Editorial

Point of order: policing and crime in transition in South Africa

Issues of crime and policing have become of critical importance in post-apartheid South Africa. Countering increases in crime and the challenge of reforming a police agency, which had been designed for tasks other than public service delivery and crime prevention, have been central themes of political debate. In the early days of the new order the debates about crime control and police reform were conducted separately – the former being almost exclusively the domain of security officials, and the latter being focussed upon by an emerging group of criminologists, human rights activists and policy specialists. There have, however, been shifts in recent years. Criminologists, particularly those based in research oriented non-government organisations, are making gains in analysing crime trends and in assisting the state in its struggle to develop crime prevention and crime combating strategies. Both criminologists and the police have placed emphasis on the need for police reform which aims both at removing the legacy of apartheid policing, but also at the same time aim at undercutting crime.

Neither crime prevention nor police reform are easy programmes to achieve. The public eye (expectedly but perhaps unfairly) has turned toward the police as the agency responsible for crime prevention. A focus on policing, and the public police in particular, is a crucial focus area. The police service is a key institution in the transformation of South African society. Indeed, the very nature and performance of police have direct impacts on the capacity for the state and society more generally to democratise. The need for change in policing bodies in societies that are in the process of transforming from authoritarian to democratic governance (such as South Africa) is essential. Internal security systems, the police in particular, are necessary elements in any democratisation process.

As a central institution of the state, and as an indicator of the quality of democratic institutions, the behaviour of internal security forces is an

important part of a government's operational commitment to democratisation (Gill 1994; Huggins 1998). In many ways, the police not only reflect the nature of the state but are also responsible for the prevention or promotion of state change. Marenin (1996) argues that the police are 'major actors' in changing societies. He suggests that they are involved in crucial activities such as the combating of crime, the protection of citizens and change agents, and the curtailment of threats to the functioning of society. Indeed, it could be argued that neither formal nor substantive democratisation has been accomplished unless and until internal security bodies themselves have been democratised, brought under civilian control, and demonstrate a concern with citizens' human rights.

High levels of crime, a key social problem confronting South Africa at the moment, also bear major implications for societies undergoing change. They are a constant reminder of the underlying social inequalities in society and of the incomplete nature of institutional and 'moral' transformation. Furthermore, high crime rates lend to collective and individual feelings of insecurity and also to fear which in turn can result in demoralisation and low levels of commitment to social change. While the state police can in no way be held responsible for the causes of crime, and police deployment cannot alone lead to the reduction and prevention of incidents of crime, they remain the key institutions tasked with enforcing the law, mediating conflict, and enhancing security (Bayley 1994).

There are a number of key questions within criminological literature pertaining to crime and policing. First, are the police effective in their quest to prevent and combat crime (Bayley 1994; Fielding 1989)? Second, is police transformation possible and what are the limits of police reform (Chan 1996; Marks 2001; Dean 1995)? Third, can the police ever operate in the general public interest or will there always be preference for dominant social groupings (Emsley 1983; Reiner 1992)? Fourth, to what extent should non-state bodies such as community groupings and private agencies be responsible for policing enterprises (Bayley and Shearing 2001)? All of these questions are debated in the articles that constitute this edition of *Transformation,* and readers are encouraged to respond to these debates and to contribute to further research in these areas. The merging of the issue of police reform and crime control is a key thread running through much of the research now conducted on crime and policing in post-apartheid South Africa. The collection of papers in this focus issue of *Transformation* provides some illustration of this direction. It should be

noted at the outset that such a small number of contributions cannot hope to provide an overview of the whole debate on crime and policing in South Africa.

This volume is released at a time when many of the old certainties about police reform in the country are being tested. Not only have debates emerged about the degree to which the principles of the Constitution itself should be rethought because they do not provide enough leverage for the state to counter crime, but there are now growing deliberations as to the effectiveness of South Africa's experiment with policing reform itself. This is reflected in Shaw's paper which attempts to trace parallels between reform efforts underway in South Africa and those elsewhere in the world. Critical to this analysis is the identification of a series of policy dilemmas that face any post-transitional society. A key factor, it is suggested, in the creation of such dilemmas is increased public pressure on issues of safety. In many transitional societies, the outcry from the citizenry as to increases in crime has been a key feature in delaying, or even reversing, transformation exercises within the security establishment of newly democratic states.

Police reform is indeed a daunting task, particularly when these organisations have long histories of authoritarian and partisan conduct. Police organisations are also typically bureaucratic in nature with strict rules and entrenched hierarchical structures, which, many authors believe, make the project of change difficult (Rippy 1990; Ray 1995; Dean 1995). Despite the difficulties associated with police organisational change, the public police throughout the world are undergoing an 'intense period of self-questioning' (Bayley and Shearing 1996:586). They are, as Bayley and Shearing point out, re-examining their management styles, their accountability structures and mechanisms, their strategies, their organisational form and even their objectives. Indeed, the entire project of policing is undergoing dramatic changes as private policing and community based policing enterprises are intensifying in both democratic and democratising societies.

Even in countries that have undergone dramatic changes in governance and have stated commitments to democracy, human rights and equitable service delivery, police forces have retained their historically abusive and discriminatory character. The numerous cases of ongoing police violence in such democratising states as El Salvador, Guatemala, Mozambique, as well as Brazil and South Africa, demonstrate that democratic constitutions and elections do not translate automatically into democratic policing

(Huggins 1998; Shearing 1996; Seleti 2000). Despite general societal and state attempts at democratisation, police systems tend to remain structurally and procedurally authoritarian in their treatment of citizens of colour, and this includes their own police of colour (Du Toit 1995). Legacies of police routines and cultures as well as existing unequal social relations are not the only obstacles to police transformation in societies moving from totalitarianism to democracy. There are a host of other obstacles that also need to be considered. These include corruption, alienated publics, high levels of crime, a lack of resources, and outmoded structures and organisations. Neild (1999) has reviewed the abortive attempts at police reform in many countries from Latin America to Asia and to Africa. She concludes that common features contributing to these failures are lack of money, lack of motivation, the resilience of paramilitary habits of old, and a generalised cop culture of incompetence in the face of high crime rates. The social context of poverty and disorder further complicates attempts at police reform.

Shaw's paper, concurring with the work of Neild, implies that police reform efforts in transitional societies may be far from over. There is indeed a tendency to regard police reform efforts in South Africa as having been completed in all but the details. Major questions of how policing should be structured or reordered, and whether the current instruments should be changed in fundamental ways, are now seldom engaged in. Yet such debates are critical, not because they will impact immediately on police change efforts, but because they will provide the framework for debate when a new wave of police reform initiatives are undertaken. This 'second wave' of transformation efforts, an analysis of other transitional societies suggests, is almost inevitable, when levels of crime remain high and the public unsatisfied. One immediate response in transitional societies is to seek solutions in more militarised forms of law enforcement; often a response that security officials are comfortable with but which hold out the prospect in the longer term of distorted and authoritarian security structures.

It is in this regard, that Shearing and Kempa's paper is of some importance. The paper offers what is in essence a revolution as to how policing (in its broadest conceptualisation) should be structured and ordered. They examine the possibilities for the governance of security by examining recent developments in policing in two societies in transition — South Africa and Northern Ireland. Through the use of a case study, they argue that 'bottom-up' local security initiatives are an effective local response to

the security deficits (felt most strongly in poorer communities) that exist in South Africa. Shearing and Kempa argue that non-state policing structures and processes may be more effective (and legitimate) than the efforts of the state police. These approaches to democratising and improving policing in South Africa have been anathema to both policy makers from the new and old order in South Africa, who have sought to maintain control over citizen security from the centre, rather than encourage local initiatives which run the risk of becoming centres of opposition to government itself. Yet Shearing and Kempa show how this is potentially possible. At the core of this approach is a rethink as to how safety can be achieved within local communities, and what role if any the public police may have in this project.

In Northern Ireland, on the other hand, the key problems confronting the governance of security are old forms of national conflict and legacies of repressive partisan state policing. The challenge here is to transform the policing enterprise in its totality. This would involve 'making policing everyone's business'. The Independent Commission on Policing in Northern Ireland (ICPNI) has recommended that while the public police retain the central role in the governance of security, communities will participate in their own policing and in supporting the police. State and non-state agencies will ideally work together to produce order and security. This partnership (which accords far more powers and responsibilities to civilian groupings than is conventionally the case with 'community policing' projects and conceptualisations) will hopefully lead to a curtailing of unregulated vigilante activity and spur on the reform process within the public police.

The debate about the extent to which safety should be the responsibility of communities themselves, and the degree to which policing responsibility (however defined) should be devolved, remains perhaps the most critical debate on crime and policing in post-apartheid South Africa. Shearing and Kempa, through a comparative exploration of policing in South Africa and Northern Ireland during transitions of governance, demonstrate that new forms of social ordering require both reform of the state police as well as the need for the enhancement and support of community based social regulation. Neither should be seen as sole alternatives for a new policing project. Community involvement in policing activities, Shearing and Kempa suggest, is vital to the transformation of the policing enterprise. However, the extent to which such involvement is (and should be) regulated

is dependent on historical legacies, political imperatives and unfolding of new networks of governance.

Shearing and Kempa have a unique approach to understanding policing options. Most criminologists in South Africa tend to focus on the transformation of the state police as an institution (Marks 2000; van der Spuy 2001; Rauch 1993; Shaw 2002). The normalising of the nature of policing in South Africa has also brought an expansion of more technocratic debates about police performance. Proper performance measurement (of both individuals and the organisation more broadly) is crucial in any organisation, particularly those undergoing change processes. Performance measures help in assessing the success of particular programmes and in identifying areas where performance is weak or strong. They allow for improved allocation of resources, identifying training needs, developing uniform procedures, and in the structuring of workloads. Clearly defined performance indicators also provide points of reference when developing reward systems (crucial for building morale and organisational commitment) and in clarifying roles and expectations.

Measuring and evaluating police performance is a complicated task. There are many problems in measuring police productivity. It is not possible to translate police output to a monetary value. Police output is a service and requires qualitative and quantitative measurement. Some aspects of police work simply cannot be measured since they are too intermeshed with other influences such as trying to provide communities with a sense of security (Vanagunas and Elliot 1980). The police also have multiple purposes and a diffuse clientele (Marx 1976). However, it is crucial for the police to develop new and appropriate means of evaluating and measuring their work to allow for programmatic innovation and accountability.

Leggett's paper, which explores how best police performance indicators can be applied in the South African context, is an apt demonstration of these changes. Before 1994, such debates were confined to a small groups of specialists within the police and were aimed less at achieving better service for citizens, than ensuring a more efficient instrument of oppression. Yet, such debates are critical in the context of a reforming police agency, and should under no circumstances be confined to the agency itself. External input and expertise is a vital ingredient in a system where the police themselves have always argued that 'the professionals know best' and that civilian inputs have been limited to a small number of experts.

Leggett outlines the international debates pertaining to the role of the public police and mechanisms for evaluating their performance. Reflecting on the South African case, he argues that crime rates should not be used as the primary means of measuring police performance. He proposes a set of performance indicators that could be used by the police in South Africa that takes into account the diverse functions of the police, local specialisation (particularly at station level) and the broad philosophy of the police service. While response time as well as numbers of arrests and seizures will always be key police performance indicators, Leggett insists that measuring public satisfaction and monitoring police use of force and complaints against the police are imperative enterprises. This is particularly the case in evaluating police forces undergoing processes of democratisation, as is the case in South Africa.

The final paper in the collection has been chosen to illustrate one pressing area of crime control in the country – that is, ensuring safety in the rural areas. Manby's paper suggests that a radical rethink is required about who the victims of rural violence are, and points to the degree to which state responses in this regard are skewed towards powerful rural interests. The paper draws heavily on interviews in rural areas themselves and exposes relatively high levels of brutality within the actions of the rural security establishment. Police change, it is clear from the paper, has yet to permeate some areas. The paper is important too, however, in suggesting that a core constituency of the new government, the rural poor, has largely been marginalised from debates about achieving a safer living and working environment in the countryside.

Manby's paper, however, does not only serve to caution us about the limits of police reform in South Africa. While Manby argues that there is no evidence of a direct correlation between cruelty toward farmworkers and violence against farm owners, the article alerts us to the linkage of involvement in violent crime with historical legacies of brutality. Rodgers argues that within newly democratised countries in Latin America there has definitely been a 'dismantling of the past structures of oppression and terror, the psychosocial legacies of former brutalities have not been fully grappled with, but rather ignored or thinly veneered over instead' (2002:5). The same could be said of post-apartheid South Africa. Consequently, while the instances of overt, ordered brutality have undeniably declined there has been no renewal of the institutional and moral bases of South African society, bringing about what one might see as a sense of social

closure. What is required for those trying to understand the persistence of violent crime in South Africa is a shift away from what Desjarlais and Kleinman (1994) declare as the dominant frameworks and assumptions which are concerned with issues of social control. Instead, more attention needs to be devoted to understanding social experiences of violence and the social disintegration which exists in societies undergoing major change. This may involve, as Manby suggests, reassessing who should be defined as perpetrator and who should be defined as victim and whether the formal institutions of social control are adequate or even appropriate in creating new social orders.

Taken together, these papers provide some insight into emerging debates on crime and policing in South Africa. Perhaps most importantly, they raise questions as to the role of academic analysis in future discussions on the nature of policing change and reform. It will be clear from reading the volume that academic debates around police change have made dramatic shifts in a relatively short space of time. While all the papers acknowledge the legacy of apartheid, they also spell out policy failings of the new government. Now, as in the past, creative reflection and research on issues of policing and crime prevention are essential ingredients to achieving a safer society. Nevertheless, post-apartheid South African criminology is still partly in its infancy. Analysts remain careful to avoid arguments that seem too critical of government initiatives in what is a particularly difficult area of policy (and in which, it should be added, many of these same writers participated). This will change in the years ahead as more critical voices emerge unencumbered by the experience of the transition in policing itself, and demanding a rethink of the way a safer society can be achieved. When this occurs, it is hoped that some of the debates in this volume will have at least provided the contours of future thinking.

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References

Bayley, D (1994) *Police for the Future.* New York: Oxford University Press.

Bayley, D and C Shearing (2001) 'The new structure of policing: description, conceptualization and research agenda'. Washington: United States Department of Justice.

Chan, J (1996) 'Changing police culture', *British Journal of Criminology* 36(1).

———— (1999) 'Police culture', in D Dixon (ed) *A Culture of Corruption: changing an Australian police force*. Sydney: Hawkins Press.

Dean, G (1995) 'Police reform: rethinking operational policing', *The Journal of Criminal Justice* 23.

Desjarlais, R and A Kleinman (1994) 'Violence and demoralisation in the new world disorder', *Anthropology Today* 10(5).

Du Toit, V (1995) *State Building and Democratisation in South Africa*. New York: New Press.

Emsley, C (1983) *Policing and its Context, 1750-1870*. London: MacMillan Press.

Fielding, N (1989) 'Police culture and police practice', in M Weatheritt (ed) *Police Research: some future prospects*. Sydney: Avebury.

Gill, P (1994) *Policing Politics: security, intelligence and the liberal democratic state*. London: Frank Cass.

Huggins, M (1998) 'Brazilian police violence: legacies of authoritarianism in police professionalism, a study of torturers and murderers'. Paper presented at the Legacies of Authoritarianism Conference, Madison, WI.

Marenin, O (1996) *Policing Change, Changing Police*. New York: Garland Publishing.

Marks, M (2000). 'Transforming police organizations from within: police dissident groupings in South Africa', *British Journal of Criminology* 40.

Marx, G (1976) 'Alternative measures of police performance' (http://web.mit.edu/gtmarx/www/alt.html).

Neild, R. (1999) 'From national security to citizen security: civil society and the evolution of public order debates'. Paper written for the International Centre for Human Rights and Democratic Development, USA.

Rauch, J (1993) 'State, civil society and police reform in South Africa'. Paper presented at the International Society of Criminology Conference, Budapest, August.

Ray, G (1995) 'From Cossack to trooper: manliness, police reform and the state'. *The Journal of Social History* 28 (Spring).

Reiner, R (1992) *The Politics of the Police*. London: Harvester Wheatsheaf.

Rippy, K (1990) 'The ins and outs of implementing change', *The Police Chief*, April.

Rodgers, D (2002) 'Towards a global ethnography of crime: anthropological perspectives on youth gangsterism in Latin America'. Paper presented at the WISER Symposium on Law, Crime and the Moral Logistics of Everyday Life, Johannesburg, May 7-8.

Seleti, Y (2000) 'The public in the exorcism of the police in Mozambique: challenges of institutional democratization', *Journal of Southern African Studies* 26(2).

Shaw, M (2002) *Crime and Policing in South Africa: reforming under fire.* London: Hurst.

Vanagunas, S and J Elliot (1980) *Administration of Police Organi ations.* Allyn and Bacon: London.

Van der Spuy, E (2001) 'Crime and its discontents: recent South African crime control and policing responses'. Unpublished paper.