs will continue to grow and challenge the authority of the government as the latter awakens to its responsibilities.

Social disorganisation in the communities continues in the face of the tight social organisation of gangs and drug cartels in the Western Cape. The assessment of Gastrow is thus appropriate:

"The political transformation and the resultant 'opening up' of South Africa during the early 1990s, provided an ideal opportunity for organised crime structures to use foundations built during the 1980s as the springboard from which to dramatically expand their activities. The new environment continued to have low risks and offered

even more opportunities for organised criminal groups than during the 1980s."⁵

If the social and economic needs of communities such as Manenberg, Bonteheuwel and Mitchell's Plain are not addressed by policy makers in the long term, gangs such as the Hard Livings, the Americans and most definitely The Firm will continue to be regarded as the providers by the community and will thus continue to grow.

They have clearly succeeded in reaping the rewards of the illegitimate opportunity structure during the political transition. When Cape Town authorities have to close down rent collection offices, libraries and clinics because of gang activities, it raises questions about who really controls the city. **Making sense of the inaction**

Inextricably bound with gangs and anti-drug vigilantes in modern-day South Africa is the issue of a third force. The reaction of vigilantes has muddied the waters so that it is difficult for independent observers and social scientists to identify the associated issues of responsibility clearly. It goes without saying that the gangs have established a presence in the Western Cape, and so have the vigilantes. However, third force elements from the old order, opposed to the changes brought about by the democratic transition, have also shown a keen interest in both the gangs and the vigilantes.

If a report card is drawn up on the successes of the police thus far, it can be concluded that there has been very little action. It seems to outside observers that there has been official inaction to the war between the gangs and the vigilantes. This despite the fact that, according to police, about 156 members of Pagad have been arrested on about 55 charges with at least one conviction so far.

During 1997 and 1998, in particular, the government has been ruthless in pursuit of elements within the gangs and among vigilantes. The new targets of urban terrorists were common areas particularly frequented by tourists to Cape Town. Restaurants on the Waterfront, the Cape's premier tourist attraction, were targeted and, at the end of 1998, a powerful bomb blast wrecked havoc at Planet Hollywood, killing two people and injuring scores of others. It was followed by bomb attacks at the headquarters of the police's Pagad task team. Soon after, another bomb was detonated at the Waterfront and there was attacks on police officers investigation urban terror incidents. This was followed by bombs at the Mowbray and Lansdowne police stations. There were also armed robberies at the Claremont, Strandfontein and Stellenbosch police stations. During these robberies, police officers on duty were detained by a group of balaclava-clad men with firearms. They took weapons from the police safe and tied up the police officers. In 1999, three powerful bombs were placed in public places — a gay bar, a St Elmo's pizzeria and in a dustbin outside a restaurant in Sea Point. All of the bombs claimed victims.

In addition, several police officers who were investigating Pagad, were attacked in drive-by shootings and one died as a result of his wounds. Some key witnesses in Pagad-related trials were also assassinated during 1997 and 1998. The response of the police was inadequate, and soon Steve Tshwete, the new minister for Safety and Security, was on the warpath. In interviews, he argued for amending firearm legislation and firmly declared war on crime.⁶ After the bomb blast at the pizzeria, he argued that the *Constitution* should be amended in order to hold urban terror suspects for longer periods for questioning. This created uproar and editorials and condemnations appeared throughout the country rejecting his proposal.

It remains difficult to imagine that the police were unable to apprehend anyone for the spate of bombings in Cape Town. It became obvious that there were other groups of bombers at work,

because the targets were civilians and people who had nothing to do with either gangs or Pagad. The focus shifted from the gangs and Pagad when Pagad claimed that former and current National Intelligence Agency (NIA) operatives supplied it with these bombs. One alleged NIA agent also claimed this in court after he was arrested with other members of Pagad.

As far back as 1997, the minister of Justice accused a third force of being responsible for the pipe bomb attacks on the Cape Flats. During December 1999, Deon Mostert, an alleged police informant, claimed that there has been police complicity with the bombing attacks and that senior police officers were involved.

The former police commissioner, George Fivas 'cleared' Mostert of the bombings, and claimed that Mostert was a 'chronic liar'. Yet, claims that police officers were involved, did not disappear. There have been allegations that the only people who could gain from the bombings were the private security companies that could make millions of rands from additional security measures that had to be put in place. But, speculating about the identity of the bombers is not the purpose of this monograph. It is merely mentioned to convey the seriousness of these allegations.

Common sense indicates that the police do not have the capacity or the training to develop an holistic strategy to investigate organised crime. The fact that the police have been unable to make significant breakthroughs in organised crime, points to inherent weaknesses in this regard. Shaw argues that:

"Apart from the weakness among the investigative arms of the police, it is clear that some of the largest obstacles are to be found in the institutional weaknesses of the criminal justice system itself. Unless the reactive components of the system can be reformed, any attempt to control crime generally, and organised crime specifically will be hamstrung from the beginning. In the short term, one immediate result of weak institutional controls is the growth in corruption in lower levels of the system. This may have potentially serious consequences if it becomes institutionalised."^z

Since 1998, however, the government has set up the Scorpions (the Directorate of Special Investigations — DSI) to deal with and investigate organised crime, among others.

But, the police are no closer to the truth on the bombings in urban centres. The SAPS also had to admit that Operation Good Hope was unsuccessful. In the process, the police department in the province has sadly alienated many community police forums. In its biennial report, the WCACF states:

"[T]he state of community policing in the Province leaves a lot to be desired. This is undoubtedly due to the reality of many unresolved issues including high levels of distrust between the community and the police, the pursuit of a just and equitable reallocation, redeployment of personnel and redistribution of resources. That remains a threat to real community policing. I want to state that only once these issues have been addressed will we see progress in the relationship between the community and the police."^g

It is therefore not difficult to see why the reaction by the government has been slow. By reshuffling the cabinet, it was hoped that a new minister for Safety and Security would help the police to restore confidence in themselves. To date, the minister has achieved this. He has supported police officers and even proclaimed in one standing committee meeting in Parliament that the police are not corrupt, or at least 99% of them.^g He also indicated that he wanted the

police to be proportionally representative of the population. This is mainly as a result of the police's inability to overcome the old racist divisions of the past. Many of the top managers could not work with one another and this resulted in a lack of shared information. There was also the perceived interference by the national police department that was normally met with a lack of co-operation on provincial level.¹⁰

It remains doubtful whether the proposed changes will heal the distrust among members of different units in the police. Apart from racial differences, a deeply entrenched professional jealousy remains among regular police staff and some of the members of the élite units.

Notes

1. Truth and Reconciliation Commission of South Africa, *Report*, volume 3, Juta, Cape Town, 1998, p 461.
2. *Cape Argus*, 7 May 1998
3. Ibid.
4. M Shaw, *Organised crime in post-apartheid South Africa*, ISS Paper 28, Institute for Security Studies, Halfway House, January 1998.
5. P Gastrow, *Organised crime in South Africa: An assessment of its nature and origins*, ISS Monograph 28, Institute for Security Studies, Halfway House, August 1998, p 67.
6. T Legget, *Crime and Conflict*, 17, Spring 1999, p 5.
7. Shaw, op cit, p 12.
8. Western Cape Anti-Crime Forum, *Biennial Report*, 1999.
9. Address by Minister Steve Tshwete to the standing committee on Safety and Security, September, 1999
10. During the investigation of Director Ivor Human around the alleged complicity of the police in the Western Cape, the newspapers claimed that he was stonewalled by local cops.

The future, gangs and society

The discussion of gangs and the future involves many important factors. Effective solutions will only be reached if there is sufficient commitment by the government to address the socio-economic factors that give rise to the growth in gangsterism.

The only response from the government should also not be a 'law and order' approach. Given the violent nature of crimes committed by gangsters, there has to be an appropriate, proportional response. It is incumbent upon all actors in the criminal justice system to play their roles with imaginative commitment. Recommendations of interventions that will prevent more youth from joining gangs are urgently needed.

The government needs to be informed about the similarities and differences between gang

activities in the provinces. Gangsterism in other provinces does not necessarily conform to the typology of gangsterism found in the Western Cape. Here whole families are often involved in a culture of illicit activities — from pilfering from their employers to supporting criminals by buying illegal goods. The tragedy is that the moral compass of the community has been diverted and redirected to the criminal morality. This criminal morality has permeated all layers of society from the clergy, to the police to local government structures and even public officials.

Residents of communities such as Manenberg are victimised because of where they live. The reality is that not all the people who live there are gangsters. Given a situation where people are easily labelled, they sometimes react to such labelling by committing criminal acts. Fundamental issues should be addressed by the government if it wants to ensure successful crime prevention.

The emphasis of the government is on being tough on crime with models of zero tolerance being mooted. The weakness of such an attitude is that it focuses on target-hardening while impinging on human rights. Such strategies may result in criminal behaviour coming by groups of people and soon the potential offender will be stereotyped as 'young, black and male'. Such strategies can lead to the victimisation and harassment of certain racial groups in the long term.

Gangs have continued to grow in the face of police's inability to come to terms with the political changes that took place in the country. As matters stand now, it is debatable whether gangs will have the ability to disrupt government in the short term. It is clear from past experience that they do have the power to disrupt activities at local level, especially where the delivery of services is concerned.

For as long as the Western Cape has racial divisions and huge income disparities, real and imaginary, the gang problem will persist. Figures from the South African Institute for Race Relations show the profile for South Africa where:

- 25% of the population earn less than R500 a month;
- 10.3% earn R4 500 or more per month;
- 41% of the population was without electricity in 1997;
- 33.9% of the population was unemployed (expanded definition);
- 18.4% of adults had no schooling; and
- 15.6% of adults had a matriculation certificate.¹

The perception of political exclusion among the coloured community plays a major role in motivational and causal factors that keep people involved in gang activity. The need for protection and defence felt by the majority of residents on the Cape Flats due to the poor policing should also not be underestimated. This will remain a motivating factor for some people to remain in gangs. It does not explain, however, why some people in the same areas, with the same levels of violence, choose not to commit crimes and choose to remain outside the gang culture. In the final analysis, any programme that proposes to deal with crime has to take into consideration that there are many families that depend on gangs for employment and a livelihood.

Until real alternatives are sought for the rank and file, they will continue to believe that there are shortcuts to success, epitomised by the Porsche-driving gangster with the latest Ray Ban glasses and Gucci clothing. The problem is that the same image of success is presented to youth by industry and the government. Young people go out in the world with the view to achieve success. When they find barriers to entry or restricted access to the legitimate

opportunity structure, the illegitimate opportunity structure beckons, with far greater rewards and pitfalls.

The youth may make a rational choice to go in the direction of criminality as a result of their frustration with the *status quo*. Their skill is violence and it has an economic value to the gangs. With the legal opportunity structure steadily closing for white South Africans, it may be possible that more white youths will be propelled into a world of crime in time to come.

In this regard, there are already reports that gangs are recruiting white schoolchildren in shopping malls. Believing that they generally have more money available than coloured and black children, there has been a flood of drugs into white schools and at rave parties. Drug dealers have already started to cultivate their new consumers, young white achievers and schoolchildren who are more easily trapped into the world of drug abuse.

Globalisation has brought a new reality to South Africa. It has introduced the crises associated with world production and consumption. More importantly, with the distribution of wealth in the world almost exclusively aimed at rich countries, drug dealing accounts for an alternative world economy. It has a turnover of billions of dollars and employs millions of people around the world.

The reality is that drug cartels understand that, as long as there is an unequal distribution of wealth throughout the world, there will always be a market for drugs such as cocaine, heroine and crack. Until this divide is bridged, the dependence on 'white gold' and other illegal substances will remain.

The move by international drug dealers to dispose of their goods on the South African market is significant as it shows that the South African market has been developed successfully and there are rich rewards to be gained.

It is up to the government to consider how it must deal with the gang problem on the Cape Flats without alienating and marginalising the communities. While the opportunity stares the country in the face, the government will have to prepare long and short-term plans that will assist in redirecting people away from gangs and drugs. If it is left too late, the country may soon face a reaction that will be difficult to recover from.

One thing that counts in South Africa's favour is that it has a strong and vibrant civil society sector that is prepared to assist the government when dealing with such an issue. Time and money have to be invested to research the problem thoroughly and to come up with effective solutions.

South Africa is remarkably equipped to deal with many of the problems resulting from gang activities. It possesses the best intelligence-gathering capabilities in sub-Saharan Africa and has the expertise to deal with local drug dealers. It has to sharpen its responses when dealing with foreign syndicates. But the foreign syndicates do not pose the biggest threat to democracy. The threat comes from within in the form of massive and complex gangs that have developed into more powerful structures that are capable of crippling the government's service delivery timetable.

Unfortunately, legislation alone will not be able to deal with the problems of gangs. What is needed, is an holistic approach, socio-economic development and a crime prevention programme that incorporates rehabilitation for those who wish to turn away from gang activities. History has shown that the battle against gangs is also the battle of ideas and resources. If the hearts and minds of Western Cape communities cannot be diverted from a selective criminal

morality to a more inclusive and caring one, the gangs will succeed in winning the marginalised sections far easier than may be imagined.

Note

South African Institute of Race Relations, *Fast Facts*, January 1999.