

National Security, Crime, and the South African Security Institutions

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Brief

Institute for Strategy

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Royal Danish Defence College

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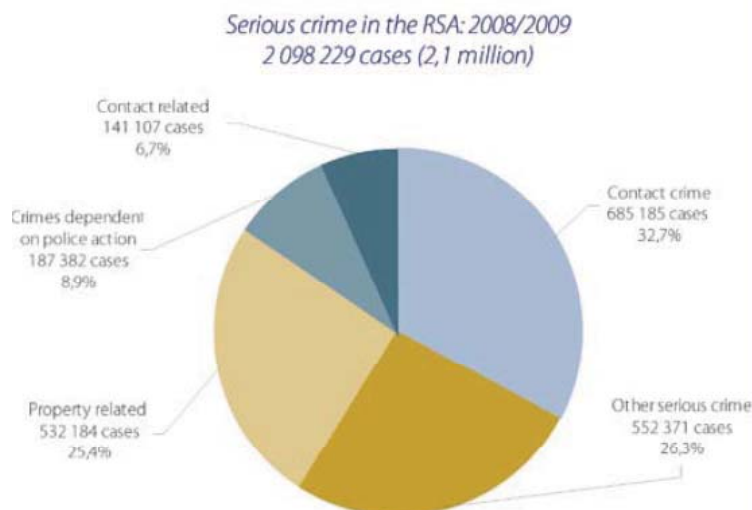
"I am 100 percent confident that the government, the people of South Africa, and you (journalists) here will represent the continent of Africa with dignity, and that this will be a great World Cup"

Former US President Jimmy Carter May 2010

Introduction

11 June 2010 was a significant date in contemporary South African history, both in actual and in practical terms. It was the date where the host, South Africa, and national soccer team, the Bafana Bafana, played the opening match in the 2010 FIFA soccer World Cup, one of the biggest sporting events on earth. Several billion viewers worldwide will follow the matches on TV, while approximately 300.000 fans chose to travel to South Africa to follow the matches live in a truly global event. More than 1 million South Africans bought a ticket for the matches; despite the fact that the ticket prices surpass what ordinary primarily black South Africans can afford to pay. The event posed an unprecedented task for the South African security establishment in ensuring that the event runs without any, or at least any serious security incidents.

Nevertheless, the World Cup has once again created a focus on the South African society and especially the levels of violent crime. The preparations for the events started in 2004, and South Africa has increased the size and capability of its police force, and had close intelligence cooperation with a large number of international partners. According to Police Minister Nathi Mthethwa 40.000 police officers were assigned to handle the security related to the World Cup. However, South Africa is not a peaceful society and is in real terms one of the most violent “peacetime” locations on earth. The South African Police Service (SAPS) annual statistic show that in the year 2008-2009 South Africa had nearly 2,1 million cases of what is termed serious crime¹.



Source: SAPS Annual Report 2009 pp. 2

(1) The South African Police Service define serious crime within five major types: Contact crimes (crimes against the person); Contact-related crimes; Property-related crimes; Other serious crime; and Crimes heavily dependent on police action for detection.

This has resulted in questions being raised about FIFA's decision to award this major event to South Africa, because of the "epidemic" security problems facing South Africa, because of the social problems facing one of the most socially unequal societies, and because the wealthy, predominantly white South Africans. Crime is also a social issue in South Africa, where the risk of being the victim of a crime is larger if you are black, and where the assailant most likely also will be black. Nevertheless, that while a lot of prestige and extraordinary measures has been made available securing the World Cup, it is far more uncertain if the government and its security institutions has the capacity and tools to deal effectively with the challenge from crime after the end of the World Cup.

This brief will thus scrutinise how national security is perceived in contemporary South Africa and what challenges face South Africa's security institutions beyond this major event and what capacity the institutions have in handling these challenges.

National Security in contemporary South Africa

During the apartheid era national security was very much focused on domestic security, i.e. protecting the white minority and especially their interests against the non-white majority. Especially in the 1980s, the apartheid society was organised by the National Security Council, headed by the President, in what was known as the National Security Management System, which was spread out all over the country in a cell structure moving from national to regional to local level, in an attempt to control all levels of society. This also meant that all districts had a large number of volunteer units, the so-called commandos that were called in to help the police and regular army dealing with security challenges and crime prevention. After 1994 this system was disbanded and the volunteer system has been, or is in the process of being integrated into the regular police. However, more importantly the perception of what constitutes national security has changed dramatically and in 1996 the former Minister of Defence, Joe Modise argued that:

*"In the new South Africa national security is no longer viewed as a predominantly military and police problem. It has been broadened to incorporate political, economic, social and environmental matters. At the heart of this new approach is a paramount concern with the security of people. Security is an all-encompassing condition in which the individual citizens live in freedom, peace and safety; participate fully in the process of governance; enjoy the protection of fundamental rights; have access to resources and the basic necessities of life; and inhabit an environment which is not detrimental to their health and well-being"*²

The reality of daily life for many ordinary South African's stands in sharp contrast to the ambitions expressed by the former Minister of Defence back in 1996. A large percent-

(2) Minister of Defence Modise in 1996, quoted in Cawthra, From 'Total Strategy to 'Human Security', pp. 7-8

age of South African's are living a life in scarcity and poverty, where crime is part of daily life. However, what is considered to constitute security has in contemporary South Africa been expanded from focusing narrowly on interstate relations and the balancing of threat, to now being a more or less all-encompassing phenomenon where everything can be part of the "security" arena. Former President Nelson Mandela has repeatedly argued that the single largest threat to peace and stability in South Africa is poverty and social inequality, i.e. internal sources, as opposed to external sources of threat to society.³ The result is that domestic social development and the government's economic development programs, the Reconstruction and Development Programme and later the more liberal Growth, Employment and Redistribution Program, have become central elements in South African security thinking. The crime pandemic should to a large extent also be understood within that perspective.

The 1994 transformation significantly changed the content and perceptions of what constituted "threats" to South Africa. It can with much conviction be argued that after 1994 direct threats to South Africa have been reduced significantly, but have been replaced by a broad spectrum of risks to the South African society, where some of them are external. Contemporary South Africa has since the end of apartheid not been faced by any conventional military threat to national security and is not likely to do so in the foreseeable future. Today the country is confronted with a number of security challenges, which are often more difficult deal with effectively. As Dr. Anne Hammerstadt have argued:

"most of the region's security threats are domestic and lack of capacity warrants an incremental, decentralised process focused on the weakest SADC [Southern African Development Community] members".⁴

Changing South African governments have in many instances stressed this fact and argued that South Africa cannot be an island of peace in the midst of war. Continued instability, insecurity and conflict in Africa, and Southern Africa in particular, will affect South Africa directly or indirectly.⁵ Another part of that element is tied to South Africa's capacity to counter and handle external challenges. This means for instance that the capacity of the South African Police Service (SAPS) has a significant influence on how

(3) See for instance President Nelson Mandela's speech at the Freedom Day Celebrations in Umtata, 27 April 1999

(4) Hammerstadt, Domestic threats, regional solutions? The challenge of security integration in Southern Africa

(5) In the Department of Defence, Draft Defence Update from 2005 it argued that "factors contributing to insecurity such as, poverty, underdevelopment, the spread of killer diseases, environmental degradation, the rise of international terrorism, the possession and proliferation of Weapons of Mass Destruction (WMD), and the growth of transnational crime are of a global nature but have implications for national security. The strategic environment is, therefore, moulded by a multitude of political, socio-economic, environmental and military trends that impact significantly on South Africa's defence and security policy.", Department of Defence, Defence Draft Update 2005, report 1.

extensive a threat international crime constitutes for South Africa. This is due to the fact that the term “security” basically deals with the reality that a threat exists, against which society has a proper defence. As opposed to this insecurity deals with the fact that a threat exists, but that one does not have any defence – or only limited defence – against this threat. Limited state capacity increases the level of insecurity. Bengt Sundelius argues that what he identifies as constituting security challenges in the contemporary world could be divided into basically four key points:

1. Armed attack by another state, i.e. military intervention
2. Armed attack by non-state actors, e.g. terrorists
3. Attack by another state, e.g. through trade, financial including other types of intervention than military intervention
4. Attack by non-state actors, e.g. information operations, critical infrastructure, virus attacks

However, on top of these issues are structural threats which are not intentional attacks, e.g. nuclear plants, epidemics, state failure and collapse, violent civil unrest and migration or what in general could be determined un-calculable risks.⁶ The before the World Cup much debated threat from terrorism is not something that is normally high on the national security agenda in South Africa. It seems that the security challenges primarily stem from the fourth category and especially the unintentional consequences of weak or failed state structures, both from the outside and from domestic sources. In South Africa it can be argued that the effects of the apartheid regime have been securitised in the sense that questions, such as of economic inequality and the white dominated public sector, were issues seen as fundamental threats to the new South African society if not remedied. At the same time there have been parallel de-securitising processes, where the relations with the region were generally de-securitised to remove the enmity that existed during the apartheid era.

The non-conventional threats towards South Africa – a short overview

In the absence of any immediate conventional threats to South African national security, what constitute the threats and challenges to the country’s security? The quick and provocative answer would be South Africa itself. However, the answer is of course more complicated than that. One type of challenge facing South Africa is its geographical location in Africa, i.e. in a “zone of conflict”, where problems arise from the existence of weak, unstable states, with which it is difficult to form a political partnership and com-

(6) Presentation by Bengt Sundelius, at a conference on 29 April 2004 at the Danish Institute for International Studies in Copenhagen, Denmark

plicating regional cooperation and integration”.⁷ National strategic planning has to take into account that a situation might change quickly and transform the threat level. Further, weak states are unable to commit themselves to medium-long term agreements, and South African private industries investing in the region are thus unsure that partnerships and investments will necessarily be secure. On the other hand, weak states, such as the DR Congo, potentially offer the possibility of quick economic gain, with limited international competition. However, the lawlessness often creates environmental degradation, evident in the illegal fishing in the waters around South Africa and the uncontrolled and subsistence mining in for instance the DR Congo. This uncontrolled space, both in terms of economy and in actual terms in weak, lawless states also offer a potential space for agents such as rebel movements from neighbouring states, and often generate waves of refugees – as is evident in South Africa today, which has large groups of refugees, both legal and illegal, from several countries in Africa. South Africa is surrounded by “weak” states, for instance Mozambique, Zimbabwe, Malawi and Zambia, or even failed states, as for instance DR Congo. However, Zimbabwe aside, Southern Africa is generally the most stable region in Africa, reducing the challenges to South Africa.⁸ The political and economic crisis in Zimbabwe constitutes a multifaceted problem for South Africa. It used to be one of South Africa’s most important trading partners and was at the same time the primary infrastructural gateway to the continent. President Mugabe’s authoritarian leadership and aggressive agrarian reform programme have produced tremendous challenges for the South African government, also domestically in South Africa, where calls for land reforms are widespread and create constant political pressure. Politically South Africa is caught between its foreign policy strategies of ubuntu, i.e. dialogue, Africa solidarity, national economic interests, and the Western calls and expectation in calls for a democratic governance and human rights agenda. The Pretoria government has, therefore, been widely criticised by especially Western governments and domestic media to an extent that the government has risked jeopardising the international goodwill it had as a result of its 1994 transition from apartheid. However, the establishment of a transitional government in Zimbabwe in 2009, eased the international pressure on South Africa, which now claims some recognition and goodwill for its mediation efforts.⁹ One of the direct consequences of the political and economic crisis in Zimbabwe is that thousands of refugees leave for South Africa every week.¹⁰ This poses a tremendous task for South

(7) However, the Southern African Development Community (SADC), where South Africa as a regional power, is an important member, is becoming an increasingly important player, which of course has a positive effect on state to state cooperation in the region. For further reading see for instance, Mandrup, South Africa and the SADC Stand-by Force, *Scientia Militaria*, Vol. 37, No. 2 2009

(8) It is nevertheless important to remember that the situation in many of the states in Southern Africa are volatile and can deteriorate rapidly.

(9) It is outside the scope of this brief to discuss the South African mediation in Zimbabwe and nature of the situation in Zimbabwe. However, the whole process is extremely fragile and a lasting solution does not seem to be attainable in the immediate future.

(10) In 2007 South African authorities deported 4.000 Zimbabweans a week, and it is estimated a quarter of the Zimbabwean population of approximately 14 million has left the country.

Africa, because it has to deal with millions of illegal emigrants, who are all looking for jobs and housing. This has created tension and xenophobia in South Africa. It seems that the South African government is waiting, like most others, for the 86 year old President Mugabe to die. However, for the SAPS the large number of illegal immigrants from Zimbabwe constitutes a tremendous challenge, both in terms of crime prevention, but also in terms of the task of deporting the illegals.

Migration

One of the most immediate external challenges, but also possibilities, facing South Africa is the pressure from thousands of fellow Africans seeing South Africa as a “land of milk and honey”. The majority of the migrants coming to South Africa constitute a serious challenge to the society because they do not have any formal or only limited formal qualifications, increasing the pressure on the South African job market characterised by job scarcity. This has in turn led to the before mentioned xenophobia and racially motivated violence. In the SAPS latest annual report the number of illegal immigrants in South Africa is estimated to be approximately between 3-6 million, mostly coming from Zimbabwe. The high number of illegal refugees has sparked widespread discourses in South African society blaming the refugees for the levels of crime.¹¹ Consequently, migration to South Africa, apart of being a social problem in a poverty stricken society with job-scarcity, also constitutes a problem because it has sparked several episodes of xenophobic riots during the last couple of years and also widespread racism, in an already racially divided society. A more positive side of the migration from Africa to South Africa is that it counters some of the negatives effects caused by the serious brain drain¹² facing it by attracting capable Africans. The brain drain constitutes a serious challenge for South Africa and its economic development, because it is expensive for a society to lose a high number of skilled citizens, both in terms of the cost of educating the individual, but also in terms of the lost skills and productivity. However, the latest figures show that the brain drain might have stopped and that the number of South African’s moving back has surpassed the number leaving.

The crime pandemic: is the social contract under pressure?

At a recent conference in Johannesburg, a Rwandan general giving a talk on causes of conflict in Africa came with an interesting observation. He pointed out that the many signs along the South African roads warning drivers against stopping due to the risk of crime indicated a state that had lost, and accepted that it had lost the control over large

(11) On the issue of crime see for instance Institute for Security Studies response to new Immigration Law, 2 March 2005

(12) Government has estimated that more than one million white South Africans have left the country since 1994. In addition to this is a large number of highly qualified South African’s recruited to for instance the UK, Canada, Australia, New Zealand and the USA, with serious negative consequences for the South African economy.

geographic areas of the state. The fact is that South Africa has to contend with what seems to be constant level of more than 18.000 murders a year¹³, or approximately 320.000 since 1994, which means it has one of the highest rates for violent crime in the world.^{14 15}

Table 1: Serious crime during the 2003/2004 to 2008/2009 financial years and the percentage increases/decreases in crime between 2007/2008 and 2008/2009

Crime category	Incidence of crime per 100 000 of the population							Raw figures/frequencies						
	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	Increase/decrease 07/08 vs 08/09	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	Increase/decrease 07/08 vs 08/09
Contact crime														
Murder	42.7	40.3	39.5	40.5	38.6	37.3	-3,4%	19 824	18 793	18 528	19 202	18 487	18 148	-1,8%
All sexual offences*	142.5	148.4	145.2	137.6	133.4	146.9	10,1%	66 079	69 117	68 076	65 201	63 818	71 500	12,0%
Attempted murder	64.8	52.6	43.9	42.5	39.3	37.6	-4,3%	30 076	24 516	20 571	20 142	18 795	18 298	-2,6%
Assault with the intent to inflict grievous bodily harm	560.7	535.3	484.0	460.1	439.1	418.5	-4,7%	260 082	249 369	226 942	218 030	210 104	203 777	-3,0%
Common assault	605.7	575.0	485.3	443.2	413.9	396.1	-4,3%	280 942	267 857	227 553	210 057	198 049	192 838	2,6%
Robbery with aggravating circumstances	288.1	272.2	255.3	267.1	247.3	249.3	0,8%	133 658	126 789	119 726	126 558	118 312	121 392	2,6%
Common robbery	206.0	195.0	159.4	150.1	135.8	121.7	-10,4%	95 551	90 825	74 723	71 156	64 985	59 232	-8,9%
Contact-related crime														
Arson	19.0	17.6	16.3	16.6	15.5	14.1	-9,0%	8 806	8 184	7 622	7 858	7 396	6 846	-7,4%
Malicious damage to property	341.2	323.7	307.7	302.5	286.2	275.8	-3,6%	158 247	150 785	144 265	143 336	136 968	134 261	-2,0%
Property-related crime														
Burglary at residential premises	645.2	592.8	559.9	526.8	497.1	506.5	1,9%	299 290	276 164	262 535	249 665	237 853	246 616	3,7%
Burglary at non-residential premises	139.3	120.3	116.0	123.3	131.7	143.8	9,2%	64 629	56 048	54 367	58 438	62 995	70 009	11,1%
Theft of motor vehicles and motorcycles	190.0	180.0	183.3	182.1	167.7	156.0	-7,0%	88 144	83 857	85 964	86 298	80 226	75 968	-5,3%
Theft out of or from motor vehicles	370.8	318.8	296.6	261.7	233.4	226.0	3,6%	171 082	148 512	139 090	124 020	111 661	100 548	1,0%
Stock-theft	89.0	70.1	61.3	60.8	60.1	61.7	2,7%	41 273	32 675	28 742	28 828	28 778	30 043	4,4%

* This category of crime replaces the former categories of rape and indecent assault. The difficulties presented to crime analysis by the creation of this category of crime emanating from the implementation of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, Act 32 of 2007 on 16 December 2007 are discussed elsewhere in this report.

Source: SAPS Annual Report 2009, pp.

The near epidemic crime levels mean that the social contract between government and the citizens is breaking down, and the latter resort to private means of security, e.g. private security companies and vigilantism. This constitutes a potential threat to the government and the monopoly on the legitimate uses of violence, and thereby the stability of the state and the cohesion of society. With an annual crime level that seems to have stabilised around 18.000+ murders, i.e. 37,3 murders per 100.000 inhabitants

(13) However, down from 27.000 prior to 1994.

(14) This is amongst the states that produce reliable statistics on crime, i.e. primarily the OECD countries. No reliable figures are for instance available on Nigeria or Pakistan, which makes comparisons difficult.

(15) Altbeker, A Country at war with itself, pp. 12

in 2009¹⁶, and approximately 27.750 rapes, i.e. 63 rapes per 100.000 inhabitants, it shows a country where crime has for long time been out of government control, and it shows a state that is unable to protect its citizens enforcing its sovereignty. One of the distinctive features of crime in South Africa is its violent nature, where for instance robberies will likely happen with the use of a gun, while this would not be the case in for instance Western Europe.¹⁷

Crime in general hits indiscriminately across race and class. However, it is noticeable that there is a racial dimension to murders in South Africa, where for instance white South Africans are 50 percent less likely to be murdered compared to black South Africans.¹⁸ The worrying element in this equation is not only that the high level of crime – and especially violent crime – seems to have stabilised at a dramatic high level. For the South African society it is also worrying that the public perception seems to be changing and that many people seem to have lost faith in government, and therefore also the post-1994 project. However, as Altbeker argues, the most worrying thing seems to be that there are many indications that the government has run out of ideas on how to solve the challenge from crime. It is, therefore, not because it does not want to handle crime, it just does not know how to do so.¹⁹ One of the problems faced by the South African authorities is that, despite the fact that crime hotspots exist, crime is spread out all over the country, which makes effective policing difficult. It is furthermore not focused on specific areas or types of crime, but is dispersed over many types of crime. Again this makes effective policing difficult, because the police find it difficult to focus its efforts.

The high crime level also constitutes a problem for the economic development of the country, because it constitutes a strong disincentive for potential financial and business investors.²⁰ The high levels of crime, and especially violent crime, make it more difficult to attract the needed capable foreign professionals and is also part of the reason why

(16) These statistics are the officially reported figures. However, the real figure is much likely to be higher than this, because many crimes never get reported. There is a difference in the statistical accuracy in reporting on crime between the different types of crime. This is because murders for instance are more likely to be reported to the police than for instance a robbery. In comparison the similar figure in one of the most violent countries in the Western world, the USA, the murder figure is 5 to 100.000, while in Western Europe in general it is around 2 per 100.000. The problem with comparisons with other African states is that statistics are either imprecise or non-existent. It is also noticeable that there is a racial dimension to murders in South Africa, where for instance white South Africans are 50 percent less likely to be murdered compared to black South Africans, Altbeker, *A Country at War with Itself*, pp. 62

(17) Altbeker, *A Country at War with Itself*, pp. 47

(18) Altbeker, *A Country at War with Itself*, pp. 62

(19) Altbeker, *A Country at War with Itself*, pp. 13

(20) At a recent meeting for potential investors in South Africa, crime was the one topic that concerned these international business investors. Personal conversation between the author and Senior Researcher Richard Cornwell from ISS in February 2008 who conducted the investor briefing.

well educated South African's in large numbers have opted to emigrate²¹, while at the same time placing serious question marks behind the long-term stability of the state and, therefore, also the security of an investment.

The perception of crime

Although key crime figures have decreased, South Africa has both a crime and a police problem.²² Fear of being the victim of especially violent crime seems to have grown. However, as mentioned above there is both a racial and class element to this, because South Africa has for many years, also prior to 1994, been plagued by violent crime. The major difference in post-1994 South Africa is that crime has spread from black townships into South African society more broadly, increasingly affecting the economic elite of the country, i.e. primarily the white minority.²³ A very illustrative picture on this development is the middle class and upmarket suburbs in South Africa which today are in effect gated communities, which was not the case prior to 1994. The state has so far been unable to produce any effective preventive measures and the police, and the judicial system, are overburdened, and many crimes remain unsolved. According to its own strategy the SAPS should by 2004 have gone from what it defines as crime stabilising to crime reduction operations.²⁴ However, this did not happen. One of the general problems related to the crime pandemic in South Africa is the constitutional provision that SAPS is also responsible for crime prevention, i.e. handling the causes of crime, something that the SAPS has found it difficult to deal with efficiently, and for which it is ill equipped. The police is good at policing, but not at social engineering.²⁵ This is arguably also a societal problem, which should be handled by other branches of government.

Private means of security

As a response to the challenge posed by crime in South Africa, ordinary citizens have had to find other means of providing security. In South Africa there are a remarkable number

(21) This is exacerbated by a brain drain from South Africa, where especially white South Africans, but also trained people in general, leave South Africa. The government in 2007 estimated that approximately 1,4 million white South Africans have left the country since 1994.

(22) Leggett, *The State of Crime and Policing*, pp. 168 in Daniel et al. Eds, *State of the Nation South Africa 2004-05*

(23) To a large extent this elite controls the media and the story of worsening crime also stems from the combination of this group being increasingly being hit and at the same time having better access to the media. It is interesting to note that for instance murder levels have fallen dramatically between 1994 and 2007, from 27.000 per year to 19.000 per year, while for instance robberies and burglaries have increased.

(24) See Leggett, *The State of Crime and Policing*, in Daniel et al. Eds, *State of the Nation South Africa 2004-05* for further reading

(25) Leggett, *The State of Crime and Policing*, pp. 145 in Daniel et al. Eds, *State of the Nation South Africa 2004-05*

of 375.000²⁶ private security officers, surpassing the number of ordinary police officers of 183.000 by two.²⁷ Elements of policing have, therefore, been privatised in South Africa, something that of course – in the absence of the public provision of security – benefits those elements in society that can afford private security, while those that cannot become even more vulnerable. In the townships around South Africa different schemes of community policing has been organised and vigilantism²⁸ are widespread, and to a certain extent accepted by government.²⁹ What can be called “non-state justice”, is – seen from a human rights perspective – highly problematic because it happens without formal regulation and often at random. From a state point of view it is problematic to sub-contract the execution of law and order, and sometimes even of justice to private citizens or groups of people, because organised, unregulated armed groups can eventually end challenging the state itself. It is a classical sign of a weak state that has to resort to a social contract between groups of citizens representing narrow interest and then the state. However, as argued by Boyane Tshehla,

*“the non-state justice may be a convenient surrogate or substitute or even a shock absorber, but in the long run, as history warns us and present practices confirm, it will come back to haunt us”.*³⁰

The experience from other countries in Africa, such as Zimbabwe, Ivory Coast and Rwanda, underlines this fact.

The international dimension of crime in South Africa

International organised crime and non-state actors in general constitute a tremendous challenge for South Africa, and whose activities significantly influence the international strategic environment. Drug and small arms trafficking are just two of the challenges. The openness of the South African society, the security provided by the Constitution – which the South Africans argue is the best in the world – and the general access to modern amenities, combined with the capacity problems within the Departments of Home Affairs,³¹ Safety and Security and the SAPS mean that international criminal networks

(26) PSIRA, Annual Report 2008/09

(27) It must be acknowledge that the budget for the SAPS has increased over the last number of years as part of increasing the capacity of the SAPS before the World Cup.

(28) It is important to remember that vigilantism should not only be seen as a response to crime, but also as means to protect the interests of the local elites against for instance immigrants or the local youth that might challenge the existing distribution of power in society. For further reading see for instance Jensen, Through the Lens of Crime: land claims and contestation of citizenship on the frontier of the South African state, in Buur et al., The Security-Development Nexus, 2008

(29) Vigilantism, non-state policing and public justice are not new phenomena in South Africa and were used by both the apartheid regime and by anti-apartheid activists.

(30) Tshehla, Non-state justice in South Africa as Justice by Own Means – The Case of Township residents in South Africa, pp. 12

(31) Home Affairs has been hit by several corruption scandals, for instance where officials in the department issued passports to non-South Africans.

have been increasingly using South Africa both as a transit country for primarily drugs and also as a place for laundering money.³² They also regard this as a country where individuals with criminal linkages can live in relative peace without an immediate fear of being extradited.³³ However, it should be stressed that at this stage it does not seem as if the international criminal network constitutes a major problem in relation to the general crime pandemic.³⁴ However, trans-border crime and the trafficking of small arms constitute a serious challenge, because South Africa has become an important transshipment centre for illicit drugs, especially heroin, hashish, and cocaine. While the domestic market for these drugs is on the rise, the market for illicit methaqualone, sold in South Africa under the name of “Tik”, constitutes the most immediate challenge to society and its use has increased dramatically.³⁵ The South African crime statistics show that there is a high level of interconnectedness between violent crime and substance abuse. Especially the increased use of Tik is worrying, because it is relatively cheap and accessible, the users tend to develop an increased aggressive behaviour, and because violent crime in South Africa often is closely connected to substance abuse.³⁶

(32) One of the areas that poses the most immediate challenge to South Africa, and has done so for many years, is the money laundering of the proceeds from criminal activities, which are brought into the economic system. South Africa is an attractive venue for money launderers given the increasing level of organised criminal and narcotics activity in the region and the mere size of the South African economy. The government has had a focus on this issue for several years, and a number of the other SADC countries have implemented anti-laundering laws, and cooperate regionally through the SADC Banking Council and the Eastern and Southern African Anti-Money Laundering Group (ESAAMLG). However, the key to the anti-laundering effort is the individual state’s ability to enforce the anti-laundering laws. This points back to the weak states, which often do not have the needed capacity to enforce these laws, or any way keep any oversight with financial transactions. For South Africa this presents a tremendous challenge because the illicit proceeds cross borders and are invested in South Africa.

(33) A combination of liberal laws that make it easy to settle in South Africa, combined with a slow bureaucratic system that makes extraditions difficult, makes South Africa an attractive place to settle for people involved in for instance organised crime. For further reading see, Altbeker, *A Country at War with Itself*, pp. 125f Another element to this is that South Africa is also attractive to for instance radical Islamists and other individuals with terrorist links. International intelligence agencies have for several years criticised the South Africans for not being restrictive enough, while the SA National Intelligence Service claim that no real problem exists.

(34) Foreigners are involved in, and some times even blamed for, crime in South Africa, which is also part of the general wave of xenophobia in South Africa. However, even though those immigrant communities are involved in crime, there is no evidence that show that these communities have a higher level of involvement in crime than ordinary South Africans. However, some emigrant communities are involved heavily in specific sectors of crime, for instance the Nigerians in hard drugs trade and a number of Zimbabweans have been involved in armed robberies. For further reading see for instance ISS response to new Immigration Law 2 March 2005

(35) There seems to be a rise in drug-related crimes involving Tik users, especially in the Western Cape.

(36) SAPS Annual Report 2008/09

The Capacity of the Police

“Crime prevention in South Africa is based on the principles of community policing, recognizing the interdependence and shared responsibility of the police and the community in establishing safety and security. Key to this approach is establishing active partnerships between the police and the public to jointly address crime and community safety issues.”³⁷

The SAPS is the national police force of South Africa and answers to the Department of Police. In 1994 the new government announced that tolerance and human rights were to be central foundation stones of future policing in South Africa. The police is divided into nine provincial structures and into several specialised branches – the largest doing visible policing, i.e. the uniformed local police. In addition to the abovementioned permanent force of 187.000 police officers, and which is to reach 204.000 by 2012, the police also has a reserve force capability, which is an important element in its community police strategy. As mentioned above, community policing requires a close partnership between the local communities and the police service, especially in the areas plagued by high levels of crime and especially violent crime. However, the SAPS has had a capacity problem, which resulted in low level of arrests of suspected criminals and later conviction rates for committed crimes. However, the number of arrests has increased and the conviction rate has also increased from 5,04% to 30,81% for the more serious types of crime.³⁸ This is of course important in a community police strategy, because the local communities need to see that the fight against crime is effective, i.e. the state manages its part of the social contract. However, public trust towards the police has also been negatively affected by primarily two events in the recent years. The first one was the suspension and later sacking of the former National Commissioner for Police, Jackie Selebi, on charges of corruption and fraternisation with known criminals. This has been very damaging for the police force and an embarrassment for the Pretoria government. However, more importantly it highlights the increased problems of corruption which the South African society is experiencing. The second major event has been the increased political interference in the daily work of the police and the prosecuting authorities, illustrated for instance by the decision to close down the independent anti-corruption unit, the Scorpions, integrating them in to the ordinary police, and thereby making easier for the ANC government to control such divisions of the police. This has also had a serious negative effect on the public perception of the capacity of the police and the trust in the political independence of the prosecuting and investigating institutions of state.

(37) SAPS Annual Report 2008/09 pp. 36

(38) SAPS Annual Report 2008/09 pp. 34

The SAPS was after 1994 initially faced with the fact, also faced by many other government departments, that it had to integrate ten different police forces inherited from the apartheid state, while it at the same time had to reform itself fitting itself for the new democratic society. As argued by Leggett, the SAPS seemed to be a dumping ground for unwanted men with guns.³⁹ The problem for the SAPS has to a large extent been that the personnel was not trained for modern policing, but for instance in riot control. However, this type of policing seems to have had its revival in South Africa, as police has initiated increasingly harsh measures in an attempt to deal with crime.⁴⁰ In an attempt to boost the capacity of the SAPS it has since 2004 hired an additional of 37.200 new police officers, whom it is hoped will have a significant positive effect on the battle against crime, and help see to it that the FIFA World Cup will be remembered for the football and not negative events and incidents. In relation to the World Cup it is also important to remember that elements from the armed forces, the SANDF, has assisted the police, by for instance enforcing a non-fly zone around the stadiums, border patrolling, which for long periods since 1994 has been a army responsibility due to lack of capacity in the SAPS, and guarding the harbours against potential terrorist attacks. Another part of the security institutions, the Intelligence Community in the form of the National Intelligence Service (NIA) and South African Secret Service (SASS), have prepared for the event for a long time, and are relatively well functioning institutions with a number of regional and international partners. This is of course of essential importance in preventing attempts of staging terrorist attacks against the World Cup, but more important it also point to the fact that the South African government, and its security institutions' systematically has attempted to expand the capacity in the security sector. The questioned that remains to be answered is whether this will be effective dealing with the crime pandemic facing South Africa.

Conclusion

"Sports can express some of the best values we carry as a human family,"

Graça Machel on the role of World Cup in South Africa, May 2010

No conventional military threat faces South Africa in the short to medium term. Nevertheless, the insecurity and fragile nature of a number of the states in Southern Africa means that a high level of unpredictability exists. The greatest challenge to South Africa is its geographical location in Africa and the nature of its partners in the region, which is also why it has launched its long term strategy of transforming the region through political

(39) Leggett, *The State of Crime and Policing*, pp. 144 in Daniel et al. Eds, *State of the Nation South Africa 2004-05*; This tendency seems to have continued, of which the ambition of transferring the disbanded territorial defence units, the Commandos, to the SAPS is an example.

(40) Altbeker, *A Country at War with Itself*, pp. 31

reform and introducing new normative principles. Another challenge for South Africa is its limited capacity to handle the broad spectrum of security challenges that is facing the country. The constant high levels of violent crime and the capacity problems within the police constitute a direct threat to the South African state, which has so far been unable to produce a proper defence handling this threat, leading to a society plagued by in-security. Whether the increased number of well trained new police officers will remedy this is at best questionable, because the government seems to find it difficult to produce an effective strategy against the broad spectrum of crime plaguing the country. The increasing number of private security officers and the widespread vigilantism is a warning to the South African government that something is fundamentally wrong with the South African society, and that the social contract between government and its citizens has partly broken down. As argued by the Rwandan general, government has lost control over parts of the state. However, despite the long list of problems facing South Africa, there are also positive signs of increased levels of security, despite the delicate situation contemporary South Africa finds itself in. The long term importance for the citizens' trust in the state and for the national pride of a successful execution of the World Cup should in that not be underestimated. However, it remains to be seen whether the extra measures put in place for the World Cup, both in terms of actual security, e.g. the number of police personnel, but also the vast investment in improving the country's infrastructure, will have a visible positive effect on domestic security in the longer term. The history and nature of crime, and the social inequality in the South African society, makes effective policing difficult. However, the increased capacity within the security sector will improve the SAPS ability to solve crime, which of course is an important element in the struggle against crime and in creating trust amongst the ordinary South African in the police and the state.