

Community policing in South Africa – Mission Impossible?

A qualitative case study of police reform failure in South Africa after the 1994-
transition to democracy

Master Thesis

by

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Abstract

Since the 1990s community policing has been promoted as an ideal and pursued through policing reforms in large parts of the developing world, especially in post-transitional societies faced with the twin problem of high crime and lack of legitimacy for the police. Despite high expectations the results have not been encouraging, and attempts to implement community policing reforms have often been deemed failures. This also holds true South Africa, and in many ways South Africa represents a typical case of contexts where community policing reform has been advocated as a solution. At the same time it represents a case where extensive and long-term efforts to change the policing practices in line with these ideals have been made. An inquiry into reform processes and the potential causes of police reform failure in the South African case may therefore generate an overall more refined understanding of casual mechanisms causing such reforms to fail.

In order to explain community police failure I have compared and tested three theoretical strands presented in the scholarly literature regarding causal relationships causing the police reform to fail. The aim has been to find a theoretical narrative best suited to explain the South African case.

Findings are twofold; firstly the success or failure of police reform is affected by a wide set of contextual conditions and to find a *single* cause or theoretical narrative for explaining it therefore seem inappropriate. However, this study indicates that a *part* of the narrative for explaining police reform failure in South Africa should be ascribed to the police reform, being a bad fit in the meeting with challenging contextual pre-conditions. Secondly, findings from the South African case indicate that it may be premature to deem the reforms to total failure as initially suggested by the scholarly literature. This thesis concludes that when community policing reforms are undertaken under such challenging circumstances as those often existing in post-transitional societies – they will, at best, need more time to become effective.

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Prologue

“Two policemen got on either chair and they dragged me to the window, and they said I can now jump....I refused...they grabbed me by my shoulders and lifted me physically up and pushed me out of the window...and they were holding me by my ankles...each policeman holding one ankle. All I could see was the concrete floor at the bottom – we were three floors up, and all of a sudden one would let go of one foot as he’s about to catch my foot. The one he released, the other chap lets go-and they played like that....and you know, you thought: God, this is the end” (Krog, 1999: 39).

This excerpt, from a testimony from the Truth and Reconciliation Commission in Cape Town 1996 can be used as a point of departure for this thesis. It marks the end of an era of brutal South African policing history, and the start of a new, still ongoing process of reforming the police according to the country’s new democratic policing ideals. However, as this thesis will show, the road to reform has been rocky, and the walk towards improving the police still seems long.

Chapter 1

1. Introduction

1.1 Introduction to theme and thesis

This thesis aims to understand why the ambitious attempts to transform the police in South Africa after the end of the Apartheid era seems to have failed.

In the 1990s, police reform was widespread around the globe; from Eastern Europe through Latin-America, Asia and Africa efforts were made to reform police services according to the new democratic ideals which had quickly spread with what Huntington (1991) most famously termed the “third wave of democratization” (Kutnjak Ivković & Sauerman, 2013). Whereas reform implies a *change to the better*, reforming the police in a post-transitional context has been a challenging task where the positive improvements have tended to be long in coming (Brogden, 2005). By conducting a qualitative single-case study of police reform in South Africa in the period 1994-2013 the aim of this thesis is to understand why community policing reforms failed their attempt to improve South African policing in the aftermath of the 1994 transition to democracy.

Police reform reached South Africa after the peaceful transition to democracy in 1994, when the newly elected African National Congress (ANC) government saw an urgent need for transforming the historically brutal South African Police¹ in line with the country’s new democratic ideals (Shaw, 2002). For almost four decades the South African police had been known for its brutal and repressive role under the apartheid regime working as law enforcement agent for a state that created crime through its efforts to erect moral, economic and political boundaries between the races (Brogden & Nijhar, 2005). The police reform sought to transform the whole police organization in line with internationally agreed upon norms of democratic policing; accountability to the rule of law, protection of human rights, transparency and service orientation (Kutnjak Ivković & Sauerman, 2013).

An important element of the comprehensive South African reform process was the re-thinking of the overall policing approach in line with a western community policing ideal. Community policing can be defined as “An iconic style of policing in which the police are close to the

¹ South African Police (SAP) changed to become South African Police Service (SAPS) after the 1994 transition. Since this study looks at the period after the 1994 transition, I will use SAPS as the main abbreviation when referring to the South African police.

public, know their concerns from regular everyday contacts, and act on them in accord with the community's wishes" (Fielding, 2005: 460). The theory suggests that successful implementation of a community policing strategy requires a radical change in the customary interaction between the police and the community where the overall aim is to improve the general trustworthiness and the efficiency of the police, through taking on a more community oriented and inclusionary policing approach (Skolnick & Bayley, 1988).

Almost two decades have passed since community policing was first introduced to the South African police and many observers have concluded that the concrete achievements from the reform are lacking (Brogden, 2002; Brogden & Nijhar, 2005; Minnaar, 2013). National crime statistics show that the country has had a persistent high level of crime for the last decade, and data from the Independent Police Complaint Directorate (IPID)² show a steady increase in the number of complaints regarding serious police misconduct. Together they bear witness to a situation where police behavior and efficiency are miles away from the reform's expectations. Against this background, the thesis asks the following research question:

Why have community policing reforms failed in their attempts to transform the South African police in line with the democratic ideals adopted in the aftermath of the 1994 regime transition?

My aim is to gain in-depth knowledge about the causal relationship leading to community policing failure in South Africa. By exploring whether or not the structural changes presented as necessary by theory, have taken place; what the main challenges in promoting these changes in the South African context as well as how these obstacles have affected the overall implementation process. The thesis may provide insights of use for future reform efforts in South Africa. Since South Africa in many ways are typical for cases where community policing reforms are promoted and implemented, it may also provide useful lessons for other cases in addition to probe assumptions in the community policing literature, thus providing feedback to the theoretical field.

² The Independent Police Investigative Department (IPID) was until 2012 named the Independent Complaint Department (ICD). In this thesis I will mainly use IPID when referring to the Independent Police Investigative Department. However in the references ICD will be used to the reports before the name changes, while IPID will be used for the reports after the name change.

1.1.1 The topic: Community policing

Democratization of the police lies at the heart of the police reforms starting in the mid-1990s, but what can actually be described as democratic policing? Even if the direct meaning of the concept of democratic policing has been heavily debated over the years (Aitchison & Blaustein, 2013), there is some general agreement on certain elements that should be in place for the police to qualify as democratic: accountability and respect for the Rule of law, protection of human rights, transparency and the development of a stronger service orientation, meaning that the police should give priority for securing the needs of individuals and private groups (Bayley, 2006). Police reform is also seen as an important factor for supporting both democracy and development (Du Plessis & Louw, 2005). Since state capacity for providing the public good of safety and security reflects back on the public perception of state legitimacy, to advance public safety through police reform becomes an important issue for state actors in transitional periods (Goldsmith, 2005).

In post-transitional countries reforming the police according to democratic ideals have been and still are perceived as an extremely challenging process, much due to a general absence of public trust towards the law enforcement agencies which tends to exist in such countries (Goldsmith, 2005; Müller, 2010; Nalla & Newman, 2013). Improving police accountability is therefore according to Goldsmith (2005), one of the most central challenges for re-establishing public trust in the police, where accountability must reflect the endorsement of a protective rather than regime oriented policing. To establish a mutually shared dedication by police and the public to protect all citizens is another important element for building trust (Goldsmith, 2005: 457).

Max Weber sees *policing* – which the Oxford Dictionary (2009) defines as: “Enforce regulations or an agreement in a particular area or domain” - as one of the main functions of the nation state since the fundamental bedrock of state legitimacy is based on its capacity to assure safety and security for its citizens (Tanner, 2000). The main actors exercising this monopoly of violence in a modern state is the police and the military (Luckham, 2009). The idea of a community oriented policing radically alters traditional understandings by including non-state actors into the policing equation. Non-state actors refers to actors who are not professionals mandated by the state such as, private security companies and volunteer citizens (Clegg, Hunt, Whetton, & Britain, 2000). Even if private security companies play a major role in the South African security equation, this thesis will mainly focus on the role of volunteer citizens in community oriented crime prevention.

In the present world, donor countries may offer community policing as part of a larger package of police 'reform' in order to guarantee a degree of stability to the transitional society (Nalla & Newman, 2013). It is argued that if one can establish sufficient law enforcement structures, this will give the other state institutions time and space to develop (Brogden, 2002). While much of the early research on transition to democracy have highlighted the role of the military, Tanner (2000) amongst others have stated the importance of focusing on the role of the police in this process. Since the police have a much closer attachment to the society through its everyday interaction, this also makes them better able to obstruct social disorder from developing at local level in the first place (Tanner, 2000). This idea is further reflected through community oriented policing, where closeness to society is a core value.

The core idea of community policing was first introduced in the US in the late 1970s and early 1980s, and was based on the assumption that a key to controlling increasing levels of crime was to involve police and communities in collaborative projects (Ruteere & Pommerolle, 2003). It is a policing philosophy that promotes organizational strategies in support of systematical use of partnerships and problem-solving techniques to more proactively address the immediate conditions that gives rise to public safety issues (Jobarteh, 2013). The focus on the need for inclusion of a wider array of public actors into the act of policing is based on the recognition of the police no longer being able to manage the security situation on their own. A new focus was therefore put on the need to transform the community from merely being a passive consumer of police protection as suggested by a traditional policing approach, to become active co-producers of public order and security (Bayley & Shearing, 1996).

In addition to being a possible way for enhancing general police efficiency, community policing has also been considered a means towards improving police legitimacy in countries where the police has been used for political, rather than for a civilian purpose. Such assumption was grounded in its apolitical and inclusionary appearance, which partly explains its popularity in transitional countries (Goldsmith, 2005; Nalla & Newman, 2013). Legitimacy in this context refers to "the judgments that ordinary citizens make about the rightfulness of police conduct and the organizations that employ and supervise them" (Goldsmith, 2005: 444). However, since the police in post-transitional countries usually tend to suffer from severe legitimacy deficit, making them appear as a trustworthy organization has been challenging.

In the aftermath of a transition away from an authoritarian past where traditional paramilitary policing approaches lacked legitimacy as well as efficiency, consensus was reached on the need to change (Nalla & Newman, 2013). Under such circumstances community policing is often perceived to be a good entry-point for introducing new democratic values (Davis, Henderson, & Merrick, 2003). This is based on the assumption that community policing is able to bring fundamental changes to both the police organization and to the police culture (Ruteere & Pommerolle, 2003). De-militarization and civilianization of the police are key arguments for promoting community policing along with its role in re-establishing trust between the police and the community (Brogden & Nijhar, 2005; Nalla & Newman, 2013).

Through the 1990s and further into the new century ideals of community policing were introduced to countries in Latin America, Asia, Eastern Europe and Africa (Nalla & Newman, 2013). Among the African cases are South Africa, Nigeria, Sierra Leone, Tanzania, Zambia, Malawi, Kenya, Namibia and Lesotho. These cases not only have community policing efforts in common, they all represent cases where community policing reforms have been considered to fail in their attempts to reform the police (Brogden, 2005). The reasons provided for failure, however varies.

In the scholarly literature three main explanations are presented for why community policing fail as a police reform strategy. The first suggests that the theory of community policing in general is misguided because it is based on a set of assumptions that rarely exists in real life (Klockars, 1988; Fielding, 2005). The second explanation suggests that the reform is a bad fit; community policing is poorly suited to post-transitional contexts where the character of the problems are varied from those of the western countries where community policing theory originated (Brogden, 2002; Brogden & Nijhar, 2005). The third explanation suggests that community policing fails as a result of poor implementation and lack of sufficient state buy-in and support (Frühling, 2012). I will use the different explanatory strands as the basis for formulating the hypotheses that I will test in the analysis of the South African case.

1.1.2 The case: South Africa

Community police failure, as already mentioned, is considered to be a quite common phenomenon in post-transitional countries, South Africa merely representing one out several cases where the attempt to reform the police has been described as a largely failed project (Brogden, 2005). In many ways describe more thoroughly at a later stage in this thesis, South

Africa can be considered to be a typical case of police reform failure in a post-transitional context, in the way that it holds “typical” values relative to the overall causal model for explaining failure, which in this case are; high crime, low trust and community heterogeneity. Even if the representativeness of a single case study is mostly regarded as limited (King, Keohane, & Verba, 1994), when studying a typical case the probability of representativeness is higher, relative to other cases, mainly since it is selected from within a sample of similar cases (Gerring, 2009).

Roots of crime and distrust in South Africa

For almost eight decades, from the South African Union was established in 1910 until the end of the apartheid regime in 1994, the main function of the South African police was policing for political control, rather than for civilian objectives. First, it was used as a tool by the British colonial rulers to control the black indigenous population from harming white colonial interests. The trend was reinforced by the highly repressive apartheid regime (1941-1994), in which the police was used systematically to repress the black indigenous population. At the time of the democratic transition, the distrust towards state actors, especially the law enforcement agents was thus as bad as it could be (Shaw, 2002).

The roots to crime and distrust in South Africa are most commonly traced back to the apartheid area. Apartheid, literally meant `separateness` in Afrikaans was to become the core of the new official racial segregation policy between 1948 and 1991. Apartheid constituted a policy system of segregation and discrimination on the grounds of race at the heart of which lies fear of the black majority population. Whereas the Africaner National party (NP) aimed to eliminate all vestiges of black participation in South African politics (O'Neil, Share, & Fields, 2006). Segregation between the races was not a new phenomenon in South Africa, but rather a policy with roots back to colonial rule in the late 1900 century (Cobbing, 2013).

For almost five decades the country was controlled by a white minority elite, who maintained control through institutionalizing legal discrimination. The first legal institutionalization of discrimination of blacks came with the *Population and Registration act* (1950), which classified and registered each inhabitant by their racial characteristics. All social rights, political rights and educational opportunities were determined by the racial characteristics. The population and Registration act was soon to be followed by the *Group Area Act* (1959)

that forcibly re-oriented the black population into new designated areas, or so called Homelands or Bantustans (Lemanski, 2004). Institutionalization of the Group Area Act resulted in forcibly moving and resettling almost three-and-a-half million black South Africans in new homelands located outside the country's major cities. The amount of people moved was much higher than the townships were designed to handle, and severe overpopulation led to rapid deterioration of people's living conditions. Overcrowding, poverty, unemployment and an ever increasing rate of alcohol abuse soon constituted a fruitful foundation for a rapid growth in criminality (Shaw, 2002).

For decades both the police and the state turned their back on the black townships, and the only state police action in these areas came in response to threats towards the white population, or white interests (Shaw & Shearing, 1998). The hallmarks of law enforcement in these areas were harshness, brutality and racism. The country's black majority was policed for control rather than for crime prevention and the police had little or no interest in responding to crime that happened outside the white communities (Shaw, 2002). The line between the political and the criminal was blurred, causing a deep-rooted and rising distrust towards state agencies, and especially the state law enforcement agencies such as the police who were the main repressive forces both before and under apartheid (Shaw, 2002).

A century of discriminatory rule has marked South Africa, so when the country took its first steps towards democratic rule in 1990s the relationship between the police and the black majority of the country's citizens was one of total alienation. The relationship was further worsened by the police's continued use of violence and force after the democratic transition (Weitzer, 1993). Despite efforts to transform the police, the distrust towards the law enforcement agency has not disappeared, and allegations persist of police misconduct and corruption as well as an overall lack of efficiency in managing the country's high level of crime (Schönteich & Louw, 2001).

Apartheid not only left an heritage of deep-rooted distrust toward the law enforcement agencies, it also left behind a highly polarized society characterized by exceedingly high levels of crime and insecurity. Continuous exposure to violence fostered a culture where South Africans quickly turn to violence rather than lawful means to solve conflicts (Schönteich & Louw, 2001). High levels of socio-economic inequality, high unemployment, rapid urbanization in and around the major cities and an exceedingly young populations are

other social dynamics that have created a multifaceted challenge of crime and unsafety for the police to manage (Schönteich & Louw, 2001).

As a reaction against the coercive and centralized apartheid regime, and as part of a more comprehensive police reform in the post-transitional period, implementation of *community policing* was seen as an important means for improving the bad relationships between the police and the community, as well as for introducing democratic values to a previously authoritarian police organization (Pelser, 2000; Brogden, 2002; Goldsmith, 2005; Nalla & Newman, 2013). By its emphasis on consensual relationships between the police and the public, community policing sought to improve the overall police legitimacy (Brogden, 2002). Improving public trust towards state law enforcement is central to enhance police legitimacy and efficiency, which in turn is important for capacity of the state police to provide basic citizen security (Goldsmith, 2005).

1.1.3 The puzzle: Why has community policing failed?

Two decades after community policing was first introduced to South Africa the level of crime is still amongst the highest in the world (United Nations Office on Drugs and Crime, 2013), communities still suffer from strong polarization (Lemansky, 2004; Lemansky, 2006), distrust towards state agencies is still an ever-present phenomenon and the gap between the police and the community is still wide (Minnaar, 2013; Nalla & Newman, 2013).

In trying to understand why community-policing reforms have failed in South Africa. I will explore what the obstacles to the reforms have been, how the challenging conditions of the South African context have affected the overall implementation process, and to what effect. I will also consider the prospects for overcoming these challenges in the future - is there any chance that community policing might still work in the end?

South Africa in particular, is an interesting case for studying community policing reforms, not only because the challenges it faces are typical of many transitional countries where police reforms are advocated and the obstacles to successful implementation are high (i.e.a “typical hard case” in terms of its preconditions). South Africa also stand out as one of the countries with the longest experience of community policing (Davies et al., 2003), and where – on the face of it – serious efforts to transform the police have been made, but failed. Lesson from the South African case are thus of special interest for police reformers elsewhere, and to the community policing literature.

The dependent variable in this study will be “*success/failure of community policing reforms*” which is the phenomenon this inquiry seeks to get an in-depth understanding of. The independent variables can be divided into two groups. *Underlying contextual variables* and *intervening (reform related) variables*. The underlying contextual variables are community heterogeneity; crime; trust in the police; and state support for the reforms. Where there are high levels of crime, strong distrust towards state agencies, strong community heterogeneity and lack of state support for the reforms, this is expected to influence the implementation of community policing reforms in a negative way, making them more likely to fail. The intervening theoretical variables regard the quality of the reform as such (the validity of community policing theory; and to what extent the theoretical preconditions are adequately reflected in the policy documents guiding the reform) and the extents to which the different parts of the community policing reform are in fact implemented.

1.2 Methodological approach

By conducting an in-depth qualitative case study of development and implementation of community policing reforms in South Africa, the aim is to gain a better understanding of the underlying mechanisms causing the police reform to fail. Single-case studies have been criticized for being too vigorous, too time-consuming and too fine grained (Yin, 2009), but this might be what is needed to answer some types of questions. If the aim of the research question is in-depth knowledge about complex causal relationships, a case study method might be the most preferable approach towards gaining such insights (Gerring, 2009).

As stated South Africa has been selected to form the empirical focus of this thesis, first and foremost because it's conditions are typical of many transitional countries where community policing has been attempted, and failed. One could argue that a cross-case study might have been more suitable for explaining police reform failure in transitional countries, but with the scope of this thesis and the time and resources available, it was necessary to narrow the empirical scope to a single case study. This was done in order to be able to conduct the in-depth analysis required for this study which seeks to understand how and through which mechanism the new police policy has been translated into real policing efforts.

Within South Africa I have, for the same reason, focused on one province, the Western Cape. Gaining the deep knowledge from all the eight provinces would not be possible within the

scope of this thesis. Western Cape is particularly interesting since it has the worst statistics in the country with regard to violent crime, and at the same time it is the province that arguably has undertaken some of the most serious and extensive community police reform efforts.

1.3 Relevance and contribution

Police reform failure has been an overall widespread phenomenon in post-authoritarian countries (Brogden, 2005). While transforming the police at the time is considered to be an important factor both for democratization and for the overall development level (Tanner, 2000; Du Plessis & Louw, 2005). Gaining insight into what actually causes the reform to fail thus becomes valuable knowledge for future reform efforts, mainly since such insight can contribute to a greater understanding of what could be done to make the reform more efficient in the future. Since transforming police in post-conflict countries seems to be persistent challenge, studying police reform failure becomes an important issue to study.

The empirical contribution of this thesis will be therefore be a more refined understanding of the underlying causal pattern that have caused police reform to fail in South Africa. By having a narrow empirical focus the thesis will have a more fine-grained approach to the question, and empirical data from both the national as well as from the provincial level will be analyzed for answering the question of police reform failure. In addition, since South Africa has been selected on the base of its typicality, results from this study might also be useful for future reform efforts not only in South Africa, but also in countries facing similar challenges.

The theoretical contribution of this thesis will be to compare and test already existing theoretical strands regarding police reform failure on empirical data South African case, to see which one of these three which seems to have the highest exploratory value. By analyzing and discussing these theoretical strands in light of the South African case this study might serve to probe assumptions in the community policing literature, thus providing feedback to the theoretical field. By studying South Africa as a typical case, the results from this study might also to some degree be useful for further study of community policing in other post-authoritarian countries.

1.4 Challenges and limitations

Based on the narrow empirical focus of this thesis the main limitation will be regarding how representative the findings from this study are. South Africa is used as typical case, which indicate that the findings to some degree could be representative to a larger set of similar cases (Gerring, 2009), however, since this study mainly has been focused around the development of community policing in the Western Cape this should not in any ways be overemphasized. While the results from the Western Cape might be representative for a within case perspective, the external validity of the findings might be considered as relatively low.

Information and reporting bias could be become a potential challenges for this thesis, mainly because the main source of information which have been guiding this study have been official documents. They have been written for a purpose, and the data might have been presented in a more favorable than it is in reality. To increase the overall validity of the results I have chosen to use data from multiple sources.

1.5 Structure of the thesis

Following this introductory chapter, the theoretical framework for studying community policing in South Africa is presented in chapter two, followed by a discussion of the rationale and implication for using a qualitative case study as the preferred research approach in chapter three. The analysis itself follows in chapter four. It is divided into four parts: I) Interpretation of community policing in South African policy documents; II) Implementation of community policing in the Western Cape province, which constitutes the empirical focus of the case study; III) The current policing situation in South Africa; and IV) Discussion of why community policing has failed in South Africa in light of the theoretical framework presented in chapter two. Chapter five presents the conclusions and suggestions for further research on reform efforts in the field of community policing.

Chapter 2

2 Theoretical framework

2.1 Community policing: Outline of concept and theory

It has been argued that development of community policing was a reaction to the perceived failure of traditional policing in the 1970s and 1980s, where heavy emphasis on policing as merely crime fighting had failed to deliver the public good of security, which led to a growing dissatisfaction within the public (Rosenbaum & Lurigio, 1994). Lesson from previous research led to the conclusion that doing more of the same would not have any measurable effect on the general level of crime (Brogden & Nijhar, 2005).

The concept of community policing is often said to have its origin in the article, “*Broken Windows*” published in the *Atlantic Monthly* in 1982 by the two American scholars James Q. Wilson and George Kelling. Through their research on development and spreading of neighborhood crime they found that an unrepaired broken window was a message that no one cared, and soon many more broken windows would follow. The analogy towards crime prevention is that to prevent crime, disorder had to be contained before crime followed (Wilson & Kelling, 1982). The article resulted in a widespread debate about how to best handle the ever more challenging crime situation in North America. In many ways the debate landed on the need to take on a more inclusive and preventive approach towards policing (Skolnick & Bayley, 1988).

Distrust towards the state police had also become a challenge for state authorities, much caused by their lacking ability to manage the increasingly challenging crime situation. The result was that it was official acknowledgement that the country’s crime problems were poorly met by conducting business as usual (Skolnick & Bayley, 1988; Gaffigan, 1994; Brogden & Nijhar, 2005). Jerome Skolnick and David Bayley (1988) were among the earliest proponents of a community policing strategy. In their study of the development of community policing in United States, Europe, Asia and Australia they conclude that despite obstacles, the community policing movement is likely to grow because it is perceived to be of mutual interest for both the public as well as for the police, where the public get enhanced crime prevention and accountability over the police, and the police achieves increased legitimacy and ability for consensus building (Skolnick & Bayley, 1988). In such way it changes the

fundamental nature of the interaction between the people and their police to become one of mutual respect and trust (Trojanowicz & Bucqueroux, 1990).

The innovation of community policing was therefore, in part, derived from key lesson from previous research on policing which had shown that police crime fighting are dependent on public support for information, dealing with crime is an inter-agency problem rather than simply the prerogative of the police and that local knowledge had been a neglected resource in previous policing traditions (Brogden & Nijhar, 2005). By becoming more attuned to local circumstances the police could become `smarter` and more efficient (Garland, 2001). As noted by Gaffigan (1994: 3): “Policing strategies that worked in the past are not always effective today”. Core values in the new policing approach was to become vested in the new principles of co-ordination and consultation between the police and the policed as means to enhance police efficiency (Gaffigan, 1994; Ziembo-Vogl & Woods Jr., 1996; Garland, 2001; Ruteere & Pommerolle, 2003).

Community policing mainly consist of two complimentary core components; *community partnership* and *problem solving* (Gaffigan, 1994). This re-thinking of policing is based on the assumption that the police cannot successfully prevent or investigate crime without the willing participation of the public an assumption that advances that the police needs to transform the community from a passive consumer of police protection to an active co-producer of public order and security (Peak & Glensor, 2012). This means that in the long-run improving the general police community relationship trough activating the public will lead to a general increase in police efficiency (Skolnick & Bayley, 1988; Trojanowicz & Bucqueroux, 1990). An underlying rationale behind such re-thinking is based on the notion that, in order for the police to solve community crime more efficiently, the police must obtain information from the residents living in the areas where crime occurs (Skolnick & Bayley, 1988; Trojanowicz & Bucqueroux, 1990).

To enable cooperation the police must develop positive relationships with the community where trust is the main facilitating factor (Gaffigan, 1994). Trust facilitates community contact which further facilitates community communication (Gaffigan, 1994, Goldsmith, 2005), hence it can be seen as a factor of utmost importance based on the notion that if the relationship between the police and the community is based on hostility and suspicion, flow of information and as well as opportunity for cooperation between the police and the community is less likely to take place (Skolnick & Bayley, 1988).

To summarize the main characteristics of community policing as described above it would be the core values of locally vested community police partnerships and proactive policing (Skolnick & Bayley, 1988; Gaffigan, 1994; Davies et al., 2003; Peak & Glensor, 2012). The next question of interest would be to see how these core values can be achieved in a real life context. A shift towards community policing implies a move away from what is most commonly known *traditional policing*, where the police is the main security actor and the main aim is to promote a rapid response to crime in the community, by arresting the bad guys (Trojanowicz & Bucqueroux, 1990). Community policing is a more inclusive approach with a larger focus on crime prevention in line with the broken window thesis (Peak & Glensor, 2012).

Community policing implies that the police must undergo some severe structural changes according to the four traditional policing dimensions summarized below (Skolnick & Bayley, 1988; Davies et al., 2003; Peak & Glensor, 2012). Firstly the theory suggests a move from a centralized to a decentralized policing approach (Decentralization), secondly a move from reactive to proactive policing (Proactive), thirdly a move from non-participatory to participatory policing (Participation) and fourthly a move from accountability upwards to state authorizes, towards more downwards local accountability (Local Accountability). These four “pillars” are defined to be the most important programmatic elements of the strategy, and are further described as necessary criteria for implementing community policing successfully (Skolnick & Bayley, 1988).

However, despite the existence of a shift in police strategy and method as implied by community policing the main function of the police continues to be crime fighting (Brogden & Nijhar, 2005), it is just the means of approach to how this is to be achieved that have been changing.

2.2 Operationalizing the concept

Since Wilson and Kelling's Broken window article the literature on community policing has grown and there has come to exist a wide array of different versions of the concept that have received an enthusiastic embrace from all over the world (Ruteere & Pommerolle, 2003).

However, in the scholarly literature much criticism of community policing has been directed towards the general vague perception of what the concept of community policing actually is

referring to (Brogden, 2002; Sklansky, 2008; Minnaar, 2013). As noted by Collier and Mahon (1993: 845) “Stable concepts and shared understanding of categories are routinely viewed as a foundation of any research community”. To avoid any misunderstandings of what is meant by community policing in this thesis I will dedicate the next sections to the discussion of the four structural dimensions which are most commonly seen to constitute community policing (Skolnick & Bayley, 1988).

Decentralization, participation, proactive policing and accountability are usually described as the core attributes in outlining the concept of community policing (Skolnick & Bayley, 1988). Each attribute further refer to a structural shift along four traditional dimensions of policing (Model 2.1). Based on their interwoven or complimentary character (Gaffigan, 1994), change along all four dimensions are usually perceived as a necessary condition for community policing to be successful implemented (Skolnick & Bayley, 1988). According to the theory these four structural changes are needed for the implementation of community policing to be successful. Hence, there is reason to believe that absence of one or more of these structural changes could cause the strategy to fail.

Model 2.1 Structural changes in policing

| Traditional policing | | | Community policing | |
|----------------------|--|---|--------------------|-----------------------|
| I. | Centralization | → | I. | Decentralisation. |
| II. | Reactive | → | II. | Proactive |
| III. | Non-participatory | → | III. | Participatory |
| IV. | Accountability towards state authorities and law | → | IV. | Local Accountability. |

Source: Peak and Glensor (2012).

2.2.1 Decentralization - Getting closer to the community

As problems occur at local level, authority to decide on which policing actions should be taken need to be delegated to a local policing level to ensure that the police are responsive to community needs (Kelling & Coles, 1996). Even if police operations in some manner always resemble a decentralized geographical approach, local police commanders have usually had a limited ability to shape the character of the police operations. To enable community oriented crime prevention to take place, police command must be organizationally decentralized to the local level (Skolnick & Bayley, 1988). By decentralizing police command, the police can develop a better understanding of the community in which they serve, whereas familiarization

fosters an increased sensitivity towards community problems and allows for the building of trust between community residents and the police (Ziembo-Vogl & Woods Jr, 1996).

Trough decentralization of police command the aim is to improve the dialogue with the local residents and the police, which will give the police a greater understanding as well as increased knowledge of local security issues and challenges (Davies et al., 2003). By incorporating local knowledge and feedback into the police strategy they can advance a strategy that is better suited and more attuned to manage these local challenges in which a long-term perspective will enhance the overall police efficiency (Skolnick & Bayley, 1988; Garland, 2001; Davies et al., 2003).

To summarize, community policing indicates a shift from traditional blue-print policing, where strategic planning was done in a top-down centralized fashion (Skolnick & Bayley, 1988) towards becoming a policing approach more attuned to the fact that “one size” does not necessary fit all, by emphasizing use of local knowledge as a mean for enhancing police efficiency (Brogden and Nijhar 2005).

1) Centralization → Decentralization

2.2.2 Proactive – Towards crime preventive policing

The idea of proactive policing is based on the rationale that it is in the best interest of both the community and the police to handle community problems before they become too severe and turn into “unfixable” problems (Wilson & Kelling, 1982). While traditional policing methods focus on effectively addressing symptoms of problems that cause crime, a proactive approach to policing requires the police to involve themselves in dealing with the underlying problems of crime, or put shortly; the police need to take action before crime occurs in the first place (Moore, 1992; Ziembo-Vogl & Woods Jr., 1996). Identifying key concerns and priorities of communities, appropriate remedies to abate these problems are found and brought to bear upon the incidents (Brogden & Nijhar, 2005).

The most sufficient way to promote crime prevention is therefore through a process of joint identification, where the police in liaison with the community identify both the actual and the potential causes of crime within a community (Peak & Glensor, 2012). Through dialog with community actors the police gain in-depth knowledge about community problems and

challenges, which enable the police to intervene at an early stage in the development of crime and criminal behavior (Skolnick & Bayley, 1988; Garland, 2001; Peak and Glensor, 2012).

The shift from a reactive to a proactive approach in policing implies altering the general role of the police in the community (Peak & Glensor, 2012). A major point of appeal behind such shift towards a proactive policing is that no one needs to be victimized for the police to engage in action. This is an implicit element in traditional reactive policing, where the main role of the police is to responds to acts of crime (Ziembo-Vogl & Woods Jr, 1996).

II) Reactive → Proactive

2.2.3 Participation – Cooperative partnerships in fighting crime

Community liaison through establishment of cooperative police community partnerships is described as the most essential feature in a community policing approach, based on its key function in facilitating a proactive policing approach (Skolnick & Bayley, 1988; Ziembo-Vogl & Woods Jr, 1996). Since the police neither have the resources, nor the method to single-handedly reduce crime in the society, partnerships with community actors are needed (Ziembo-Vogl & Woods Jr, 1996). Skolnick and Bayley (1988) argue that without existing and working cooperative partnerships community policing is reduced towards being merely empty phrases. As they see it, community policing only seems to exist if community partnership programs lead to an actual increase in the level of public participation in crime prevention programs.

By developing cooperative partnerships, local police are urged to construct positive relationships with the community by involving them in the quest for better crime control and prevention (Brogden & Nijhar, 2005). Establishment of sustainable partnerships against crime is achieved through including all parties concerned with crime in the first place, because it is through the actors' united strength, adequate measures towards crime prevention can be developed (Lieberman & Landman, 2000; Davis et al., 2003; Minnaar, 2013). Consultative forums and community watch schemes are the most common form of such partnerships; each involving varying degree of direct dialogue between the police and the locals, and each requiring cooperation by all parties (Brogden & Nijhar, 2005).

Engaging community actors into crime preventive programs alters the traditional understanding of policing by including non-state actors into the policing equation (Clegg et al., 2000). Visible in the way the new policing ideal imposes responsibility on the police to

device appropriate ways of associating the public with law enforcement and the maintenance of order, indicating a shift from a non-participatory to a participatory approach to policing (Skolnick & Bayley, 1988). Involvement of ordinary citizens in this way, is often seen as the most obvious difference from traditional policing (Trojanowicz & Bucqueroux, 1990).

III) Non-participatory → Participatory

2.2.4 Local accountability - Empowering the community

Accountability in the context of community policing mainly refers to the creation of a culture of accountability through the needs of communities (Brogden, 2005). Such perception of accountability stems from community policing is rooted in a theory of community rights and responsibilities under which communities have a right to influence police practices (Brogden & Nijhar, 2005). Accountability here refers to the establishing of mechanisms that will make the police more answerable for addressing the needs and concerns of the community (Minnaar, 2013). “Unless police are willing, at the very least, to tolerate public feedback, community policing will be perceived as public relations, and the chasm between police and public will grow wider once again” (Skolnick & Bayley 1988: 11). Inclusion of public actors into the policy-making process is therefore seen as a good way to obtain public support for their actions. The public on their part achieves new channels and possibilities for providing feedback to, and oversight over the police (Skolnick and Bayley, 1988).

Community police forums (CPFs) constitute the most common mechanism for accountability in community policing (Minnaar, 2013). Establishment of CPFs is seen as way for formalizing the dialogue between the police and the residents of the local communities, and they consist of regular formal meetings between the police and the local residence and these meetings promote a “new” channel for participation by residents (Bénit-Gbaffou, Didier, & Morange, 2008). Formalizing the dialogue between the police and the community through establishment of CPFs, empowers the community in the way that it gives community actors the ability to take part in, and to manage their own challenges through sponsorship of, and participation in crime preventive programs (Davis et al., 2003).

In contrast to previous reactive centrally-directed policing, community policing offers a different kind of accountability through structures such as community forums, watch schemes and preventive problem-solving strategies. Community policing inexorably enables the police

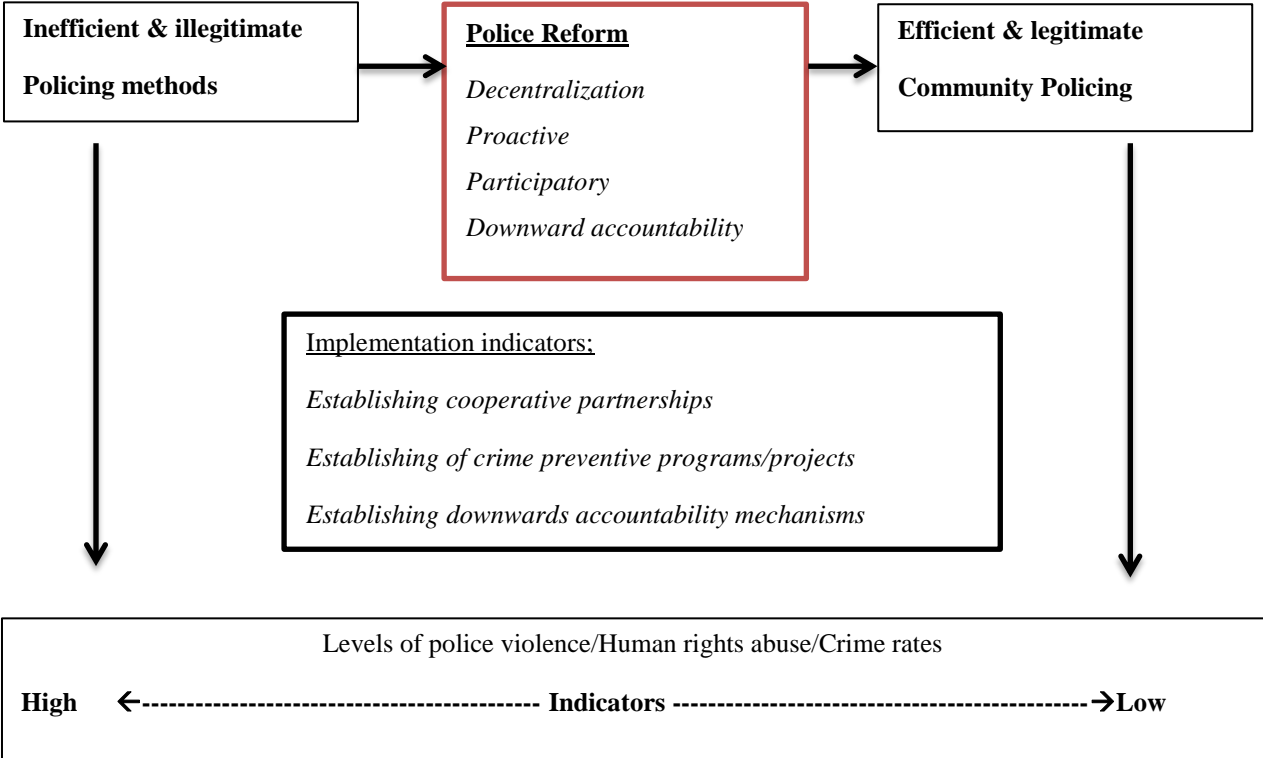
more proactive, more interventionist in community affairs, and therefore more dependent upon local cooperation and consent (Brogden & Nijhar, 2005).

IV) *Accountability towards state* → *Local Accountability*

2.2.5 Model of Community policing

Based on the previously presented structural changes implied by the theory of community policing and the rationale driving the reform as presented in the beginning of this thesis, I have outlined a model of the police reform (Model 2.2). It can be summarized as follows: High crime rates and high levels of police violence and human right abuse are indicators of insufficient and illegitimate policing methods. Efficient and legitimate community policing is needed to transform the situation to one of lower crime, and lower levels of police violence and human rights abuse. This can be achieved through implementing a community police policy aimed at decentralization and proactive, participatory and downwards accountability policing. Central indicators for whether such policies are implemented are: establishment of cooperative partnerships, crime preventive programs/projects and downwards accountability mechanisms.

Model 2.2 Model of community policing



However, it should be noted that the degree of insufficiency and legitimacy will vary between the countries, which affects the ability to reform the police. While the police in the United States might be inefficient in managing crime, they do hold some degree of universal legitimacy (Guelke, 2001). The police in South Africa lack both efficiency and legitimacy, which makes the foundation for reform much more challenging as this analysis will show.

2.3 Explaining community police failure

2.3.1 Explaining failure

In the following sections, three plausible explanations proposed by the scholarly literature regarding community policing failure will be explored and discussed. Even if the three explanations might seem as entangled at some point, they can still be seen as representing three separate arguments for explaining community policing failure; I) the theory have been misguided; II) community policing is a bad fit in some contexts, and; III) implementation efforts by the state have been too poor. After the propositions suggested by the scholarly literature have been presented and discussed, the hypothesis which will constitute the theoretical framework for analyzing community police failure will be presented.

2.3.2 Explanation one: Misguided theory

The first explanation given for community policing failure is that the theory of community policing is basically misguided. Compared to the following two explanations this is a more fundamental theoretical critique, in the way that it implies that there are some fundamental shortcomings inherent to the theory of community policing. The theory is mainly described as misguided because it is based on what have been stated to be a set of assumptions that rarely exists in real life (Klockars, 1988; Fielding, 2005). This way the theory can be interpreted as idealizing, without root in real life. The two assumptions that are most commonly criticized are the assumption of the existence of community homogeneity and the assumption of the existence of reciprocity between the police and the community (Klockars, 1988; Fielding, 2005).

Community homogeneity

To start with the first assumption, which in so many ways constitute the foundation for making community policing work as described by theory; *existence of community*

homogeneity. According to the critics this is an assumption which is seen as problematic in two ways:

Firstly, one of the main challenges for implementing community policing in real life is that the concept of community is usually vaguely understood (Klockars, 1988; Brogden & Nijhar, 2005; Fielding, 2005). When the goal is to improve the police community relationship it is quite problematic to not have a clear-cut understanding of what constitutes the community part of such a relationship in the first place (Fielding, 2005). Community police theory assumes that communities are latent homogenous forms of informal control, which can be mobilized to interact meaningfully with the police at any point (Brogden, 2002, Brogden & Nijhar, 2005). However, what constitutes a community is a heavily debated question whereas the concept can be defined in a multitude of ways (Fielding, 2005). While the most commonly way of understanding the concept of community, in a community policing theory, refers to a smaller geographical area (Gaffigan, 1994). Defining community only by geographical location is according to Fielding (2005) insufficient because it excludes the importance community sentiments and shared group interests, which he regards as elements of equal importance.

Critics have stated that community policing is largely based on a folk-mythic conception of the community as sharing a unified value system, whereas, they see it, perfect community homogeneity rarely exists in real life context (Brogden & Nijhar, 2005; Fielding, 2005; Sklansky, 2008). Brogden and Nijhar (2005) argue that such perception of community can merely be regarded as a myth, based on the notion that communities, contrary to what community police suggests, tend to be extremely divided in both terms of their needs as well as their aspirations. As Klockars (1988) humorously questions; how can the police define who the community is and determine what community needs are, when there do not exist any clear-cut understanding of what a community is?

Lack of unified value system within a community will therefore, according to the critics, constitute a major logical problem in the way that it makes it difficult for the police to recognize the actual community to which the program is directed in the first place (Brogden & Nijhar, 2005). According to Fielding, establishing partnerships between the police and the community is based on a foundation of community consensus and homogeneity in a time where communities are more diverse than ever (Fielding, 2005: 466). If communities are seen as having diverse interest as well as diverse incentives to cooperate, community partnerships

might become a more demanding task than expressed by the initial theory (Klockars, 1988; Fielding, 2005).

Diverse interests and lack of community homogeneity not only constitute a logical problem towards promotion of cooperation. A worst case scenario attempt to implement the strategy in a diverse community could have a potentially negative side effect in reinforcing already latent cleavages that exists in that designated community (Brogden & Nijhar, 2005; Bénit-Gbaffou et al., 2008).

While theory state that community policing is as a policing strategy which opens new channels for participation for the public (Bénit-Gbaffou et al., 2008), there is no mechanism to ensure who will partake in these new structures (Fielding, 2005; Sklansky, 2008). Even if community policing is a channel for participation by the community as a whole, it involves the inherent risk of working to the advantage of the most powerful community actors, not necessarily for actors that needing it the most (Fielding, 2005). Most commonly, the difference in the level of participation can be seen along the socio-economical dimensions, whereas affluent and resourceful actors have a higher probability to participate than the socially deprived, which often results in an unjust security system based on availability of resources (Gaffigan, 1994; Lemansky, 2004; Brogden & Nijhar, 2005; Lemansky, 2006). This makes implementation of community policing in countries with large-scale socio-economical differences an extremely challenging task to manage based on diverse community interests and needs (Brogden & Nijhar, 2005).

Police community reciprocity

Existence of community police reciprocity is the next assumption that will be discussed. Reciprocity here understood as the; exchange of things or services with others for mutual benefit (Oxford Dictionary 2014). Skolnick and Bayley (1988) argue that implementation of community policing is based on reciprocity in the way that it is perceived as a strategy that can be seen as mutual beneficial for both parties. The rationale for this assumption is based the notion that the strategy increases the opportunity for the community to hold the police accountable for their action as well as to improve the public good of security. For the police on the other hand adaptation of a community policing strategy can mean increased grass-root support, increased ability towards consensus building and improved police moral through a

more positive interaction with the public. In such manner both parties can be seen as “winners” by adoption of the strategy, which makes this a relationship of reciprocity (Skolnick & Bayley, 1988).

One of the main weaknesses with this assumption is the fact that it is based on the condition that the community will *want* to cooperate with the police in the first place, something that in my opinion should not be seen as a truism. As both Klockars (1988) and Pelsler (2000) argue such relationship of reciprocity might not exist in a real-life context. On the contrary they argue that when community policing is implemented in a real life context the threshold for creating cooperative partnerships will be much higher than suggested by theory which in many ways take the will to cooperate for granted. This assumption gets even more problematic when exporting the policing strategy to countries where the cleavage between the police and the community traditionally can be seen to be even more deep-rooted than in its western context of origin (Nalla & Newman, 2013). Since viable cooperation is dependent on public perception of police as being trustworthy partner (Goldsmith, 2005), absence of trust would make cooperation severely challenging to achieve in the first place.

As already stated one should not take it for granted that the public would choose to enter into partnership with the police, but turning it around one should neither take it for granted that the police would actually have any incentives for wanting to cooperate with the community in the first place. If the police subscribe to the approach, their incentives might also be of a quite different character than those of the community, whereas Klockars (1988) refers to the fact that a decentralized policing approach could become a fertile ground for corruption with a potential outcome of developing clientelism and patronage relationships between police and the community, where the police exploit their position for their own good rather than for the best of the community (Frühling, 2012). Another important factor to note when discussing police willingness to cooperate with community actors in crime prevention is as argued by Marks, Shearing, and Wood (2009) that the police not necessarily will see an inclusionary approach to policing as all positive in the manner that could be perceived as challenge to their policing mandate.

As it appears from this fundamental critique of the theory of community policing, translating the ideals presented in the theory into real working practices might be a more challenging maneuver in reality, based on the heterogeneous character of the communities in which it is supposed to be working.

2.3.3 Explanation two: Bad contextual fit

The second explanation looks deeper into the question; have community policing been a “bad fit” for a post-authoritarian context? In contrast to the previous discussion of community policing being a misguided theory in general, this second proposition sees community police failure as a consequence of the strategy not being properly attuned to the context in which it has been implemented; a bad contextual fit (Brogden, 2002; Brogden, 2005; Brogden & Nijhar, 2005). The element of *bad fit* is visible according to contextual factors; existence of low levels of trust towards state law enforcement agencies, and the existence of extreme levels of crime. I will further elaborate more closely on how and why these contextual factors have the potential for affecting community policing in a negative way.

Low trust

Trust is an abstract concept, originated and firmly rooted in experience, further defined as; “Individuals interactions with other people and their past experience with institutions create expectations about how they will be treated in the future”(Goldsmith, 2005: 447). Bad experience with state institutions in the past can therefore lead to a lower level of trust towards the institutions future actions. High level of distrust towards state agencies such as the police will, according to Goldsmith (2005) make cooperation a challenging task to achieve, since the public don’t trust the police to fulfil their part of the agreement. He states that the two most common factors causing strong distrust towards the police to occur is; longstanding historical relationships and performance related issues.

Longstanding historical relationships cause distrust towards the police based on their previous commitment to uphold particular laws or regimes, mainly through means of repression. Performance related issues on the other hand refer to police neglect, indifference, incompetence, excessive use of force and lacking efficiency (Goldsmith, 2005). Both constituting severe challenges for transforming the police in line with the idea of community policing based on its dependence on partnerships for successful crime prevention (Skolnick & Bayley, 1988; Ziembo-Vogl & Woods Jr., 1996). As already noted by Goldsmith (2005) building partnerships without trust is an extremely challenging affair, mainly since “Trust facilitates community contact which further facilitate community communication which further enhance the problem-solving action approach as implied by the theory, so in many ways one of the most important elements is to facilitate for cooperation” (Gaffigan, 1994: 16).

Implementation of community policing has been perceived as a good measure for enhancing police legitimacy in places where it has previously been absent (Nalla & Newman, 2013). The notion of its ability to enhance police legitimacy is based on the assumption of community policing can be a good entry-point for introduction of democratic values to previously authoritarian police organization, and in such way have the potential for fundamentally altering the political culture of the police force when it is implemented (Ruteere & Pommerolle, 2003). However, in countries ravaged by conflicts and undemocratic forms of government, where the police have mainly been used as a political tool rather than a state protector of public interests the level of distrust against state law enforcement is usually both strong and deep-rooted (Nalla & Newman, 2013). Introduction of new democratic ideals through community policing might under such conditions be severely challenged, largely by the absence of trust towards the police (Goldsmith, 2005).

When traditional deterrence approaches in these cases did not work, and when the existing paramilitary policing structures had little legitimacy and were seen as generally insufficient, there often come to be an agreement over the need for something to be done (Brogden, 2002; Brogden & Nijhar, 2005; Baker, 2008). By western advocates community policing have often been portrayed as the *only* alternative for changing the old authoritarian policing structures (Brogden, 2005). The underlying rationale behind the proponents' argument rests on the notion of community policing as a value-free, apolitical and inclusive approach towards improving security. This is something that can be seen in strictly contrast with previous authoritarian policing based on coercion and repression where the beneficiary usually is a small elite or group (Brogden & Nijhar, 2005; Nalla & Newman, 2013).

Performance related distrust is another challenge for transforming the police, a distrust which mainly stems from the perception of the state law enforcement agencies not fulfilling their mandate of securing the public good of security (Baker, 2008). A common trend is that when the public does not perceive the police as doing their job, they tend to subsume the law into their own hands (Shaw, 2002). When states then fail to provide security for its citizens, private citizens assume the control over their own situation by taking control over their own residential areas, where the solutions selected usually reflects the level of resources available (Lemansky 2006). However, the net result in the later years have been that rich and poor alike turn away from the state police towards other sources of security (Bradford, Huq, Jackson, & Roberts, 2013).

When the state agencies fail to manage their role of providing public security, the response from the community can become severely diverse, mainly caused by access to resources. In countries where the social-economical differences are high; the schism between “rich” and “poor” tends to be reproduced in the development of an overall unjust security structure (Brogden, 2002; Lemansky, 2004; Lemansky, 2006). The schism between the wealthy and the poor is mainly reflected in who can afford private security solutions and who need to “pot luck” with informal ways of policing in the absence of an effective state police (Lemanski, 2004; Lemansky, 2006; Bénit-Gbaffou, 2008; Hornberger, 2013). A general trend is that most affluent citizens call for “displacement” strategies of either to bar crime out by the use of gated communities, or to displace crime by establishing improvement districts. Both strategies contribute to a relocation of crime towards less affluent areas (Lemansky, 2006).

The affluent residents and communities call for private security companies in their displacement strategies (Bénit-Gbaffou et al., 2008). But displacement of crime towards the less resourced parts of the communities, together with police failure to manage the policing situations often lead to growth in community generated policing alternatives (Wisler & Onwudiwe, 2008). Shaw (2002: 8) notes that absence of state provided security “the only thing they had left was each other”. Community generated policing usually referred to as vigilantism, is mainly characterized by the fact that it takes place on the outside of the state regulatory framework. Communities tend to resort to informal policing in cases where the state is regarded as problematic or irrelevant, mainly caused by their failure to provide communities with the public good of security (Shaw, 2002).

Summarized lack of trust can be seen as a twofold challenge: Firstly, lack of trust towards state agencies based on longstanding historically bad relationships can make cooperation, as suggested by community policing an extremely challenging task to promote (Goldsmith, 2005). Secondly, lack of trust based on performance related issues can challenge community policing in the way that communities turn towards sources outside the state regulatory policing framework for security, reducing support for state policing actions such as community policing (Bradford et al., 2013).

High crime

High crime is a shared challenge facing all countries recovering from a transitional phase where state structures are weakened (Baker, 2008). The two main causes of crime that will be

discussed further is; Weakened state structures in the aftermath of a transition and social determinants – which in many ways constitute the most important determinant for soaring levels of crime (Schönteich & Louw, 2001). In the end, both factors might lead to an outcry for sterner anti-crime measures, and thus moving the police further away from the softer-ideals of community policing.

A major challenge in the aftermath of a transitional process is that state structures, such as the police, might be temporarily weakened caused by major organizational changes set in motion by the transition (Shaw & Gastrow, 2001). Weakened state structures can further lead to the creation of a power vacuum which forms a fertile ground for crime and criminal behavior to develop (Baker, 2008). Continued violence and high levels of crime is therefore a development pattern shared by a severe amount of countries which have undergone transition (Schönteich & Louw, 2001). Under such circumstances transforming the police becomes an important instrument for promoting internal stability, in order that other state institutions can develop and stabilize sufficiently (Brogden, 2002).

Under such circumstances a softer policing approach as suggested by community policing might not even be viable in the first place. This is mainly based on the presumption that the police's ability to enforce the law with minimal use of coercion requires the institution to hold some form of universal legitimacy (Guelke, 2001; Goldsmith, 2005). In societies where state law enforcement do not hold such legitimacy and on the contrary is viewed with greater suspicion, more repressive means are usually needed in policing (Guelke, 2001: 58). This has been the case in almost all countries rising from an authoritarian past (Baker, 2008).

While weakened state structures might create the room for crime to develop, poverty and inequality can be seen as the main determinants for crime to develop in the first place (Schönteich & Louw, 2001; Brogden, 2002; Baker, 2008). Poverty, inequality, harsh living conditions, rapid urbanization and youth marginalization are variables that together have a tendency to promote a downwards spiraling effect in the development of crime and violence in a country (Schönteich & Louw, 2001). Especially the link between rapid urbanization and crime is a well-known and well-studied relationship, which state that overcrowding, high unemployment rates and increased competition over other limited resources such as food and housing in an area tend towards increasing the overall level of tension between the people living in these areas leading to higher levels of criminality (Schönteich & Louw, 2001). Youth

marginalization and availability of weapons could lead to a further deterioration of the crime situation in these areas (Baker, 2008).

As already discussed, high levels of crime undermines community expectations toward the state ability to improve their security situation, which most generally lead to a lower level of trust toward government agencies such as the police (Baker, 2008). An increased level of crime, in combination with the lack of police efficiency in managing the demanding crime situation often leads to a cry for sterner anti-crime measures by both state, as well as from the civil society. The underlying rationale for such development, is mainly based on the notion of protection against crime to be a priority ranked as more important than the means for achieving it (Baker, 2008; Bradford et al., 2013; Minnaar, 2013). When people put security over the means to how this is achieved, the idea of community policing loses terrain vis-à-vis more repressive approaches (Brogden, 2002).

However, as argued by Steinberg (2011) for the state law enforcement to take on a sterner approach to manage crime, it might be seen as the most appropriate way in the first place. Steinberg (2011) noted that in a context of high crime the police should focus on getting their core policing functions in place before taking on new tasks. Altbeker (2007, in Marks et al., 2009) are amongst those who are very skeptical towards a police taking on a maximalist policing approach as implied by community policing theory. In his view, it is inappropriate that the police should take on the role as social workers instead of focusing on what they are trained and resourced to do namely; protect citizens from their more dangerous compatriots (Altbeker, in 2007 in Marks et al., 2009). To further support his argument Steinberg (2011) argues that in post-transitional countries where the level of crime is high and the available state resources are limited, there is a need for restricting police activity to more narrow channels of carefully defined reactions. Improved security, rather than a softer approach could be a key determinant to regain legitimacy as law enforcer (Steinberg, 2011; Bradford et al., 2013).

Low trust and high crime

Comparing the high crime/low trust foundation for implementation of community policing abroad with the countries used in Skolnick and Bayleys original study from 1988³; the level of

³ United States, United Kingdom, Sweden, Norway, Singapore, Copenhagen, Japan (Skolnick & Bayley, 1988).

distrust is higher, the level of crime is higher and the existence of any fundamental state legitimacy can in many of the instances be seen as absent.

In Africa, although there have been a numerous attempts to import a laterally the top down Western approach to policing – which takes place in a context of limited state resources – it must be underscored that factors, such as incomplete state building, high levels of criminality, rampant official corruption, and inadequate resources accompanied with correlative limited trust of the population in the police make it more complex to fully adopt an Euro-American-centered police style (Wisler & Onwudiwe, 2008: 428).

As nicely summarized by Wisler and Onwudive above; the complexity of the overall security situation, in combination with systemic weaknesses mostly caused by the transitional context imposes some severe thresholds which need to be overcome for police reform to give successful results.

Firstly, low trust in state law enforcement can make fruitful cooperation an extremely challenging task (Goldsmith, 2005). Secondly, low trust in state law enforcement may turn the citizens away from state provided security, towards security provided by other external actors (Lemansky, 2004; Lemansky, 2006; Bènit-Gbaffou et al., 2008). Thirdly, a context of high crime might lead to accept for sterner anti-crime measures in the first place, which undermines the support for softer means as promoted by community policing (Steinberg, 2011; Bradford et al., 2013; Minnaar, 2013).

According to Brogden (2002) lack of acknowledging the existence of such contextual, historical and developmental issues before implementing a community policing approach is one of the reasons for its failure. If, on the other hand, the approach at an earlier stage had become more attuned to the problems existing in the country where it was implemented, the chance for success could be assumed to be considerably higher (Brogden, 2002; Brogden, 2005; Brogden & Nijhar, 2005).

2.3.4 Explanation three: Poor implementation

While the first explanations state a general critique the theoretical foundation of community policing theory, and the second discusses the challenges imposed on successful implementation by the context, the third explanations see community police failure as a consequence of poor implementation.

As previously outlined, community policing is a policing ideal designed to be a state-initiated, and controlled top-down approach towards police transformation. In such manner community

policing is described as a unilateral action by the state (Wisler & Onwudiwe, 2008). In describing community policing as a unilateral state action, it also ascribe some special responsibility for the state to *actually support* the process of making the strategy function in real life (Skolnick & Bayley, 1988). A major issue when studying community policing is therefore to look at the degree of sincerity that lies behind state efforts for seeing it through as a policing strategy (Klockars 1988; Müller, 2010; Frühling, 2012).

Rhetorical versus genuine support

In his research on development of community policing in Latin America Hugo Frühling (2012) has found that community policing represents a highly attractive model for politicians and police authorities in countries where police suffers from low levels of public approval because it represents an internationally approved policing ideal that in the long run (according to the theory) is supposed to improve the general police legitimacy (Frühling, 2012).

The main problem that occurs is that implementation of community policing in these countries turns out to be more of cosmetic maneuver, rather than an attempt to promote actual improvements in policing (Müller, 2010; Frühling, 2012). Implementation efforts can therefore be divided into two categories: *genuine* effort and *rhetorical* efforts. The main difference between the two lies in the amount of support by state actors towards implementing, as well as in the provision of sufficient follow-ups to the initiated programs (Frühling, 2012).

According to Frühling (2012) some factors which could indicate that the support are more or less genuine might be; establishing of mechanisms for reinforcing internal control on bad police misconduct, that the new model of policing is supported by sufficiently police training, that quality of police service provision is ensured, and that police response changes to confront those particular safety issues which arise in the community. However, if none of these factors seems to be in place, one could suspect that the support has been of a mere rhetorical nature.

An inherent problem with promotion of community policing, could be that authoritarian governments might use its rhetoric merely as an umbrella for continuing business as usual (Frühling, 2012). As argued by Klockars (1988) both the police as well as the politicians, can, in a time of transition, become highly susceptible towards using the strategy of community

policing to promote their own interests rather than the community interest – which in this case would be image improving rather than community safety improving. Governments “hiding” behind a community police approach are an especially common phenomenon in high crime post-authoritarian countries (Müller, 2010; Frühling, 2012). Governments in these countries tend to use the lack of results using a softer policing approach, which is promoted by community policing, to legitimate more repressive policing strategies (Lemansky 2004, Lemansky 2006, Hornberger, 2013). Consequently, if community policing is promoted as a policing ideal, while the police, at the same time takes on a coercive style of policing there is reason to believe that the initial support for community policing might have been of a mere rhetorical character.

State capacity

Hollow support for implementing community policing cannot merely be explained by the willingness of government actors to transform. State resource, or the government actor`s actual capacity to provide for sufficient follow-ups as described above should also be included in the equation (Frühling, 2012). As indicated in the literature, the move from traditional policing towards community oriented policing implies a move from a minimalist to a maximalist definition of core police functions (Peak & Glensor, 2012). However, as Frühling (2012) argues; one cannot take it for granted that all states have the necessary amount of resources for the police to take on additional policing responsibilities, in addition to provide their core functions, which still is considered to be the main priority of the police (Brogden & Nijhar, 2005). In any case, where the amount of available resources are limited, it is argued that the police should give preference to core policing functions, rather than the expanded responsibilities suggested by community police (Steinberg, 2011). However, the counterargument, as presented by the proponents of community policing is that community policing can be seen as a procedure for the police to actually save resources by outsourcing responsibility of policing to community actors, something that gives room for the police to manage their core tasks more efficiently (Skolnick & Bayley, 1988).

Based on the fact that community policing is generally regarded as a top-down approach, lack of state support for police reform might be seen as a quite obvious reason for its failure. The challenge herein lies in determining whether the support has been insufficient based on state motives, or insufficient based on state capacity to promote the necessary changes.

2.4 The theoretical framework for analyzing community police failure

By discussing empirical evidence from the case of South Africa in light of the theoretical framework presented above, the aim is to gain a better understanding of the causal mechanisms which have led to community policing to fail in its attempt to transform the South African police in line with the country's new democratic ideals.

The challenges presented in the theoretical framework will mainly be discussed in accordance with how they have affected the overall community police implementation process, whereas their effect on the structural shifts needed for community policing to take place will be special interest. The rationale behind weighting these structural shifts as a major part of analyzing community police failure stems from the theoretical argument that these changes are seen as necessary for community policing to work in the first place (Skolnick & Bayley, 1988).

The three main hypotheses guiding the discussion of community police failure in South Africa are as follows:

H1: Community policing has failed because the theory is misguided.

The first hypothesis suggests that community policing has failed in South Africa because the theory have been misguided, or flawed in the first place (Klockars, 1988, Fielding, 2005). The hypothesis suggests that community policing has failed because the establishment of a shared community interest, which constitutes the foundation for a community oriented policing theory rarely exist in practice. This ultimately causes the reform to fail.

H2: Community policing has failed because the theory is a bad fit to the contextual challenges.

The second hypothesis suggests that community policing has failed as a reform attempt in South Africa because the theory initially is a "bad fit" facing the challenging contextual pre-conditions in South Africa. This makes community oriented policing efforts less likely to take root and become efficient (Brogden, 2002; Brogden, 2005, Brogden & Nijhar, 2005, Steinberg, 2011; Bradford et al., 2013).

H3: Community policing has failed because the implementation have been to poor.

The third hypothesis ascribes community policing failure to poor or inadequate state efforts to implement community policing policy sufficiently in practice (Klockars, 1988; Müller, 2010; Frühling, 2012). The hypothesis suggest that community policing has failed based on lack of state willingness or lack of state capacity towards transformation, which in turn has led the reform taking on a more rhetorical rather than a genuine form from the start.

While H1 and H2 mainly ascribes community police failure to intervening (reform-related) variables, questioning the overall validity of the reform and whether or not the reform actually have been implemented. H3 focuses on underlying contextual variables for explaining police reform failure.

Chapter 3

3 Methodological approach

3.1 Explaining community police failure

The aim of this thesis is to explain why community policing has been a failed policing strategy in South Africa. The research question guiding this thesis is: *Why have community policing reforms failed in their attempts to transform the South African police in line with the democratic ideals adopted in the aftermath of the 1994 regime transition?*

I will be answering the research question by conducting a qualitative single-case study of the development and implementation of a community policing policy in South Africa in the period 1994 to 2013. By testing and comparing already existing theoretical explanations regarding police reform failure on empirical data from the South African case the aim is to gain a more refined understanding of causal mechanisms causing the reform to fail. Gaining such in-depth knowledge is considered to be one of the main virtues of case study research (Gerring, 2009).

In this chapter I will account for and clarify the use of the single-case approach which has been applied to this study. The following questions will be discussed: What is a case study? Why use a case study? How can a case study be placed within the comparative tradition? What has been the rationale behind the case selection? And how reliable is the data used to inform this study?

3.2 Case study research

A case study can be defined as an; “intensive study of a single unit or a small number of units (the cases), for the purpose of understanding a larger class of similar units” (Gerring, 2009: 37). A case is understood to connote a spatially delimited phenomenon (unit) observed a single point of time or over some period of time, and it comprises the type of phenomenon that inference attempts to explain (Gerring, 2009). The spatially delimited unit under study in this thesis is the Western Cape province of South Africa, temporarily delimited to the period 1994 to 2013, while the phenomenon which inference attempts to explain is why police reform has failed.

The main trade-off in social science is the question of knowing less about more, or knowing more about less, referring to schism between using a cross-case and a single-case study (Gerring, 2009). However, since there does not exist any clear cut answer for what is most sufficient path to follow for making good inference, one need to take into account the trade-offs between the two methodological approaches (Gerring, 2009).

Gerring (2009) refers the following eight trade-offs has to be taken into consideration before settling on a methodological approach: I) hypothesis (*generating versus testing*); II) validity (*internal versus external*); III) causality (*mechanisms versus effects*); IV) causal argument (*deep versus broad*); V) the empirical universe (*heterogeneous versus homogenous*); VI) causal strength (*strong versus weak*); VII) distribution of evidence (*common versus rare*); VIII) availability of data. In further noted that case studies are most often affiliated with the first, of the two issues.

In the following sections the rationale and the implications of using a case study method will be discussed in light of Gerring eight trade-offs, as the trade-offs are usually seen to be hinged on the character of the research goal as well as the empirical universe under study (Gerring, 2009).

Hypothesis: Generating versus testing

The first trade-off concerns whether the predominant goal pursued by the study is hypotheses *generation* or hypotheses *testing*. A case study enjoys a natural advantage in generating new hypotheses due to its highly exploratory nature (Gerring, 2009; Thomas, 2011, Creswell, 2013). The main objective of this thesis is to gain in-depth understanding of the dynamics of policing reform in South Africa and the causal mechanism causing the reform to fail. By exploring, or “testing” theoretical propositions from the literature regarding police reform failure against the empirical data gathered from this case. Since this is an aim of a quite exploratory nature, in the way that it seeks to gain a more refined understanding of police reform dynamics and causal mechanism, a case study appears to be the most viable approach for gaining the wanted insight.

Validity: Internal versus external

The second trade-off refers to the question of validity; a question that in social science usually distinguishes between those *internal* to the sample under study, and those *external* (Gerring, 2009). Internal validity refers to “The degree to which descriptive or causal inference from a given set of cases are correct for those cases” (Brady & Collier, 2010: 334), while external validity refers to “The degree to which descriptive or causal inference for a given set of cases can be generalized to a wider set of cases” (Brady & Collier, 2010: 330). Put shortly the latter referring to the representativeness of the research findings, while the first refers to the ability to establish causal relationships within the case under study (Gerring 2009). As described by Landman (2000: 93) “Single-country studies by definition trade their ability to provide in-depth knowledge and understanding of a particular context against the ability to draw generalizations that have wider applicability”.

The external validity of single case studies is most commonly described as limited, based on the notion that in order to maximize the leverage of the research results, one needs to increase the number of observations included in the study (King et al., 1994). Based on the narrow empirical focus of this study, it would imply that the external validity of this thesis is quite limited. However, based on the thorough character of this study, I would argue that the internal validity, or the ability for specifying correct causal relationships causing community policing to fail within the Western Cape Province is high. Since the South African Provinces are mainly facing the same obstacles for police reforms, I would regard the Western Cape to be an overall representative case for explaining failure within South Africa as well.

Even if the overall aim of this study is to gain a greater understanding of police reform failure within the case, using a typical case, implicitly refers to the probability of the results being representative to a wider set of cases (Gerring, 2009). Seeing a case study as representative for a wider set of cases is quite unconventional compared to former presumptions of case studies lacking such potential (King et al., 1994, Yin, 2009). However, based on the narrow empirical focus of this thesis, such representativeness should not be overstated.

Causality: Mechanism versus effects

The third trade-off relates to the sort of insight into causation the researcher intends to achieve; insight into *causal mechanism* or insight into *causal effects* (Gerring, 2009). Insight

into causal mechanisms refer to the study of a links or connections in a causal process (Brady & Collier, 2010), that is the causal pathway leading towards the outcome of interest. Insights into causal effects, on the other hand, focus on the measurable effect of change in the independent variable (Gerring, 2009). In many ways, this could be seen as the most fundamental argument as for why a case study is the preferred method for this study, where the aim, as clearly stated in the research question, to explain *why* police reform has failed. The research goal clearly indicates that it is the causal mechanism, rather than causal effects which is of the highest priority to understand in this thesis.

Causal argument: Deep versus Broad

The fourth trade-off regards the scope of the underlying causal argument guiding the research and whether this is *deep* or *broad* character. Arguments that strive for a greater breadth is usually in greater need for cross-case evidence whereas the primary virtue of a single case study is that it provides a greater depth of its analysis. The choice of method depends on whether one wants to achieve a thick and holistic description of a phenomenon, or if one would want a more general explanation of a wider range of cases (Gerring, 2009). Since the aim of this thesis is to explain police reform failure in South Africa, the scope of the proposition can be seen a deep rather than broad. A holistic case therefore appears to be the best way for gaining the wanted depth for answering the question.

The empirical universe: Heterogeneous versus homogenous

The fifth trade-off is based on the shape of the empirical universe that the researcher attempts to understand, and whether it is heterogeneous or homogenous (Gerring, 2009). As Gerring notes: “Cases must be similar to each other in whatever respects might affect the causal relationship that the writer investigating” (Gerring, 2009: 50). If the cases suffer from what Brady and Collier (2010) define as uncontrolled case heterogeneity; which in practice means that one are comparing apples and oranges when the goal was to compare apples, one cannot learn anything about the about underlying causal processes by comparing their histories (Brady & Collier, 2010). Police reforms, as they appear from the theoretical framework are phenomenon’s highly sensitive towards contextual circumstance, using a single case study to

learn about the underlying causal processes causing reform to fail might be the most viable approach for avoiding uncontrolled case heterogeneity.

Causal strength: strong versus weak

The sixth trade-off regards the causal strength of the relationships under study, and whether these can be considered to be strong or weak. Causal strength refers to the magnitude and consistency of X's effect on Y across a population of cases (Gerring, 2009). I would argue that the causal strength of the relationships of interest for this thesis is strong. Such assumption is based on the persistent negative effect several of the contextual factors such as low trust, high crime and strong polarization is seen to have on police reform efforts. The relationships are clearly visible, which makes them easier to study using a case study, and studying them might contribute to a greater understanding of *how* and *why* these factors have affected the police reform efforts. This is insight which will be of significant importance for answering the initially stated research question.

Distribution of evidence: rare versus common

The Seventh trade-off refers to the distribution of evidence across available cases, and whether or not this can be considered to be *rare* or *common*. Distribution of useful variation is understood as “variation (temporal or spatial) on relevant parameters that might yield clues about causal relationships” (Gerring, 2009: 56). When the useful variation is rare, an exploratory case study format recommends itself, whereas if the variation is common, a cross-case confirmatory approach might be preferable. Even if the phenomenon of police reform-failure in post-transitional countries is seemingly a common phenomenon, different national characteristics in context makes the spatial variation rare, an in such way and exploratory case study might be preferable approach.

Availability of data: Evidence rich versus evidence poor

The eight trade-off refers to what Gerring (2009) defines as the most “prosaic factor” towards the practical matter of availability of data, since how much we know about the case at hand might be relevant to the causal question of interest (Gerring, 2009: 57). Therefore

when the data related to a particular case is richer and more accurate compared to other cases, this can be perceived as a *prima facie* argument for using the case study format (Gerring, 2009). In this thesis the availability of data has played an important role in the selection of empirical focus. First, South Africa offers the longest experience of the use of community policing in the African region which increases the quantity of observable data. Second, the availability of data through electronic databases is, compared to other countries in the region much greater; whereas other countries in the region have shown tendencies towards having both incomplete archives and poorly functioning web resources.

Last, as weighted by Lijphart (1971), the use of a case study also gives the researcher the ability to gain in-depth information even if the available resources and time-frame is limited. As further noted by Gerring (2009: 59) “Whatever can be done for a set of cases can usually be done more easily for a single case”. So, based on the available amount of time and resources a single case study seems like the most feasible path to take for gaining the wanted insight into the causal mechanisms of interest, even if it does come with some inherent limitations on the external validity of the research results.

Summary

Based on the previous discussion, I would argue that, based on the research goal of this thesis; which is to explain why police reform have failed in South Africa, using a method enabling in-depth knowledge about causal mechanisms can be considered to be the most efficient approach towards answering such question. Thus a case study appears to be the most viable method. Using a case where the availability of data has been relatively good, has further increased the chances for gaining the necessary insight needed for answering the question under study in this thesis, which is of deep rather than of a broad character. However, it will be important to note that the external validity of the results will be limited based on the narrow empirical focus of this thesis.

3.3 How can a single-case study be comparative?

Whit the rationale for using a case study discussed, I will continue to elaborate on how this study can be placed within the comparative traditions, thus the aim of this section is to explain how a single-case study can be comparative.

The comparative method refers to a specific scientific method, or a fundamental tool of analysis, most commonly to defined as; a method focusing on relatively few cases and a potentially numerous amount of variables, such as large macro-societal units where the overall aim is to understand cross-societal differences and similarities (Lijphart, 1971; Ragin, 1987; Collier, 1993). The method is vested in the belief that a political phenomenon can best be understood through careful examination of a small set of cases (Collier, 1993). The most common comparative approaches are: Mills Method of Agreement/Most different system design, Mills indirect method of difference/most similar system design and comparative historical method (Przeworski & Teune, 1970; Lijphart, 1971; Ragin, 1987; Mahoney, 2004).

Whereas it is most common to define comparative method merely by its cross-sectional character which constitute the basis for both most similar and most different system design, some have argued that such definition is too narrow in the sense that it would exclude pure area studies which could be of mutual importance (Ragin, 1987). Both Lijphart (1971) and Gerring (2009) argue that since case studies are usually singled out from a wider set of cases, and thus also analyzed within the theoretical and the empirical context of this wider set of cases in such way may be seen as comparative. Therefore, as further argued by Lijphart (1971) a discussion of the comparative method should include a discussion of the case study method, mainly because the use of case studies can make important contributions to theory building, and in such a way become an implicit part of the comparative method (Lijphart, 1971). By using South Africa as a typical case for exemplifying police reform failure in a post-transitional context, empirical and theoretical findings from this study might contribute to theory building, and to generation of hypotheses which could be applied to a wider set of cases in a comparative manner (Lijphart, 1971; Gerring, 2009).

Single-case studies can also be comparative in the way that it is constructed, mainly due the fact that a case study will always provide more than one observation. Hence, according to Gerring (2009), a single-case study can be comparative in three ways; I) variation in a single case over time (diachronic); II) within-case variation at a single point in time (synchronic); III) a combination of diachronic and synchronic analysis, the latter referring to the most common approach in case study research (Gerring, 2009: 28). Since my study aims to study what may have caused police reforms fail, the diachronic dimension is quite clearly stated in the way that it seeks to change over time.

3.4 Case selection: Why South Africa?

Typical case

Selecting South Africa as a case for exploring community police failure is made on the grounds of what Gerring (2009: 89) refers to as a typical case method, defined as "Cases (one or more) are typical of some cross-case relationship".

For a case to be understood as typical or representative it has to be seen as to be representing a certain set of values, given some understanding of a phenomenon (Gerring, 2009). The cross-case phenomenon of this study is the wide-spread tendency of police reform failure in post-transitional countries (Brogden, 2005), described earlier as "typical hard context", where they are commonly advocated and implemented. South Africa will be used for conducting a confirmatory study with the overall aim to probe for causal mechanisms that may either confirm or disconfirm a given theory (Seawright & Gerring, 2008). I have used the most common employment of the typical case study, in the way that it involves study of a phenomenon where the causal hypothesis has already been specified (Gerring, 2009). Furthermore the study seeks to confirm or disconfirm these causal hypothesis based on comparing empirical evidence against the theoretical strands presented in the hypothesis (Seawright & Gerring, 2008).

Community policing has often been presumed to be the ideal policing policy for improving the overall policing situation in post-transitional countries, and has seen as a good mean for enhancing both police efficiency and legitimacy (Brogden, 2002; Brogden, 2005; Brogden & Nijhar, 2005; Minnaar, 2013). However, history has shown that the new policing policy has a tendency to become an overall failure in such contexts where the main variables which have been identified as causing the policy to fail have been; existence of overall low trust towards state agencies (Minnaar, 2013), high levels of crime (Steinberg, 2011; Bradford et al., 2013), community heterogeneity (Lemansky, 2004; Lemansky, 2006) and an overall lack of state willingness and capacity to see the reforms trough (Müller, 2012; Frühling, 2012).

Low trust, high crime, polarization and state capacity are seen to have a quite persistent negative effect on police reform efforts, and when the causal relationships under study are as strong as those under study in this thesis are it may be possible to identify a typical case by eyeballing the evidence (Gerring, 2009). South Africa represents a case holding typical values on all these dimensions, whereas typical here refer to "the mean, median or mode on a particular dimension" (Gerring, 2009: 92). Based on its typicality, lessons from the South

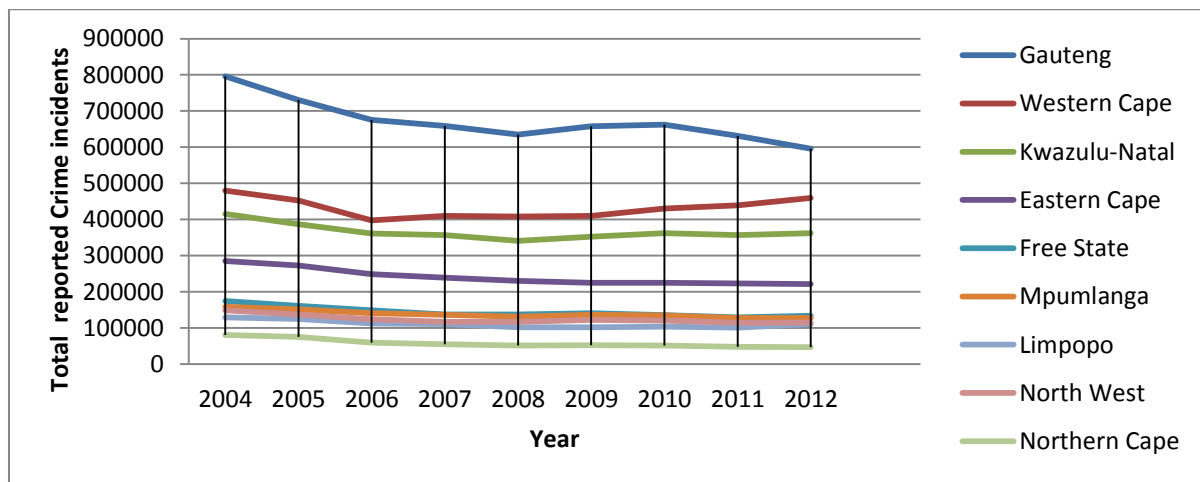
African case are assumed to be informative for a wider set of similar cases (Gerring, 2009; Yin, 2009).

However, to gain sufficient insight into why community policing has been a failed reform in South Africa, empirical data from the provincial level, as well as from the national is needed. The main reason for this is that the overall responsibility for overseeing that policing policy is translated into real life actions lies at the provincial level (Constitution, 1996). To enable to answer the hypothesis regarding the existence of adequate implementation efforts, evidence from the provincial level will be needed. Since conducting a qualitative single-case study is a time consuming process (Yin, 2009; Creswell, 2012), and in light of the existing time limitations of this thesis I have therefore narrowed the empirical focus of the analysis to at one out of the country`s eight provinces; The Western Cape province.

Western Cape has been chosen as the empirical focus, mainly as a means for gaining insight into the actual efforts to promote community policing policy in actions at the provincial level. Western Cape, in many ways constitutes one of the most challenging cases regarding crime in South Africa both being one the provinces having the highest level of crime, as well as being the only one were the level of crime has increased over the last years (Figure 3.1). Incentives for the provincial government to support the police reform should therefore be present. Evidence has also points to the fact that serious efforts have been made to try to implement the new policing policy in the province, making this a good case to study.

Because the South African provinces mainly faces the same obstacles to reform through their common apartheid history causing crime, distrust and polarization to exist in the first place I would regard findings from the Western Cape province to be relatively representative for reform challenges met by all the provinces.

Figure 3.1 Crime statistics in South Africa, by province



Source: Crime Stats SA (2013).

Challenges with case selection

Even if the use of a typical case could be useful for confirming or disconfirming existing hypothesis about some causal relationship of interest (Gerring, 2009), it is important to note that the representativeness of the findings should not be overemphasized. While the case is as a typical example of some phenomenon of interest; “typicality does not ensure representativeness” (Gerring, 2009: 97). The two main reasons not to exaggerate the results from a single case study is that interaction between variables might differ between countries, and the case selection process can suffer from selection bias (Gerring, 2009). Collier and Mahoney (1996) emphasis that despite the qualitative case study`s exceptionally good tools towards discovering new explanations, they warn that the if one tries to generalize the results from a single case to a larger sample of cases there will exist an inherent danger of being unrepresentativeness due to selection bias. This could lead to an overestimation of the importance of the explanations discovered in the case.

It will therefore be important to include such considerations into the discussion of the findings from this thesis, to avoid wrongly overstating the importance of the results.

3.5 Data availability and reliability

3.5.1 Use of qualitative data

The four most common sources of qualitative data are; Observations, interview, documents and audiovisual material (Creswell, 2013). The main source of data that will be used to inform

this thesis are documents. The main advantage from the use of documents to inform a study is that it is perceived as stable source of information, an exact source of information and it can provide a wide coverage of the theme of interest in a time perspective. However, documents also hold some inherent weaknesses in the way that access could be retracted, the information could be biased, and collection of documents could be incomplete or information could deliberately be withheld (Yin, 2009: 102-105). Therefore the reliability of the data should be considered before placing too much trust in the information gained from the documents (Grønmo, 2004).

3.5.2 Data reliability and Data validity

“Data are systematically collected elements of information about the world” (King et al., 1994: 23). The quality of the data used for social science inquiry is mainly determined relative to what the data are being used for as the aim of the data is to illuminate a specific question or phenomenon of interest (Grønmo, 2004). Data *reliability* and data *validity* is the most common measures for determining the quality of social scientific data. Put shortly *reliability* refers to the extent in which a measurement procedure yields the same answer however and whenever it is carried out, while the *validity* refers to the extent in which it gives the “correct” answer (Grønmo, 2004).

The two main sources of information used to inform this study are South African policy documents and annual reports from the *Western Cape department of community safety* (WCDCS) and from the *Independent Police Investigative Directorate (IPID)* will further be discussed according to their reliability and validity for this study. Data from these reports will mainly be presented in the form of direct and indirect quotations, and summarized in more descriptive figures and tables.

Western Cape Annual Community Safety Reports

The annual reports presented by the Western Cape Department of Community Safety give insight into both the departments strategic planning, targeted goals and actual achievements in the field of community safety. These reports will contribute to a greater empirical understanding regarding provincial efforts to actually implement community policing in

practice. The reports can be considered to be both a stable and exact source for information as the reports are readily accessible online at the department`s home page.

However, it is important to be aware of that these annual reports could suffer from bias in the way that they have been written and presented by the WCDCS in a time when means for improving security was and still are priority on the national agenda. This could have resulted in an exaggeration results as a mean to shed some positive light on their own performance. It should also be noted that the annual reports from 2005-2006 and the 2006-2007 annual are missing from the archive. However, information from the 2007-2008 reports have contributed to information from the financial year of 2006-2007 in the way that it compares current with past efforts according to many of the factors of interest.

I would regard the validity of the data in answering the research questions to be good, since they yield useful and precise information about provincial efforts and achievements in promotion of community policing policy in action. As the documents are a consistent source for information, it would also be relatively easy to replicate the study, and in such way the reliability of the data might also be quite good.

Independent Police Investigative Directorate (IPID) Annual report

IPID has been established as an independent organization for overseeing police oversight South African. Their mandate was stated as to promote consistent proper conduct by members of the SAPS and the municipal police services (Alemika & Chukwuma, 2003). In this thesis these reports will be used as a source of information for describing both prior and current challenges in South African policing regarding police misconduct. The information is useful for revealing and understanding the challenges meeting the reform efforts. Like the WCDCS annual reports, the IPID annual reports can be considered to be an equally stable and exact source for information.

However, like with the WCDCS reports the results presented in the IPID report could be equally exposed for information bias. Much based on the relatively close connection between SAPS and the IPID, whereas IPID manages the serious allegations of police misconduct the less severe allegations are left to SAPS themselves to manage (Miller Alemika, 2003). This could lead to a reporting bias where the number of complaints against the police in reality might be higher than those numbers that are reported by IPID. However, even if the numbers

might be understated, they still contribute to an understanding of what the policing problems at hand are (Lemansky, 2004). It should be noted that the annual reports from 2003-2004 and 2005-2006 are missing from the IPID archive.

I will consider the IPID reports to being quite useful for providing useful information for why the distrust between the police and the community have remained so strong as it have in the case of South Africa, which is an important dynamic to have in mind for understanding police reform failure, in such way the validity of the data can be considered as generally good for providing the wanted insight. Since much of the data which have been used from the reports is of a rather more descriptive character, it would be easy to replicate the findings making the reliability good.

National crime statistics

The crime statistics used to inform this thesis are mainly gathered from Crime Stats South African which is accessible online. Crime statistics are most commonly seen to be problematic source of information, mainly because it tend to suffer from severe underreporting, making the numbers inaccurate. However, even if the numbers might not be correct, they do provide general insight into the overall crime situation, which thus makes it useful (Skogan, 1974; Lemansky. 2006; Samara, 2011). I would argue that use of crime statistics in combination with evidence from the IPID annual reports provide a good foundation for discussing the crime and policing situation in South Africa.

3.5.3 Triangulation of data

However, as it occurs even if the validity and the reliability of the evidence can be considered to be quite good, they might, as previously stated suffer from information bias. Thus all methods suffer from some inherent shortcomings when it comes to evaluating a theory or a relationship, the best way for improving the validity of the study is to maximize the amount of information used to inform the study, and triangulation of methods, researchers or data can be an effective approach (King et al., 1994; Brady & Collier, 2010). Based on some inherent potential for the existing of bias in the sources used to inform my study, I will use data from multiple sources to gain a more nuanced picture of the overall situation, therefore the use of WCDCS and IPID reports will be complimented with information from South African

newspapers, previous meta-analyses and descriptive country statistics. By increasing the amount of data the validity of the study can also be seen as being improved (Brady & Collier, 2010). The ability to inform the study using multiple sources of evidence is often seen to be a major strength of case study data collection (Yin, 2009).

Chapter 4

4 Analyzing community policing failure in South Africa

4.1 Introduction to the analysis

After the transition to democracy in 1994 the South African police suffered from the bad reputation they had built for themselves over the last decades. In order for the police to regain acceptance from both the new government as well as from the previously repressed and excluded groups in the society, there was an unequivocal need for transforming police organization as a whole in accordance with the countries newly adapted democratically ideals, reflecting both civilian values as well as human rights principles (Hornberger, 2013).

By acknowledging that the civil society was of equally importance for successful crime prevention, community policing was introduced as a new policing policy (Du Plessis & Louw, 2005). The overall aim of introducing these new policing ideals was to improve the tense police community relationships and to enhance the level of democratic accountability over the police and to increase police efficiency (Pelsler, 2000).

However, as already noted, the reform efforts have mainly been considered a failure, and the aim of this thesis is to elaborate on why. To answer the question of why community policing has been a failed in South Africa I have divided the following analysis into four parts; the first two will present the empirical data regarding the process of implementing community police reforms. First by looking at how community policing theory have been interpreted in South African policing policy documents, secondly by elaborating on how the community policing policy have been translated practical implementation actions in the Western Cape province. The third part will elaborate on the South African policing situation today to see where the reform seems to have fallen short in relation to the ambitious expectations set by community policing theory. At last I will discuss reform failure in light of the empirical data and theoretical framework.

4.2 From theory to policing policy

4.2.1 Interpreting community policing in South Africa Policy documents

As already thoroughly discussed in chapter two, community policing theory suggests a need for four major structural changes to take place in order to make the community an active partner and co-producer of security;

- 1) From centralized to a decentralized policing (Decentralization).
- 2) From reactive to proactive policing (Proactive policing).
- 3) From non-participatory to participatory policing (Participation).
- 4) From state grounded to locally grounded accountability (Local Accountability).

In the following sections the interpretation of community policing theory in South African policing policy will be presented and discussed.

Policy is - the course of action taken by government actors, and it is further intended to influence and determine both its decisions and its actions (Oxford Dictionaries 2009). Addressing how community policing have been interpreted in South African policy documents will therefore become an important factor to include when studying the overall development of community policing, mainly since these policy documents constitute the main framework for action by state actors at both national as well as at the provincial and local level.

The interim constitution (1993)

The first formal reference to the use of community policing as a policing approach in South African is found in the interim constitution act 200 of 1993, where the concept of community police forums (CPF) was first introduced. The CPFs were designed to be the link between the community and SAPS, overseeing the implementation of the new model of community policing (Minnaar, 2013). The functions of these forums which would include;

- a) Promotion of accountability of the service towards local communities and cooperation of communities with the service.
- b) Monitoring of the effectiveness and efficiency of the service.
- c) Advising the service regarding local policing priorities.
- d) The evaluation of the provision of visible policing services.
- e) Requesting enquiries into policing matters in the locality concerned (Pelser, 2000).

The political prerogative informing community policing at this time was one of democratic accountability, where the police were to be democratized and legitimized by enhancing the general oversight, and downward accountability functions (Pelser, 2000). In its most essential and simplistic meaning accountability refers to the “Answerability and responsibility of public officials” (Mainwaring, 2003)⁴. In this thesis accountability mainly refers to establishing of mechanism for holding the South African police responsible and answerable for their actions, which was seen to be a necessary mean for preventing the police from abusing their authority and power as they had done in the past (Du Plessis & Louw, 2005).

Already at an early stage, downward accountability and the establishment of civilian oversight mechanisms were the main focus of the policy development. Civilian oversight refers to the involvement of external actors in holding the police answerable and responsible for their action (Alemika & Chukwuma, 2003). Civilian oversight over the South African police was mainly to be achieved by focusing on consultative and cooperative efforts vested at the local police stations (Pelser, 2000; Du Plessis & Louwe, 2005).

The first visible sign of change in the wake of the new policy development was the establishing of the *Civilian Secretariat for Safety and Security (CSSS)* which is a civilian oversight body; the *Independent Complaint Directorate (ICD now IPID)* which is an independent police complaint body; and the formal delineation of the functions of the *community policing forums (CPFs)*. The latter has been described to be one of the most important mechanism for promoting civilian oversight over the police, mainly by enhancing the overall level of police community interaction (Du Plessis & Louw, 2005). “The functions of community-police forums referred to in subsection (1) may include- a) the promotion of accountability of the Service to local communities and co-operation of communities with the Service” (Interim constitution of 1993, 221-1a).

The interim constitution (1993) was soon to be followed by the *green paper of safety and security* (1994) which further emphasized the need for democratic control over the police, accountability and community consultation (Pelser, 2000). The ideals where in line with the general policing norms which came in the wake of the third wave of democratization from the mid-1990s onwards (Kutnjak Ivković & Sauerman, 2013). First introduced by the interim constitution, the new policing ideals were further extended into the country`s new democratic

⁴ The meaning of the concept of *accountability* is a heavily contested one see Mainwaring & Welna (2003) for further discussion of the concept.

constitution of 1996, where it was an important addition to reflect the new regime's commitment to the democratic ideals of accountability, equality and human rights "National security must reflect the resolve of South Africans, as individuals and as a nation, to live as equals, to live in peace and harmony, to be free from fear and want and to seek a better life" (Constitution of South Africa, 1996; 198-a).

The South African Police Service Act (1995)

In 1994 the *South African Police Service act* was adopted. The act served as a first step towards formalization of a community policing strategy. The main objective of the act was to provide a legal framework for democratic control, accountability and transparency of the South African police (Pelser, 2000).

First and foremost the SAPS Act formalized the division of responsibility between the national, provincial and local level. While the superior responsibility over the police service lies within the mandate of the national commissioner, the responsibility for the day-to-day action and enacting of national policies lies within the mandate of the provincial government, where the provincial responsibilities are described to be as follows:

Establish and maintain police stations and units in the province and determine the boundaries of station or unit areas" (SAPS Act, 1995: chapter 5, 12-1b), and to; "Determine the distribution of the strength of the Service under his or her jurisdiction in the province among the different areas, station areas, offices and units (SAPS Act, 1995: Chapter 5, 12-3a).

The provincial responsibility for policing is also vested in the South African Constitution (1996) section 206 (4a) which state that the provincial executive is responsible for the following policing functions; Monitoring police conduct, overseeing police efficiency and to promote good community police relationships, or as stated more precisely in section 206(4):

Each province is entitled (a) to monitor police conduct; (b) to oversee the effectiveness and efficiency of the police service, including receiving reports on the police service; (c) to promote good relations between the police and the community; (d) to assess the effectiveness of visible policing; and (e) to liaise with the Cabinet member responsible for policing with respect to crime and policing in the province (Constitution of South Africa, 1996: 206, 3a-e).

Secondly, the SAPS act formalizes the establishment of community police forums (CPF) and community police boards (CPB), where the main function and the main powers of the CPFs and CPBs are described to be:

a) Establishing and maintaining a partnership between the community and the Service; (b) promoting communication between the Service and the community; (c) promoting co-operation between the Service and the community in, (d) improving the rendering of police services to the community at

national, provincial, area and local levels; (e) improving transparency in the Service and accountability of the Service to the community; and (f) promoting joint problem identification and problem-solving by the Service and the community (SAPS Act, 1995: Chapter 7, 18:1a-f).

The link between the policy and the community policing theory is quite clear in its focus on establishing and maintaining partnerships with the community, cooperation with the community, promotion of policing based on problem-solving as well as weighting the need for securing both transparency and accountability within the police service. However, even if the policy documents propose that the provincial government has a major role in overseeing police conduct, it is important to bear in mind that the superior responsibility of police oversight lies within the mandate of the national commissioner:

A member of the Cabinet must be responsible for policing and must determine national policing policy after consulting the provincial governments and taking into account the policing needs and priorities of the provinces as determined by the provincial executives (Constitution of South Africa, 1996; 206-1).

The National Crime Prevention Strategy (1996)

In the National Crime Prevention Strategy (NCPS) presented by the Department of Safety and Security in 1996, community policing is clearly utilized as a policing strategy based on the elements previously described both in the interim constitution (1993) as well as in the SAPS act (1995). The NCPS was, according to Du Plessis and Louw (2005) an overreaching and far-sighted policy on crime prevention which recognized the holistic character of the challenges leading to high levels of crime. Development of the NCPS was based on the notion that the growing levels of crime was a threat to the country's newly won democracy; hence it recognizes the vital role safety plays in the country's overall ability to develop (Du Plessis & Louw, 2005).

The NCPS supplemented the previously described community policing policy with a more detailed plan for how such policy could be implemented successfully in practice (Pelser, 2000). The main objective behind creation of the new strategic framework was to usher a more efficient crime approach, or as presented in the NCPS;

The establishment of a comprehensive policy framework which will enable government to address crime in a coordinated and focused manner which draws on the resources of all government agencies, as well as civil society (National Crime Prevention Strategy, 1996).

The NCPS represents a new set of policing standards set by the state. One of the most severe changes set by the new standards was the advancement of crime prevention, rather than crime control as a means to manage the challenging security situation which existed in the country.

The suggested move by the NCPS (1996) from reactive *crime control*; which deploy most resources towards responding after crimes have already been committed, towards proactive *crime prevention*; aimed at preventing crime from occurring in the first place, was a shift where the link to the ideal of community policing is quite clear, in the way it intend to alter the traditional role of the police (Peak & Glensor, 2012).

However, the NCPS did not only promote a shift towards a preventive policing approach, it also acknowledged that crime prevention is not simply the business of the government but rather a shared responsibility, where the role of civil society should be of equal importance (Du Plessis & Louw, 2005). Once more the link to community policing theory is quite clear, given that the new strategic planning encourages a more including approach to policing than what had been the norm in the past.

A second important factor driving the new safety and security planning was based on the recognition that; since the underlying factors causing the high level of crime is of a highly complex character, and no single or isolated cause for crime and insecurity can be pinpointed. Searching for a single solution would therefore be quite an insufficient approach towards managing the problem (Schönteich & Louw, 2001). Based on that acknowledgment, the NCPS suggested a four pillar approach as the foundation for the new strategic and safety development strategy (Table 4.1).

The pillars focus on the four following areas; the criminal justice process, environmental design, public values and trans-national crime prevention. The elements of community policing, as discussed above, falls under the third pillar utilizing the facilitation and the establishment meaningful citizen participation in crime prevention. Together these pillars constitute a more comprehensive and all all-encompassing approach for managing crime and insecurity in the country (Du Plessis & Louw, 2005).

Table 4.1 National Crime Prevention Strategy (NCPS)

| |
|---|
| <p>Pillar 1: The Criminal Justice Process aims to make the criminal justice system more efficient and effective. It must provide a sure and clear deterrent for criminals and reduce the risks of re-offending.</p> <p>Pillar 2: Reducing Crime through Environmental Design focuses on designing systems to reduce the opportunity for crime and increase the ease of detection and identification of criminals.</p> <p>Pillar 3: <i>Public Values and Education concern initiatives aimed at changing the way communities react to crime and violence. It involves programs which utilize public education and information in facilitating meaningful citizen participation in crime prevention.</i></p> <p>Pillar 4: Trans-national crime programs aim at improving the controls over cross border traffic related to crime and reducing the refuge which the region offenders to international criminal syndicates.</p> <p>Source: National Crime Prevention Strategy (1996).</p> |
|---|

Comparing the theory of community policing, with the interpretation of community policing in the South African policy documents the agreement between the two is generally consistent, and the structural shifts described by the theory as necessary conditions for successful implementation of the new policing policy are clearly present in the national policy framework. However, as it appears from the NCPS (Table 4.1) it is also clear that community policing only constitute a small part of an overall more comprehensive policing strategy. I will therefore stress the need to adjust ones expectations to what subsequently can be achieved by using community policing.

4.2.2 A guide for practical implementation

The Community Policing Policy Framework and Guidelines

The *Community Policing Policy Framework and Guidelines* (CPPFG) was launched by the national department of safety and security in 1997, in the wake of the NCPS. The CPPFG advances the first formal policy on community policing in South Africa and is considered to be the first explicit expression of community policing as a methodology for reducing crime by improving the service provided by the police. The CPPFG can therefore be seen to mark a watershed divide in the development of community policing in South Africa (Pelser, 2000).

Community policing is described by the CPPFG as a policing philosophy which guides the police management styles and operational strategy emphasizing establishment of police-community partnerships and a proactive approach responsive to the needs of the community (CPPFG, 1997). Proactive policing which constitute a major part of the overall community policing philosophy is a style of policing emphasizing problem-solving techniques as basis for a more effective police response to problems of crime and disorder. It also is emphasizes that

the problem selected, should be of substantial concern of both the police and the community. Since the problems might vary from community to community the strategy needs to be properly attuned to such differences to become a successful approach (CPPFG, 1997).

The way community policing can be implemented in practice is also thoroughly described in the CPPFG. The three most important steps emphasized by the guidelines are as follows; *Firstly*, an implementation committee must be established, in which all stations, units, branch components and the community is represented. *Secondly*, after the implementation committee has been formed, internal audit should be conducted in cooperation with all committee members. Through the internal audit the aim is to measure current strategies against the requirements of community policing so that potential shortcomings could be determined, which will enable the current strategy to become more attuned in the future. *Thirdly*, data from the internal audit should further be analyzed so that strategic action plans can be developed in line challenges faced by each station, and the specific community where it is located (CPPFG, 1997).

Two words can be used for summarizing the most essential features regarding implementation of the strategy as presented above: *community understanding*. To understand the community and to be able to attune existing policing efforts to each specific community, and its specific problems is described as the key element towards achieving successful implementation of a community policing strategy (CPPFG, 1997).

Community Police Forums

A major part of the CPPFG manual is dedicated towards describing how community policing can be implemented according to the external dimension of the community, in particular, how to establish community-police consultation through Community police forums (CPFs). As the police work according to the new policing policy it also entails providing a service towards the community (Bayley & Shearing, 1996), and the development of co-operative police-community relations was stated by the guidelines to be of vital interest as, securing good collaborative partnership was to be a priority (CPPFG, 1997). CPFs were to be the main tools to advance police-community interaction, as well as to be the main source for ensuring downwards accountability by the establishment of CPFs at all SAPS stations (Du Plessis & Louw, 2005). CPFs are described as a means for formalizing the dialogue between the police

and the residents of the local communities by providing a formal setting for meeting activity for the involved actors:

Members of the CPF should be encouraged to have informal contact with each other and with the police
(...) Members of the CPF should have access to the police and police representatives should seek informal contact with community members (CPPFG, 1997).

CPFs promoted a “new” channel for participation by residents, as well as empowering citizens in the sense that it provided for the opportunity to hold the police more accountable for their actions (Fielding, 2005; Bénit-Gbaffou et al., 2008; Sklansky, 2008).

A final remark made in the CPPFG regarding implementation of a community policing policy is that, since communities do not denote a homogenous group of people, it will be of special importance to ensure that the CPF are representative towards the general community composition. This is needed for securing the overall legitimacy of the forums (CPPFG, 1997).

4.2.3 The legal framework for implementing community policing

Going through South African policy documents it is apparent that community policing has been quite directly interpreted in the new national policing policy in the sense that it weights all of the structural changes promoted by the community policing theory. The policy of community policing has not only been thoroughly incorporated in the legal framework, there has also been developed detailed guidelines as to how the community policing policy could be translated into real life action. Based on these facts I would argue that the new policing policy could be considered to be quite clearly embedded in the policing policy framework, which may explain its long lasting influence on South African policing policy (Davis et al., 2003).

Comparing the South African policing policy with basic community policing theory the similarities are quite strong. However there are differences. The most recurrent difference to observe is that elements of democratic accountability and civilian oversight are more heavily emphasized in the South African interpretation of the theory. As already discussed, this stems from the fear of the police misusing their mandated power as they had done in the past (Du Plessis & Louw, 2005). Introduction of mechanisms ensuring such oversight has therefore become a very important and integrated part of the police transformation in South Africa (McKenzie, in; Alemika & Chukwuma, 2003; Du Plessis & Louw, 2005).

As the policy framework for transforming the police has been presented, the next step in this

analysis will be to explore *how* the policy of community policing has been translated into real life action. This will be explored by using the Western Cape as empirical focus.

4.3 From policy to practice: Lessons from the Western Cape

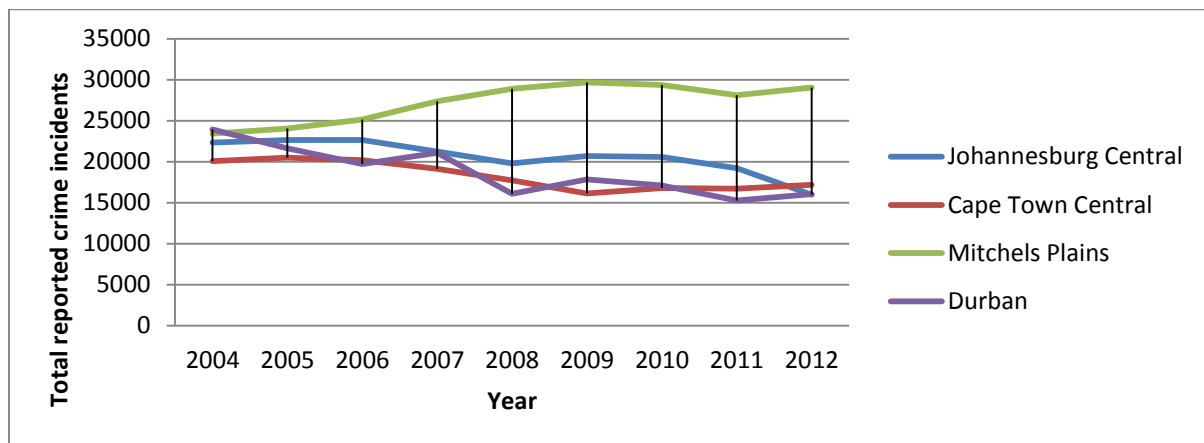
4.3.1 The “crime capital” of South Africa

The Western Cape Province is situated in the southwestern part of South Africa, and it is the fourth largest province in terms of both area and population. The province has about 6 million inhabitants, whereof almost two-thirds live in the metropolitan area of Cape Town. The main challenge facing the Western Cape Provincial Government is the persistently high and steadily rising level of crime (Figure 3.1). Available data from *Crime Stats South Africa* (2013), shows that the general level of crime in the Western Cape Province is the second highest of the eight provinces. However, unlike the other provinces, Western Cape is the only province to have shown an increase in the overall crime rate (Figure 3.1).

There exists a wide array of plausible explanations for explaining the diversity in the level of crime which is seen to exist between the South African provinces.

One of the most common explanations is that the high levels of crime as related to rapid urbanization in, and around larger cities (Schönteich & Louw, 2001). The tension between people living in these areas tends to increase due to poverty, unemployment and lack of space, all of which consequently lead to higher levels of crime (Schönteich & Louw, 2001), mainly because high levels of inequality in general, tends to lead to higher levels of crime (Demombynes & Özler, 2005). This pattern of rapid urbanization and high crime is visible in South Africa’s largest and fastest growing cities, Johannesburg (Gauteng), Cape Town (Western Cape) and Durban (Kwazulu-Natal). These cities have in common high crime rates, and they are all located in the provinces topping that very same list (Figure 4.1). To some degree this fact supports the connection found by Schönteich and Louw (2001) between rapid urbanization and the existence of high levels of crime.

Figure 4.1 Crime statistics in South Africa, by city



Source: Crime Stats SA (2013).

4.3.2 Western Cape community policing policy framework

The Western Cape legal framework and policy

The Western Cape Constitution (1998) has adopted the policing paragraph from the national constitution which states that the Western Cape Government is entitled to:

- (a) to monitor police conduct; (b) to assess the effectiveness of visible policing; (c) to oversee the effectiveness and efficiency of the police service, including receiving reports on the police service; (d) to promote good relations between the police and the community; and (e) to liaise with the national (Western Cape Constitution 66 (1)a-e).

The role of the provincial government in policing can be seen as clearly vested both in the national- as well as in the provincial legislation. While the responsibilities of the provincial government is clearly stated, the next element of interest will be to explore how the provincial government has managed to fulfil such responsibilities, or more precisely how they have translated community policing policy into community policing actions in the province. For as already noted; sufficient support for the implementation process is one of the main determinants for its success (Frühling, 2012).

Policing policy development in the Western Cape

The first important policy development that should be mentioned was launching of the CPF Constitution in 2004. The CPF constitution was created in conjunction between the directorate, SAPS and the CPFs whereas the aim of the constitution was to ensure that certain standards, performance and principles was adhered by all CPFs in the province (WCDCS

annual report, 2004-2005). The Western Cape CPF Constitution further defines its core functions to be the following:

To regulate the establishment, functioning and management of Community Police Forums and Boards, to operate as effective Community Structures through which the Police shall liaise with the Community in order to achieve the objectives contemplated in Section 215 of the Interim Constitution and Section 205(3) of the Constitution of the Republic of South Africa, and provide for the establishment of Community Safety- and Victim Support Structures under the control of the Forums and Boards (Western Cape CPF Constitution, 2004: 2).

In addition to regulate and manage operative community structures through CPFs, the underlying guiding principles of the constitution is that the CPFs should strive to sufficiently represent community interests (Western Cape CPF Constitution, 2004). As already mentioned, this was emphasized as a key factor by the CPPFG (1997) in making community policing viable.

The most recent policy development in the Western Cape which is also the most heavily debated, was finalization of the *Western Cape Community Safety Act* (2013), an act that strengthens the provincial oversight opportunity over the police vis-à-vis the national level, which until now had been the norm (WCDCS annual report, 2012-2013). Increased oversight opportunities are achieved in two ways; firstly the provincial government's power to determine their own policing needs is strengthened:

(5) The findings and comments of the standing committee must be taken into account by the Provincial Minister when he or she formulates a recommendation on the policing needs and priorities of the Province for approval by the Provincial Cabinet. (6) The Provincial Minister must submit the approved policing needs and priorities of the Province to the Minister to be taken into account when the policing policies and plans for the Province are formulated, as contemplated in sections 206(1) and (2) of the Constitution (Western Cape community Safety Act of 2013, section 23(5-6)).

Secondly the position of a police ombudsman is established:

The Ombudsman must - (a) receive and may investigate complaints submitted in terms of section 16, regarding inefficiency of the police or a breakdown in relations between the police and any community; and (b) perform the other functions assigned to him or her under this Act (Western Cape Community Safety Act 2013, 15(a-b)).

Both these new oversight opportunities will, according to the Western Cape Provincial government result in more effective and efficient service delivery by the police. Mainly, because the police efforts will be more in accordance with the provincial challenges, while the local accountability at the same time would be strengthened (WCDCS annual report, 2012-2013: 19). The act further requires that the department should support an increase, as well as a

strengthening of existing community police structures such as NHW and CPFs to successfully implement the requirements stated by the act (WCDCS annual report, 2012-2013).

Opponents of the act, on the other hand, see the act as a violation of the constitution in its attempt to make SAPS into a provincial institution, which they consider to be a violation of the division of power stated in the Constitution. By devaluing the oversight mandate to provincial level the police would become more accountable towards local needs, which have been met by strong opposition from SAPS members who feared the consequences (Phatkathi, 2013). But as stated by the previous minister of safety and security in the Western Cape Province Dan Plato: "Oversight remains critical... effective oversight can act as a catalyst for improved policing," (Dan Plato, in Phatkathi, 2013). The question that remains to be answered is whether or not such changes as promoted by the act will actually promote increased oversight in the long run, but at least an attempt to improve it has been made.

Safety and Security planning in the Western Cape Province

The Western Cape Department of Community Safety (WCDCS) is the leading agent within the provincial administration taking on and supporting crime prevention initiatives in the province. Their main vision is to create an environment where: "The citizens of the Western Cape shall be free from the fear of crime" (WCDCS annual report, 2004-2005: 7). The department's core functions are further described to be:

To promote civilian oversight over SAPS, to initiate and support integrated operational crime preventive initiatives with the community and to cooperate with civil society partners and tertiary institutions in crime reduction (WCDCS Annual Report, 2004-2005: 9).

The WCDCS annual reports constitute the most clearly stated vision of the departments' strategic planning on Safety and Security. The reports are structured into different strategic safety and security enhancing programs where both strategic plans, as well as the concrete achievements in the current financial year are presented. Despite the fact that the programs have been slightly altered over the years the general content of the programs have remained relatively stable throughout all the reports. The main programs presented in the reports are: I) Administration, II) Provincial secretariat for Safety and Security, III) Security and risk management, IV) Traffic management⁵.

⁵ The general description of the programs have changed since 2003, but the content have been relatively stable: The programs in the 2003-2004 report was as follows I) *Administration*, II) *Provincial secretariat for safety and*

Going through the WCDCS annual reports from the period 2003 to 2013 promotion of civilian oversight, support for crime prevention strategies, establishing of sufficient monitoring and evaluation structures and support and development of community liaison projects are amongst those which have continued to be emphasized by the department in their strategic planning (WCDCS annual reports, 2003-2013). The reports weight the need for inclusion of the community as a means for increasing the general level of community safety and security. Inclusion of, and cooperation with civil society actors is mostly referred to as a holistic or a whole of community approach to policing; “The department addresses crime prevention in a holistic manner that includes all role players” (WCDCS annual report, 2004-2005: 9).

References to the department taking on a more holistic approach to policing is emphasized in several of the reports, whereas its gets especially underlined from the 2011-2012 where the department states that they have taken on an “all-new” whole of society approach towards crime fighting (WCDCS annual report, 2011-2012).

As stated by the department; creation of a safe environment is everyone’s responsibility and to achieve the goal of a safer environment there is a need to enhance active citizenships in the field of community safety (WCDCS annual report, 2011-2012). I have put “all new” in quotation marks because so-called “all new whole-of-society” approach is more of a new wrapping, rather than a new approach, since this has been a common theme in most of the department’s annual reports from 2004-2005 onwards: “Although experts differ on the causes of crime, it is common cause that crime prevention is not the sole preserve of law enforcement agencies, but that other players, especially in the social sphere, have a critical role to play” (WCDCS annual report 2004-2005: 9).

The rationale behind taking on a whole of society approach towards addressing crime in communities as listed in the reports; is to increase the level of social capital and build solidarity amongst the communities (WCDCS annual report, 2011-2012). Putnam (2002: 8) describes *social capital* as “social networks and the associated norms of reciprocity”. The essence of the concept of social capital as described by Putnam is that through social networks

security, III) *Safety promotion*. In 2004-2005 annual report this changed to become; I) Administration, II) Provincial secretariat for safety and security, III) Security and risk management, IV) Traffic management. “*Safety promotion*” has here been divided into two new programs: “*Security risk management*” and “*Traffic management*”. In 2011-2012 annual report the programs takes the form as I have used in my description: I) Administration, II) Civilian Oversight, III) Crime prevention and community police relation, IV) Traffic management and, V) Risk management.

people get the feeling of reciprocity towards the other actors involved in such network, whereas the feeling of shared norms or values is a factor fueling social cooperation (Putnam, 2002).

In their aim of increasing the level of social capital and social cohesion within the Western Cape communities, the WCDCS strategic programs have been emphasizing promotion and support for community safety initiatives and public-private partnerships in policing. Establishing *civilian oversight* and *community liaison* programs were core elements in their commitment to promote of social cohesion and partnerships in crime prevention (WCDCS annual report, 2011-2012: 12).

Since promotion of civilian oversight and community liaison programs have been stated to be the core elements in the departments commitment towards the new policing policy, I have chosen to use these as categories for discussing their efforts and achievements in community oriented policing in the province.

4.3.3 Civilian Oversight

Establishing civilian oversight in the Western Cape

Civilian oversight refers to the involvement of people from outside the police taking a role in holding the police answerable and responsible for their action (Alemika & Chukwuma, 2003), in line with the previously stated definition of accountability. Local accountability and civilian oversight are weighed as important elements for successful implementation of a community oriented policing. The rationale behind is that since increased police accountability can result in improved police legitimacy, where the latter is important for establishing fruitful cooperation between the police and the community (Goldsmith, 2005).

In South Africa, civilian oversight was seen as an important mechanism for ensuring that the police would never again abuse their authority and powers as they had done prior to 1994 (Du Plessis & Louw, 2005). Oversight mechanisms, in this context, can be seen as twofold; Firstly, it refers to the achievement of democratic accountability and transparency over the South African police service and other law enforcement agencies. Secondly it affirms that the police actually commit to community wishes, and include locally expressed needs into their strategic planning (WCDCS annual report, 2007-2008: 54). The department has continued to emphasize establishing and sustaining civilian oversight mechanisms, especially regarding

monitoring and evaluation of the police service (WCDCS annual report, 2004-2005: 10). The most important mechanisms for securing sufficient police oversight in South Africa were the establishment of the Independent Complaint Department (now Independent Police Investigative Department), establishing and support for Community police forums (CPF) and the establishment of the Provincial Secretariat of Safety and Security (Du Plessis & Louw, 2005).

ICD now IPID was established in 1997 as a mechanism for securing sufficient civilian oversight over SAPS in the aftermath of the regime transition in 1994. Its main function was to deal with complaints of police misconduct as a national independent oversight institution (Miller, in; Alemika & Chukwuma, 2003; Du Plessis & Louw, 2005). Its legal mandate was primarily investigation of all deaths in police custody or as a result of police action, as well as criminal offences and serious misconduct that have been committed by members of the SAPS and the municipal police services (ICD annual report, 2001-2002). While ICD was established as an independent institution civilian oversight at the national level, CPF and the provincial Secretariat of Safety and Security was the main organizational reform innovations for securing sufficient oversight functions over the police at the local level (Du Plessis & Louw, 2005). While the Secretariat of Safety and Security was to promote democratic accountability and transparency over SAPS at the provincial level (Mistry & Kiplin, 2004), CPFs was regarded as an even more localized mechanism for civilian oversight. Arguably, it was also seen as the most accessible to communities, which makes its existence even more important to promote (Mistry & Kiplin, 2004).

The description of CPFs and their functions given by Western Cape Governments is; CPF consists of organizations and institutions such as schools, ratepayers associations, civic organizations, businesses and religious institutions, working in partnership with the local police. The main purpose of a CPF structure is to create, and maintain a safe and secure environment for citizens living in the designated CPF's area. Through CPFs the priorities and needs of each community can be identified, for then to form a part of the local police station's operational plan (Western Cape Government 2013). In such way CPFs gives the community opportunity to, in some degree, to affect the strategic planning of the police, making the police more answerable to community needs and priorities, or at least, this is the ideal.

Civilian oversight: achievements, challenges and solutions

Looking at provincial achievements to promote civilian oversight the first achievement worth noting is the steady growth working CPFs. As it appears from the reports there has been an increase in the number of working CPFs from 8 in 2004 to 120 in 2005. It then peaked with 175 in 2012, before decreasing to 160 in 2013 (WCDCS annual reports 2003-2013). From what can be read out from the annual reports WCDCS support for establishing and sustaining of CPFs is mainly visible in two ways; first by the steady increase in the number of working CPFs, secondly their efforts to host capacity building workshops for the CPF where the aim of the workshops is to improve CPF efficacy and to facilitate improved conflict resolution mechanism within the CPF (WCDCS annual report, 2004-2005).

A second achievement to improve community oversight has been launching of the *police priority and needs reports* (PPN) in 2005 (WCDCS annual report, 2004-2005). The PPN reports were established as a means to enhance the overall community ability to present their own view regarding community challenges to the police, through their local CPFs. Thus the PPN reports provide an oversight in the respect that it is supposed to make the police more responsive to community needs and wants (WCDCS annual report, 2004-2005). The introduction of the PPN reports clearly meets the requirement to understand the community and acts as to increase police efficiency. A notion which is stated in both the theory of community policing, as well as in the community police framework, for “Since every station is unique the action plans should also be unique in accordance with the specific problems” (CPPFG, 1997).

However for the PPN reports to become an effective way for the community to be airing their concerns about local community needs and priorities, the relationship between SAPS, the CPFs and the community need to be an overall good one. In the Western Cape, as well as in the other South African provinces such relationship have tended to be of a more problematic character, causing some severe challenges for their efficiency (WCDCS annual report, 2010-2011: 18). Despite the existence of such problematic relationships it appears from the 2004-2005 report that 166 communities actually used the opportunity provided by the PPN to determine their own police priorities and needs in liaison with its local CPFs. The PPNs, as reports show, have continued to be an important mechanism to improve public service delivery in the Western Cape here noticeable in the 2010-2011 annual report:

Furthering its efforts to ensure solid public service delivery, we have polled communities in the 149 police precincts to determine the needs and priorities from the perspective of these communities, with the aim of influencing the SAPS annual operational plan (WCDCS annual report, 2010-2011: 13).

Despite the overall positive picture presented by the annual reports, referring to the department's efforts in both *establishing* and *sustaining* of oversight mechanisms, there have existed some severe challenges towards making them function effectively. The most pressing challenge for achieving fully functioning, and effective CPFs have been; I) problems related to how representative the forums are perceived to be by the community; II) lack of CPF accountability; III) internal conflict between forum members; and IV) conflicts between the CPF members and SAPS (WCDCS annual report, 2003-2004; 2007-2008). A fifth challenge which is not mentioned in the reports are that the relationship between the community and the police have continued to be marked by strong distrust, thus the community members continues to be suspicious towards cooperating with the police (Minnaar, 2013).

However attempts have been made to reduce the effect of the above listed challenges, in trying to make the CPFs work more efficiently. Firstly, capacity building workshops were hosted with the aim of strengthening the forums organizational capacity. These workshops focused both on strengthening its oversight function, as well to provide improved conflict solving mechanisms (WCDCS annual report, 2008-2009). Secondly, a capacity building program was launched in 2012 *the innovative expanded partnership program* (EPP), which aims to improve the CPF oversight ability by giving the CPF the opportunity for a more direct oversight over the local police stations. The new program sought to enhance real community-police partnerships by focusing on application of oversight, accountability, local community based ownership and involvement (WCDCS annual report, 2012-2013: 14).

A third factor aimed at improving the overall civilian oversight has been establishing and sustaining of mechanisms for filing complaints of police misconduct. The most visible efforts amongst those established are a 24/7 complaint hotline, a complaint SMS service and a 24/7 complaint center for managing police complaints (WCDCS annual report, 2009-2010).

4.3.4 Community Liaison

Community liaison in the Western Cape Province

Community participation or community liaison is another factor which has been emphasized in the WCDCS action plans as a means to enhance the overall level of security in the Western

Cape. Community liaison here refers to establishment of connections between the police and the community, maintained by communication between the two actors. The WCDCS emphasizes the notion that community safety is everyone's responsibility, not merely the responsibility of the police, and community liaison is seen as an important factor for establishing such whole of society approach to crime prevention:

Building strong social cohesion, establishing substantial social capital with high levels trust and active community partnerships is regarded as the only effective way of ensuring that we build a safer community that are free from the fear of crime, gangsterism and drugs (WCDCS annual report, 2007-2008: 27).

Through such whole of society approach, as advocated by the WCDCS, the shift towards a more proactive policing approach is clear (WCDCS annual report, 2012-2013). Proactive policing implies that the police to a larger degree than earlier allocate resources towards solving problems of crime before they get out of control and turn into "*unfixable problems*" (Wilson & Kelling, 1982; Skolnick & Bayley, 1988; Peak & Glensor, 2012). Through an approach of partnership and problem solving the overall aim is to increase the level of social capital and social cohesion, improve channels of communication between the actors and, in the long term, raise awareness of security being everyone's responsibility not only the police` (WCDCS annual report, 2012-2013).

Practical efforts for promoting community liaison in crime prevention are visible in several programs and projects set in motion by the WCDCS. Strengthening the performance of the CPFs, as well as increasing the focus on community mobilization, to establish and support other community structures such as Neighborhood Watch structures (NHW) and community safety projects are examples clearly stated in all the WCDCS reports (Annual Reports, 2003-2013). One of the main actors for mobilizing, initiating and executing such programs is the provincial secretariat for safety and security (WCDCS annual report, 2004-2005:12).

The list of crime preventive projects and programs involving public participation is quite long. Some examples to be mentioned are: Hands of our children, truancy reduction projects, victim support room, safer train projects, safety on farms, gang and drug preventive strategy, community safety forums, safer festive season and the chrysalis academy. All the above presented projects and programs fall into the category of social crime preventive and capacity building projects, initiated by the WCDCS to activate the public into taking part in crime preventive efforts in the community (WCDCS annual report, 2004-2005; 2007-2008; 2010-2011).

To illustrate the proactive character of these programs one can take a look at the Truancy Reduction Project and the Chrysalis Youth Academy, two projects both of which are aimed at preventing criminal behavior among young people (WCDCS annual report, 2004-2005; 2008-2009). While the truancy reduction project seeks to prevent children from becoming truant, the Chrysalis academy offers practical schooling for young men at risk for being drawn to the streets (WCDCS annual report, 2008-2009). Both are aimed at keeping kids off the street, since drifting to the streets has a tendency towards fostering juvenile delinquency (Shaw, 2002). Because there tends to be a strong link between young age and crime (Schönteich & Louw, 2001), and taking into consideration that South Africa has an extremely young population where the majority of the population is in the age of 15-25 (Statistics South Africa, 2013), it is quite clear that the nature of these programs are of proactive manner. Both programs is based on cooperative efforts from a wide array of both state actors as well as from community volunteers, there amongst the police.

Besides establishing social crime preventive projects, Neighborhood Watch Structures (NHW) is considered to be another important structure for improving community liaison. NHW refers to a scheme under which members of a community agree to together take responsibility for keeping an eye on each other's properties, as a way of preventing crime (Free online dictionary). Support for strengthening of NHW structures is a recurrent theme in all the reports, which further notes that NHW structures are some of the most important mechanisms for mobilizing the community into taking an active role in the creation of a safer environment "Neighborhood Watches (NHWs) are integral to involving communities in ensuring a safe and secure environment" (WCDCS annual report, 2010-11: 21). Support for such structures have also remained a focal point for the provincial government and SAPS's plan to deal with the high levels of crime in the province (WCDCS annual report, 2007-2008).

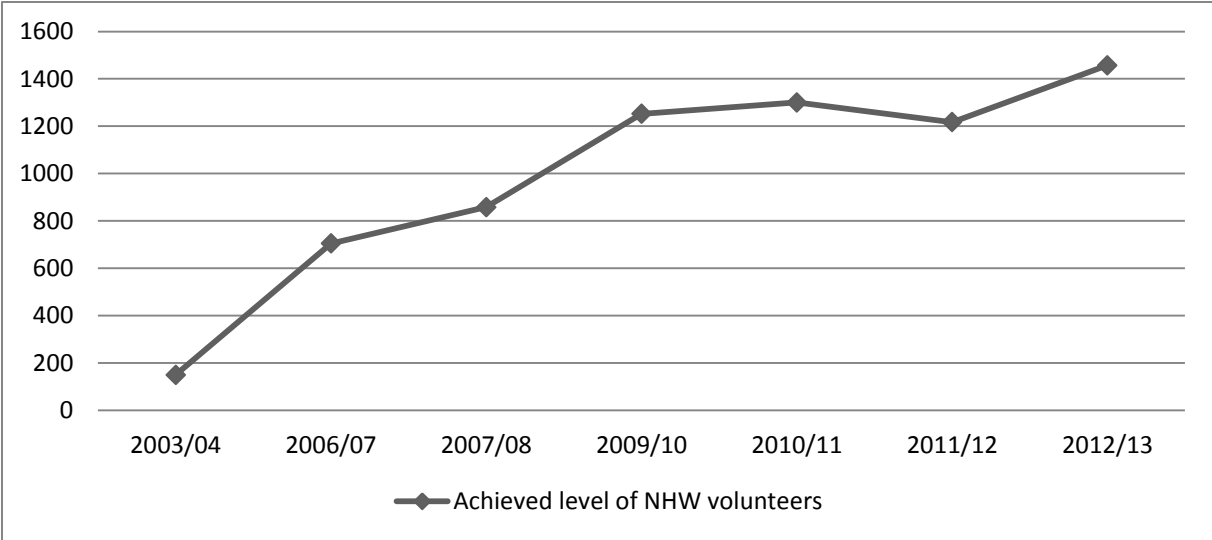
Community liaison: Achievements, challenges and solutions

Data presented in the annual reports presents mainly two positive achievements over the last decade; firstly there have been an increase in the number of NHW volunteers, secondly the increase in volunteers have according to the department led to a reduction in contact related crime (WCDCS annual report 2007-2008).

According to available data from the annual reports further summarized below (Figure 4.2),

the number of volunteers has become eight times higher in the Western Cape over the last decade, whereas the data shows an increase from 200 NHW volunteers in 2004 to become 1600 NHW volunteers in 2013. Such positive development in the number of NHW volunteers could indicate that the WCDCS actually do support establishment of NHW structures in the manner such described in their own action plans. However, if comparing the number of trained NHW volunteers in 2013 (1600) with the actual numbers of inhabitants in the province almost 6 million, the achievement might seem quite meager, despite its steady increase trend.

Figure 4.2 Number of trained NHW volunteers, per financial year.



Source: Western Cape Department of community Safety Annual Reports (2003-2013)⁶.

Community liaison projects have continued to be of importance for the WCDCS; “We have demonstrated repeatedly that communities and volunteers remains the bedrock of an overachieving strategy to fight crime in the provinces” (WCDCS annual report, 2007-2008: 25).

The report further states that their efforts to support increased participation have actually led to a steady increase in the level of community engagement (WCDCS annual report, 2003-2004). Establishment, and support for CPFs, NHWs, street committees remains the focal point for both the WCDCS and the SAPS in dealing with the high levels of crime that exist in the province (WCDCS annual report, 2007-2008: 25). The WCDCS has also stated that a robust partnership development throughout the province with respect to both CPF and NHW structures has contributed to a reduction in the level of contact related crime (WCDCS annual

⁶ Data on the numbers of NHW volunteers are missing from the 2005-2006 and 2008-2009 annual reports.

report, 2012-2013).

Likewise to the promotion of civilian oversight mechanism discussed in section 4.3.3, promoting working community liaison projects has also met its fair share of problems. The first challenge, and maybe also the biggest, is to increase the police community cooperation, mainly caused by a deep-rooted distrust towards state law enforcement agencies which have continued to live on in the post-apartheid era (Shaw, 2002; Minnaar, 2013). Since trustworthiness is stated to be one of the main determinants for cooperation (Goldsmith, 2005), lack of trust makes the foundation for cooperation more problematic.

A second challenge facing the department in their attempt to encourage community liaison, is the potential of the public organizing themselves on the outside of the state structure cooperative programs in forms of community generated policing. Community generated policing, or vigilantism, is described as a common reaction in places where the general feeling is that the state fails to provide them with the public good of security (Wisler & Onwudiwe, 2008). Community generated policing does not only challenges the state controlled monopoly of violence, left unchecked it could also initiate a dangerous self-perpetuating spiral of crime. As further noted by Valji and Harris (2003) vigilantism could contribute too crime and lawlessness themselves, and in such way exacerbate rather than alleviate the general crime situation. Community liaison can in many ways therefore be seen as a demanding balancing act of activating the public and secure that the participation takes on a controlled top-down form.

Even if the WCDCS report does not explicitly refer to the potential challenge of community generated forms of policing, it is implicitly noted by their excessive focus on re-aligning all anti-crime organizations to the CPFs “The directorate aims to promote and improve community policing through community mobilization, community police relation and the registration, institutionalization and re-alignment of all anti-crime organizations” (WCDCS annual report, 2004-2005: 21). While they emphasize the notion of re-alignment might imply that there actually might be a challenge of anti-crime measures being organized outside of the state controlled sphere (WCDCS annual report, 2008-2009). Based on the inadequacy of data, this can only be seen as a proposition of what could indicate a potential obstacle for the WCDCS, however within the time frame of this thesis there is no room for a more thorough investigating of this phenomenon.

4.3.5 Community oriented policing in the Western Cape Province

Even if the focus for the department of community safety have varied over the last decade, two of the most recurrent themes in its annual reports are; promotion of *civilian oversight* and *community liaison*. Both issues are considered to be of severe importance to create fruitful community police relationships, which constitutes a major part in WCDCS new crime preventive approach to policing (WCDCS annual reports, 2003-2013).

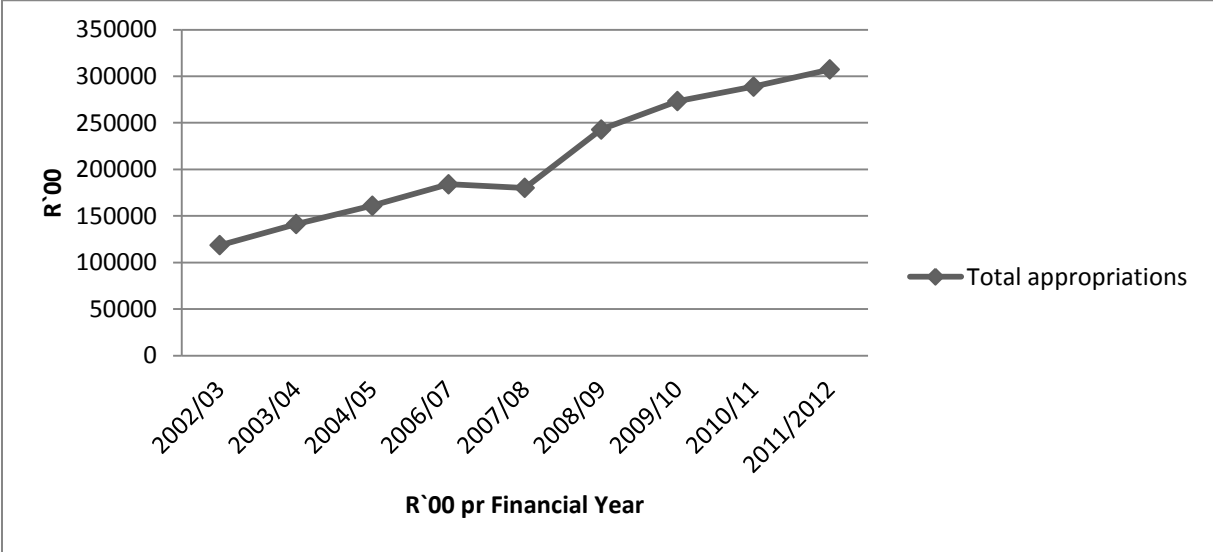
In the following sections I will summarize the efforts by the WCDCS to transform community policing policy into practical policing efforts in the province; have sufficient means been taken for the promotion of community oriented policing?

First of all, the factors which could indicate the idea of community policing continues to guide the overall policing policy in the province is that both the actual achievements, as well as the strategically planning made by the WCDCS can be seen as congruent to the structural shifts suggested by the theory of community policing. Firstly the reports have emphasized creation of local solutions for both oversight and cooperation , secondly both problem-solving and crime prevention has been stated as important means for making the province safer, thirdly it promotes a holistic and inclusive approach to policing (WCDCS annual reports, 2003-2013).

Secondly, at the implementation indicator level the existence of community oriented policing is visible in three ways; firstly, efforts have been put down for both establishing and sustaining of *cooperative partnerships*; secondly, a severe number of *crime preventive projects* have been established and supported; thirdly, there has been a strong emphasis on the establishing of downwards *accountability mechanisms*. While the concrete achievement regarding each of these indicators have been discussed in the previous sections, the most important factor is that the policy, to some degree has resulted in actual and concrete policing practices in the province.

Thirdly, the departments support for these changes has not only been visible in accordance to the development of policy and the translation of policy into real life actions. The departments support for community oriented policing is also visible when it comes to the financial appropriations, whereas the appropriations towards the community safety programs have been almost doubled over the last decade (Figure 4.3).

Figure 4.3 Appropriations by the WCDCS, total.

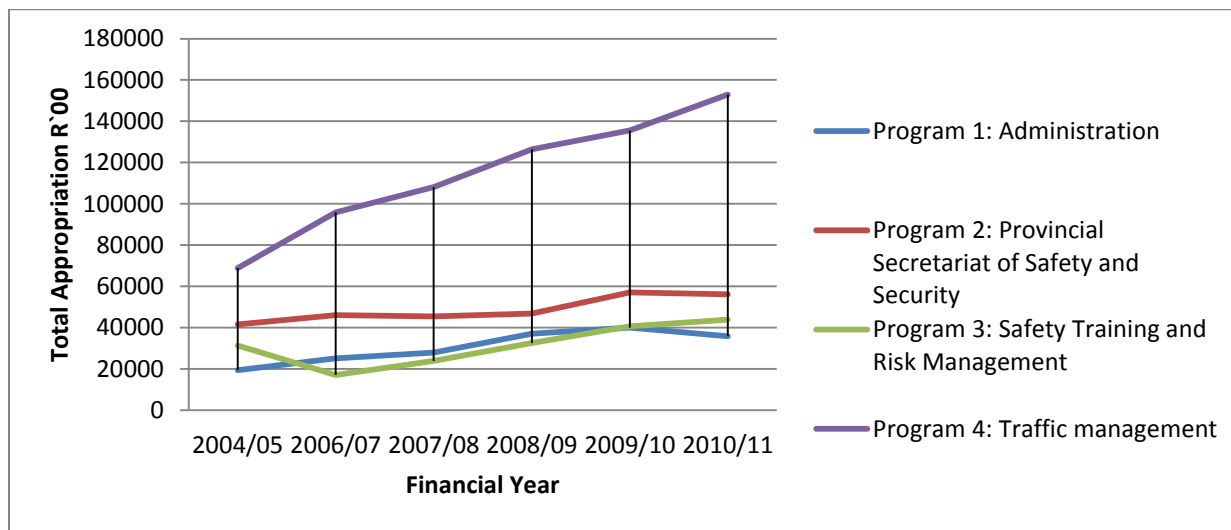


Source: Western Cape Department of Community Safety Annual Reports (2003-2013).

However, taking a closer look at the within allocation of resources between the four different programs promoted by the WCDCS, overall picture becomes somewhat altered. For while the financial appropriations as presented above point towards a doubling of the amount of resources spent on safety and security programs in all over the last decade, the within program allocation of resources is quite diverse (Figure 4.4).

As it appears allocation of resources between the four programs is highly uneven, where the financial appropriation for program four “*Traffic management*” is twice as high as for the other three programs combined (Figure 4.4). The Traffic management program is also the only out of the four programs which have seen a strong increase in the amount of available financial resources over the last decades, whereas appropriations for the other three have remained overall stable. Such highly uneven allocation of resources could indicate that the WCDCS have priorities ranked as more important than promotion of community oriented policing efforts.

Figure 4.4 Appropriations by WCDCS, by program



Source: Western Cape Department of Community Safety Annual Reports (2003-2013)⁷.

In-light of the empirical findings presented above, I would argue that there have been some elements of positive development in the field of community oriented policing in the Western Cape. However, it is important not to exaggerate the positive developments based on the notion that all of the above mentioned developments have faced some severe challenges in becoming efficient means for making the Western Cape a safer place for all.

4.4 South African policing today

4.4.1 Efficient and legitimate policing

One of the overall aims of promoting police reform in South Africa in the first place was to transform illegitimate and ineffective police to become legitimate and efficient, guided by democratic principles of; protection of human rights, accountability to the rule of law, transparency and service orientation (Kutnjak Ivković & Sauerman, 2013). The suggested structural changes that were seen as necessary for the police reform to be effective have, to some degree, taken place. They are mainly visible in the establishment and support for civilian oversight and community liaison programs and projects, rooted in community police policy. If the assumptions postulated by the theory were right, this should have led to improvements both in terms of crime level, as well as towards improved police conduct. However, as the following sections will show, improvements have been more of the meager kind.

⁷ Data from 2003-2004 are missing, and the subdivision of programs have changed since 2011-2012 reports so there does not exist any comparable data from the financial year 20011-2012 and 2012-2013.

4.4.2 Crime

In the aftermath of the transition the South African police was infamous both in their lack of overall efficiency in fighting crime, as well as for their brutal means for carrying out their work (Rauch, 2001). There would be no exaggeration arguing that the South African police at this suffered from severe challenges related to their ability to perform their mandate in a lawful and efficient manner. For the purpose of this study the question of interest would be to see whether the police have become more efficient and more trustworthy in their work.

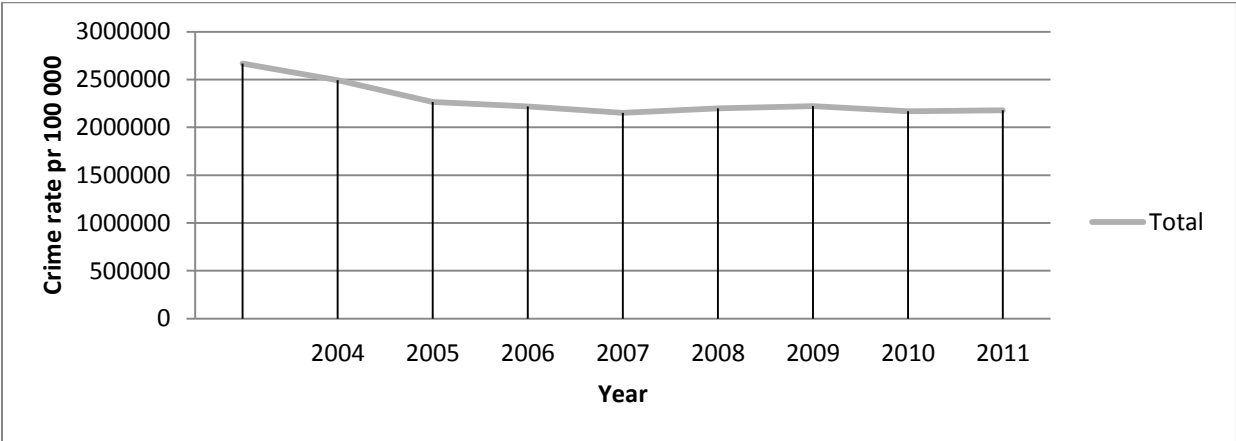
Even if there does not exist any exact recordings of crime trends from the era of apartheid, the overall level of crime is usually described to have been peaking from the 1980s as a consequence of the fact that the country was at the brink of civil war caused by black uprisings against the repressive regime all over the country (Shaw & Gastrow, 2001; Duplessis & Louw, 2005). While the general level of crime has decreased since the eighties, the overall level of crime is still high (Figure 4.5). Except a slight decrease in the later years, the average level of reported incidents of crime has continued to be around 2.2 million incidents per year. However, in reality this number is believed to be much higher, based on the presumably large number of incidents which are not filed (Lemanski, 2004).

In a comparative perspective South Africa is still considered to be one of the fifteen most violent countries in the world (United Nations Office on Drugs and Crime 2013)⁸. Narrowing it down to merely countries in the African region, South Africa is rated top six together with Uganda, Malawi, Zambia, Ivory Coast and Lesotho with a rate of 30.1 percent. In comparison the average level of crime in Norway is 0.6 percent (Nation Master 2013).

However, despite South Africa's status as one of the most violent countries in the world, it is important to note that there do exist severe within country differences. Some provinces have twice as high levels of crime than others, as previously discussed in section 3.5, showed that the Western Cape, together with Gauteng and Kwazulu-Natal holds the highest levels of crime in the country (Figure 3.1).

⁸ Honduras, El Salvador, Ivory Coast, Venezuela, Belize, Jamaica, U.S Virgin Islands, Guatemala, Saint-Kits and Nevis, Zambia, Bahamas, Uganda, Malawi, Lesotho, Trinidad and Tobago are the only countries having a higher murder rate than South Africa, UNODC "Homicide trends 2003-2008".

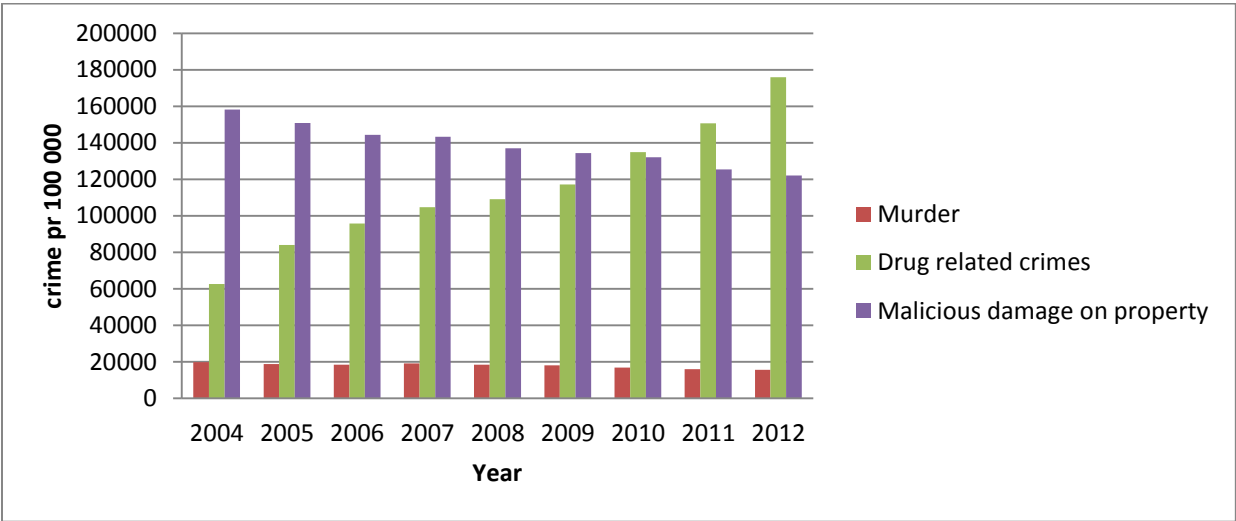
Figure 4.5 Crime trends in South Africa, 2003-2011



Source: Crime Stats SA (2013).

Looking at the crime statistics it is important to note that the numbers presented here includes a wide array of different types of crime.⁹ A closer look at statistics reveals that the character of the problem of crime has changed over the last decade (Figure 4.6).

Figure 4.6 Crime trends, by type of crime



Source: Crime Stats SA (2013).

The most visible change regarding the character of crime is that there has been a severe increase in the amount of drug related incidents, which has had an increase of 113 143 incidents since 2004 (Crime stats South Africa, 2013). One explanation for such development

⁹ General level of crime includes the following: Murder, Sexual crimes, attempted murder, assault with the intent of inflicting grievous bodily harm, common assault, common robbery, robbery with aggravating circumstances, arson, malicious damage to property, burglary at residential premises, theft of motor vehicle and motorcycle, theft from motor vehicle, stock-theft, illegal possession of firearms and ammunition, drug-related crime, driving under the influence of alcohol or drugs, all types theft not mentioned elsewhere, commercial crime, shoplifting, carjacking, truck hijacking, robbery at residential premises, robbery at non-residential premises, culpable homicide, public violence, crime injury, neglect and ill-treatment of children and kidnapping (Crime Stats SA 2013).

can be seen as a consequence of the weakening of border controls during, and after the transition which led to an internationalization of organized crime (Schönteich & Louw, 2001), amongst other drug trafficking. This implies that the character of crime have changed from being a within-country problem to in an much larger part become an cross country challenge, making it severely more challenging to manage (Brogden, 2002). Taking into account the fact that South Africa has shared borders with six other countries, hinder crime from the outside appears a challenge. As it appears from South African crime statistics the challenge with crime has not become less of a problem during the last decade, it has rather been a consistent one

4.4.3 Police misconduct

During apartheid the South African police policed for political control, rather than for the mean of increasing the level of public safety. Harshness, brutality and racism were hallmarks of apartheid era law enforcement agents (Shaw, 2002), and at street-level policing was conducted in a heavy-handed manner, strongly biased against black citizens (Rauch, 2001). During this period one out of ten police officers were engaged in crime detection and investigation, while the remaining nine where used to uphold the country`s new discriminatory ruling (Shaw, 2002). In such way security and safety was merely a benefit for a small minority of the countries citizens.

In the new South African police service code of conduct it is stated that the vision of the new South African police service is to “Create a safe and secure environment for all the people in South Africa” based on the core values “To protect everyone’s rights and to be impartial, respectful, open and accountable to the community; use the powers given to us in a responsible way; provide a responsible, effective and high-quality service with honesty and integrity” (SAPS Code of conduct, 1997). However, as data from IPID will further show the road for the police to achieve these core values seems long. Comparing the number of complaints from the financial year 2001-2002 with those from the financial year 2012-2013, the high number of complaints seems to have been quite persistent over the last decade (Table 4.2). However, it is important to note that establishing of IPID in itself can be seen as an general improvement, in the way that the police today, compared to under the apartheid period stands the risk of actually being held accountable for their actions (Du Plessis & Louw, 2005).

The character of the complaints

To gain a greater insight and understanding of why the relationships between the police and the community have remained so tense, a closer look at the allegations of police misconduct might give some valuable insight. Annual reports available at the IPID online archive have provided useful insights for answering such a question, mainly because it is the main institution for managing complaints about police misconduct in South Africa. Misconduct in the reports mainly refer to police officers which neglects his or her duty, performs his or her function in an improper manner or if there is inadequate service delivery (ICD annual report, 2011-2012).

First, to illustrate the overall challenge regarding police misconduct in South Africa I have presented an overview over the development of the number of filed complaints against the police at the national level (Table 4.2). As table 4.2 shows, the number of filed complaints against SAPS have been quite stable until the financial year 2009-2010, followed by a slight decrease during 2010-2011 and 2011-2012, before increasing to become almost seven thousand complaints in 2013. The latter representing an increase of almost five thousand complaints since the institution was first established. IPID themselves describes such increase as a sign of the institution maturing, and becoming more efficient as an oversight institution (ICD annual report 2003-2004).

Table 4.2 Number of filed complaints against SAPS to the IPID, total per year

| Year | 2001/ 2002 | 2003/ 2004 | 2004/ 2005 | 2005/ 2006* | 2006/ 2007 | 2007/ 2008 | 2008/ 2009 | 2009/ 2010 | 2010/ 2011 | 2011/ 2012 | 2012/ 2013 |
|--|---------------|---------------|---------------|----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Total Number of complaints | 5225 | 5903 | 5790 | N/A | 5413 | 5830 | 6119 | 6337 | 5869 | 4923 | 6728 |
| *No data available the web site | | | | | | | | | | | |

Source: Independent Police Investigative Department annual reports (2002-2013).

In the annual reports, allegations filed against the police is mainly divided into three categories; criminal, death and misconduct. *Misconduct* refers to neglect of duty, improper performance and inadequate service delivery; *Death* refers to both death in police custody, and death caused by police action, while the latter case load represents other types of *criminal* behavior by the police, such as rape, torture and assault (ICD annual report, 2010-2011).

In table 4.3 a distribution of complaints according to the three above mentioned categories in the Western Cape Province is presented. The available data shows that while the number of criminal and misconduct complaints have remained largely stable since 2008-2009, the numbers of murder allegations have actually seen a decrease from 82 in 2008-2009 to 45 in 2011-2012. This should be regarded as a positive trend even if the number in a comparative perspective still can be considered as generally high.

Table 4.3 Complaints against SAPS in Western Cape, by type of allegation

| Year | Criminal | Death | Misconduct |
|---|----------|-------|------------|
| 2002-03 | 192 | 57 | 593 |
| 2003-04 | 306 | 73 | 910 |
| 2004-05 | 295 | 65 | 879 |
| 2005-06* | N/A | N/A | N/A |
| 2006-07 | 338 | 79 | 375 |
| 2007-08 | 339 | 95 | 546 |
| 2008-09 | 356 | 82 | 399 |
| 2009-10 | 356 | 76 | 476 |
| 2010-11 | 438 | 54 | 485 |
| 2011-12 | 348 | 45 | 426 |
| 2012-13** | N/A | N/A | N/A |
| *No data available on the Web site regarding specification of the complaints. | | | |
| **Categorization of the complaints have change from the three used in table 4.3 | | | |

Source: Independent Police investigative Department annual reports (2002-2013).

In the following sections I will provide a deeper insight in to the complains directed towards SAPS by looking at sample of cases presented in the annual reports, starting with the 2001-2002 report, where ten out of the overall sample of cases included in the report regards murder allegation by the police or in police custody. The other seven cases regard police assault, torture and rape. Looking at the excerpt below, the seriousness of the allegation is quite clear:

Police man kills his wife with his service firearm as a result of a violent argument (...) Six women at the Woman's legal center where were intimidated and threatened by SAPS officers, two of the policemen had previously be alleged for taking part in other forms of criminal activity (...) Police beat up young boy after questioning him about an allegation of involvement in a robbery. Boy was beaten unconscious and left in the woods (...) Deceased arrested for drunkenness by SAPS, SAPS members accused for assaulting the deceased, which died of the injuries (...) Police inspector, accidently shoot nine year old girl in the chest at a shooting scene (Excerpts from the allegations filed against SAPS officers, from; ICD annual report 2001-2002).

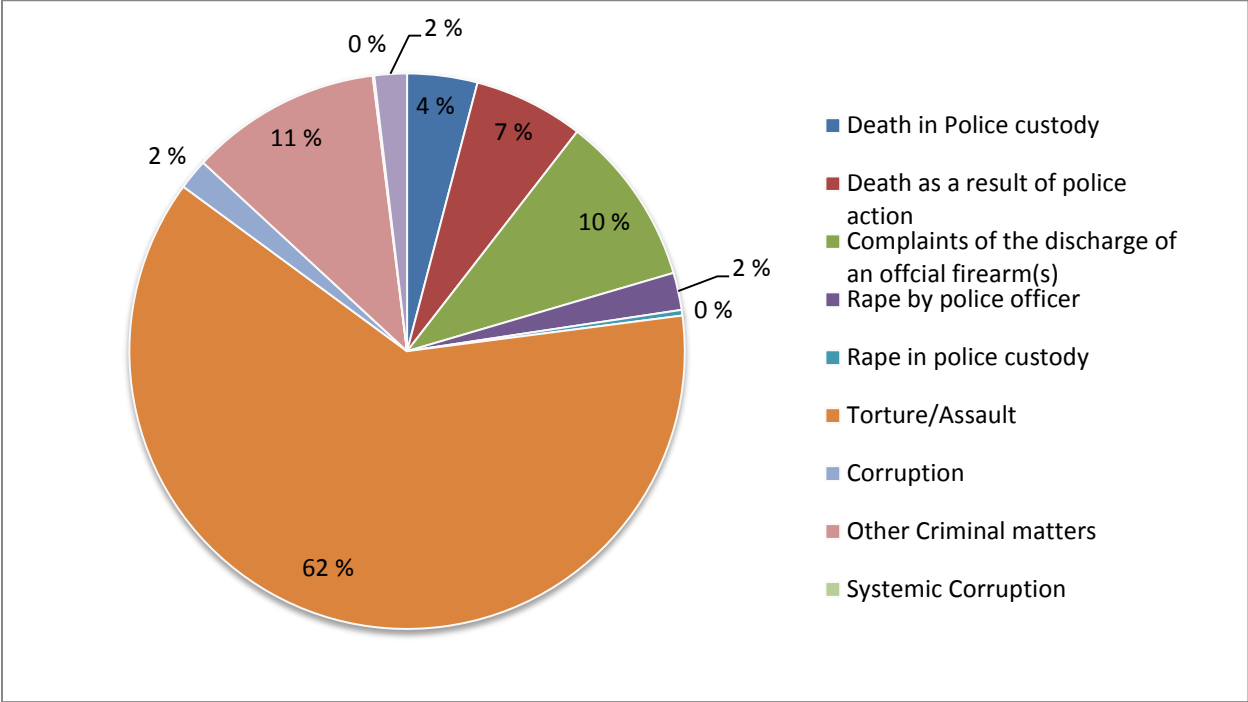
In the 2004-2005 report the department warned about worrying trend of an ongoing misuse/abuse of service issue firearms by off duty SAPS members under circumstances unrelated to the business of SAPS. The report presents fifteen cases of off duty use of service firearm resulting in murder over half of which the officers involved, were under influence of alcohol (ICD annual report, 2004-2005: 46-51). Additionally the report presents a sample of twenty-nine cases of police use of excessive force on duty, most of them having a fatal consequences (ICD annual report, 2004-2005; 52-62).

A similar pattern is seen in the 2006-2007 reports, where bribery, corruption, murder and torture are amongst the most high profile cases investigated by the IPID, merely showing to one of many serious allegations in the below excerpt:

The allegations are that the deceased and his friends were arrested on suspicion of possession of a stolen vehicle. They were placed in a holding cell at the community service center. The police officer allegedly took out his firearm and shot the suspect fatally (ICD annual report, 2006-2007: 36).

A similar pattern of violent behavior by the police is visible throughout all the reports, so without going into more detail about all the cases of police conduct I will jump to the current situation in the Western Cape Province summarized below (Figure 4.7). The allegations mainly regards the following; death in police custody, deaths as a result of police action, rape by police officer, rape in police custody, torture/assault and corruption, whereas torture/assault constitutes the main bulk of complaints (IPID annual report, 2012-2013). Torture and assault (62 percent) by police officers remains to be the largest part of complaints, followed by discharge of official firearms (10 percent) and death as a result of police action (7 percent).

Figure 4.7 Complaints against SAPS in Western Cape 2012-13, by type of allegation



Source: Independent Police Investigative Directorate Annual Report (2013).

While the South Africa police was considered to be brutal both before and under apartheid, it does not seem that they have been able to leave their brutal past behind. Given the large number of complaints, as well as the scale of the allegations, it might not seem very strange that South Africans in general might find it hard to fully trust the police officers.

4.4.4 Democratic policing or status quo

Accountability to the rule of law, protection of human rights, transparency and service orientations were the underlying democratic norms driving the all-ambitious police reforms in South Africa (Kutnjak Ivković & Sauerma, 2013). The reforms themselves thus sought to promote changes for the better according to both increasing police legitimacy and in enhance the overall police efficiency. Soaring levels of crime, an enduring problem of severe police misconduct and generally weak accountability mechanisms can all be seen as indicator of the fact that there is a long way to go before these goals can be considered to be fully achieved.

The IPID annual reports give insight into a police service that continues to violate basic human rights in their role as protectors of public safety and security, whereas the allegations can be seen to be of the most serious kind regarding; murder, rape, torture and corruption (IPID annual reports). Even if there have been a concerted effort to address these problems,

the results from the actions set in motion, has not been very promising (Fry, 2013). On the contrary to what was first envisioned by adapting a community policing approach to policing, which was to enhance police efficacy and legitimacy, through community partnerships the positive results have been long in coming. In many ways it seems to have been a status quo, rather than any drastically improvements in South African policing.

4.5 Explaining community policing failure in South Africa

4.5.1 Change along the structural dimensions?

Structural changes in the form of decentralization, proactivity, participation and downwards accountability was argued by Skolnick and Bayley (1988) to be the most important factors for making community policing a viable policing approach. However, as the following sections will reveal, structural changes alone, even if they too some degree have taken place, cannot be seen as sufficient for making police reform viable in practice.

More decentralized police command?

In South African policy documents, the main element aimed at enabling increased police-community interaction at the local level was operational decentralization of police command and establishment of CPFs at all local police stations (Mistry & Kiplin, 2004). Findings from the Western Cape Province reveal that establishing and sustaining CPFs in the province has been of continuous priority for the department of community safety (WCDCS annual reports). This is supported by the fact that there has been a steady increase in the number of working CPFs in the province (Minnaar, 2013). However, the efficiency of these forums has been questioned. The main challenge standing in the way for CPF efficiency has mainly been the high level of tension often associated with the CPFs, both between forum members, and between forum members and the police (WCDCS annual report, 2003-2004; 2007-2008). The main source of tension stems from disagreement over policing needs and priorities, in combination with a police which tends to ignore the policing requests presented by the CPFs (Minnaar, 2013).

More proactive policing?

Proactive policing was first expressed as an aim in the SAPS act of 1995, which stated that proactive policing was to be promoted through the use of CPFs, and that it is the responsibility of the CPFs to promote a “joint problem identification and problem-solving” by the South African police in liaison with community actors (SAPS Act, 1995, Section 7, 18-1f). From the annual reports presented by the department of community safety the list over social crime preventive efforts can be seen as quite comprehensive: Hands off our children, truancy reduction project, safety on trains, anti-crime and anti-drug strategies, bambanani volunteers, child rapid response unit, safer festive season, youth at risk program and the establishment of chrysalis academy represents a small part the social crime preventive programs and projects set in motion by the provincial secretariat of safety and security. It also appears from the report that the department has been supporting all from fifty, to almost hundred such social crime preventive projects yearly (WCDCS annual reports, 2003-2013). However, the main challenge for the promotion of social crime preventive efforts seems to have been to mobilize citizens to take an active part in these programs and projects.

More participatory policing?

Community police partnerships constitute the core element in a community policing strategy, mainly since cooperative efforts are needed to facilitate proactive policing as previously described (Minnaar, 2013). Promotion of a good community police relationship has also been heavily weighted in the South African policy documents, which constituted the legal framework for transforming the police. Cooperative partnerships are also amongst the most emphasized elements in the Western Cape security and safety planning (WCDCS annual reports). Application of solid partnerships through the establishment of and support for CPFs and NHW structures, have remained the focal point of the departments strategy towards dealing with the high level of crime in the Western Cape (WCDCS annual reports). The commitment to such partnerships has over the last decade been visible in mainly two ways: a tripling in the number of NHW volunteers, and the launch of the Western Cape Safety act of 2013 which further emphasized the need for continuing to support such partnerships as means to increase the level of security. However, as with the institutionalization of a proactive policing approach, strong community distrust towards state law enforcement also constitute a major challenge for promotion of such cooperative partnerships (Minnaar, 2013).

Downward accountability?

Efficient accountability mechanisms are often held to be a main factor for improving police legitimacy in the eyes of the citizens (Goldsmith, 2005). Increasing accountability through mechanisms to improve civilian oversight is strongly emphasized in policy frameworks, and underscored as a key effort to prevent the police from misusing their policing mandate as they had done in the past (Du Plessis & Louw, 2005). The need to secure sufficient accountability is clearly stated in both the interim Constitution of 1993, 221(1a), the constitution of 1996 (206), the SAPS act of 1995, chapter 7, 18(1e) and, in the NCPS of 1995, which clearly indicates its importance.

At the national level the most important mechanism for providing civilian oversight was establishment of IPID, while it at the local level was the CPFs, with the CPFs being described as the most available mechanism (Mistry & Kiplin, 2004). In the Western Cape, visible improvements in the ability of civilians to exercise oversight can be seen in the increase in the number of working CPFs, promotion of the PPN reports, and in the establishment of a wide array of new complaint mechanisms such as the SMS complaints service, the 24/7 complaints center, and a complaint hotline (WCDCS annual report, 2009-2010). However, once again the efficiency of the measures can be questioned. The connection between the SAPS and the CPFs (Minnaar, 2013), as well as the connection between the SAPS and IPID has been considered so close that its real independence is questioned (Miller, in; Alemika & Chukwuma, 2003). Some have stated that IPID is a "Watchdog with no teeth", understaffed, underfunded and ignored by the police, which have impacted its ability to ensure that police misconduct is sufficiently investigated and prosecuted (Rademeyer & Wilkinson, 2013). This has also made citizens questioning their efficiency.

Structural change is not enough

Comparing the theory of community policing as presented in chapter two, with the policing policy development in South Africa, discussed in chapter four, the link between the two, appear clear in the sense that the different aspects of the theory are clearly reflected in South African policing policy. The study has found that the commitment to the ideal of community policing has remained strong for the past decade, and is particularly visible to the department

of community safety's lasting emphasis on community liaison, civilian oversight and promotion of social crime preventive projects and programs.

The structural changes prescribed by the theory, as summarized in the model of community policing (Model 2.2), are to some degree in place and the policy level, and according to the implementation-indicators, the policies are also implemented. Findings from the Western Cape shows that partnerships in policing, establishment of crime preventive programs and projects, and promotion of civilian oversight through CPFs as well as a wide array of other complaint mechanisms to increase police accountability have been established. And as the findings from this study have shown, community policing is still considered an important part of the overall policing strategy in the province.

However, contrary to what one might expect from the theory, these structural changes have not contributed to any significant improvements in the levels of crime or police misconduct. Why is that, community policing policies, despite having been translated in to real life efforts, have not fulfilled the expectations from the theory?

4.5.2 Discussion of the hypotheses

Misguided theory?

The first hypothesis that will be discussed is that – when community policing has failed in South Africa, and elsewhere, the reason is that the theory underlying the reforms is flawed in the first place, in such way questioning the viability of the reform. The main criticism against the theory has particularly focused on the assumption that shared community interest can be established. Critics argue that this rarely is the case, and even less so in crime-ridden societies where such measures are often called for in the first place.

The empirical findings from the Western Cape show that the inherent tension, both within the CPF as well as between the CPF and the SAPS to be a major challenge for the CPFs to work efficiently, tension which is mainly caused by disagreement over policing needs and priorities (WCDCS annual report, 2003-2004; 2007-2008).

Critics have argued that tension between community members, and its inherent negative effect on cooperative efforts, is one of the most fundamental problems inherent in community policing theory (Klockars, 1988; Fielding, 2005). Community policing efforts are based on a shared understanding of community and community interest. Where such perception of

homogeneity does not exist, creation of cooperative partnerships might be near impossible (Brogden, 2002; Brogden & Nijhar, 2005; Fielding, 2005).

Two main factors can explain the division existing in South African communities; Firstly, the segregation and the polarization from the apartheid era have continued into the present day South Africa, and racial splits pose a persistent challenge (Lemansky, 2004; Lemansky, 2006). Secondly, socio-economical cleavages reinforces old apartheid structures since the schism between rich and poor, also tends to coincide with race. Despite efforts to transform in the aftermath of the democratic transition, apartheid inequalities have persisted, and poverty in South Africa today is still mainly defined by skin color, with the poorest layer constituted almost exclusively by blacks (Lehohlam, 2014).¹⁰ Where social-economic differences are high this schism between “rich” and “poor” tends to be reproduced in the development of an unjust security structure (Lemansky, 2004; Lemansky, 2006), as Lemansky further notes:

The long lasting `fear of the others` was kept alive in the post-transitional area, which led to creation of unjust security structures in urban areas, were those whom had been previously most sheltered (the white population) accordingly became the most concerned and fearful (Lemansky, 2006: 788).

The schism between affluent and less affluent citizens is often reflected in who partakes in cooperative community police efforts (Fielding, 2005; Sklansky, 2008). Such efforts tends to be more easily achieved in middle – and upper class societies (Gaffigan, 1994) than in poorer communities where the challenges of crime tends to be as its highest (Sklansky, 2008). This challenge becomes severe in South Africa, considered that it is amongst the countries with the highest income inequality (World Bank, 2009).¹¹ Against this context, it should be no surprise that it is a challenging to find a shared set of values and needs in the community.

United by the fear of crime?

Despite diverging community interest and socio-economic cleavages leading to the creation of unjust security structures, one factors is common across these differences; fear of crime, and

¹⁰ From the report “Poverty trends in South Africa”, by *South African Statistics* (2014) the level of inequality between the population groups is striking. The distribution of poverty between black and white South African has been as follows: 2006; 66 percent black and 0.6 percent whites. 2009; 66-9 percent black and 1.5 percent white. 2011; 54 percent black and 0.8 percent white (Lehohlam, 2014:27).

¹¹ Gini coefficient is commonly used as a measure of inequality of income and wealth. By the World Bank South Africa is ranked as having the highest income inequality in the world during 2008-2009 with a gini on 0.63-0.7 percent (World Bank, retrieved: 30-05-2014).

the need to prioritize crime fighting (Steinberg, 2011; Bradford et al., 2013). As noted by Bradford et al., (2013) the fear of crime leads to acceptance of sterner anti-crime measures, mainly because protection against crime is considered to be of a higher importance than the means to achieve it. However, fear of crime has not only led to some acceptance for sterner anti-crime method by the police (Steinberg, 2011; Bradford et al., 2013), fear of crime has in some cases also worked as a means to mobilize communities to partake in crime-prevention efforts. This is illustrated by some examples from South African newspapers:

Many ordinary people are joining this battle, but we need the whole Mitchell's Plain community to rise to the occasion, because with a population of about 1,2 million people and about 300 police, excluding administration staff, there clearly is vacuum to be filled in fighting crime (Hartley, 2007).

The article describes how residents in the Mitchells plain in 2007 mobilizes to take a more active part in preventing crime in the area, with the rationale behind the mobilization efforts being the wish to take back the streets from criminal gangs. The article further refers to the police being impressed by the local residents willing to take on the severe challenge of making their local community safer through cooperation with the police (Hartley, 2007).

The second example from 2012 refers to a similar case of high level of crime in a community resulting in people taking a more active part in crime preventive efforts in liaison with the police: “Fed-up with `the absolute lawlessness` in Wentworth, local residents are now planning to take to the streets in groups to curb the rampant crime” (Cole, 2012). The interview object in the article refers to the need for the whole community to be standing together to build a united front against crime as a response to the soaring levels of crime that existed in Wentworth.

The third example from 2013, also from Mitchells Plain`s area shows a similar trend of people uniting based on their common tiredness of crime and fear. The article reveals that the pressing drug problems in Mitchells plain, was the main factor which had increased the willingness of community members to help the police to manage the challenging drug situation; “The Western Cape Community Policing Forum (CPF) has 350 members ready in Mitchells Plain to help Lead SA’s anti-drug initiative, Drug Watch” (Maditla, 2013). The article notes that the number of mobilized CPF members had increased drastically, compared to previous efforts to engage them.

Despite fact that heterogeneous communities with diverse policing needs and priorities in general tend to work against the creation of efficient partnership policing, it is not impossible

to find shared values for cooperative. As indicated in the examples presented above, people might unite behind a common fear of crime, and a common wish to make their local community a safer place. Even if these examples cannot be seen as representative, they are an interesting to consider for future research on how one can overcome community diversity in partnership policing.

Our findings from the Western Cape Show that problems of social division and distrust do constitute severe thresholds for cooperation, which seems to support the “misguided theory” hypothesis. However, such division, do not appear to be impossible to overcome, which indicates that the lack of success for community policing in South Africa cannot be ascribed to inherent problems in the theory. Support for H1 is therefore weak.

Bad fit?

The second hypothesis – which can be seen as a weaker variety of the first – is that when community policing has failed in post-transition context like South Africa, this happens because the underlying contextual conditions in these societies are so challenging that community efforts are unlikely to take root and lead to the required transformation – which might happen under less difficult conditions. The main focus has been on the deep-rooted lack of trust in the law enforcement agencies in these societies.

Empirical findings from the Western Cape show that the level of tension between SAPS and the CPF members have been persistently high (WCDCS annual report, 2003-2004; 2007-2008). If we are to believe Minnaar (2013) such tension is mainly caused by the persistent deep-rooted distrust that has continued to live on in South African communities. This causes a severe obstacle to the creation of viable community police partnerships, as trust is often seen as core value for making such partnerships work (Goldsmith, 2005).

In South Africa the distrust towards state law enforcements agencies seems to stem from three sources. Firstly, almost a century of police brutality first in defending colonial interest, and then to defending apartheid interest have made the gap between the police and the majority of the country population, extremely wide (Shaw, 2002). Secondly, the South African police for decades has shown exceptionally poor performance in the field of providing security for the public, reflected in country's` soaring and persistently high crime levels (Crime Statistics South Africa 2013). Thirdly, the rising number of complaints of police misconduct filed to

IPID shows that the police have continued to misuse their policing mandate (IPID Annual Reports). If trust, as argued by Goldsmith (2005) stems from long standing historical relationships and overall performance, the prospects for re-establishing trust between the South African police and the South African citizens emerge as an extremely challenging task.

Trust and legitimacy are important to make community policing partnerships work in practice (Goldsmith, 2005). To implement the policy in a context where the relationship between the involved actors has been, and still is of such difficult character as in South Africa meets some considerable obstacles, and bridging the gap between the police and the community appears easier said than done. It could be a legitimate question to ask whether this is trying to solve the problem the wrong way round in a context where high crime is such a pressing challenge. Acknowledging that safety being of the highest priority for the majority of the citizens in South Africa (Bradford et al., 2013), the question is whether one should prioritize efficient crime control over the means to achieve it, since police performance and police legitimacy often can be seen a closely linked (Goldsmith, 2005).

However, in defense of the police reforms which have been implemented, real efforts have been put down to bridge this gap. Findings from this study show that efforts have been put down at both the national, and at the provincial level for improving overall police trustworthiness, visible through their persistent emphasis on establishing and sustaining civilian oversight and police accountability mechanisms. The establishment of an independent complaint department in 1997, for the first time enabled the public to file complaints of police misconduct, as well as to investigate the complaints and prosecute the wrongdoers, or at least they were supposed to. Even if IPID has been heavily criticized for its relatively strong bonds to the police (Alemika & Chukwuma, 2003), I would argue that to establish it in the first place represents an important advancement towards holding the police more accountable for their actions. The same goes for the CPF. Even if they at this point might not be considered to promote sufficient oversight, they do exist, and as evidence from the Western Cape has shown, efforts have been made to enhance their efficiency.

Low levels of trust caused by police misconduct and poor performance have made establishment of cooperative partnerships in line with community policing theory appear as a failed project in South Africa. This seems to support the “bad fit” hypothesis. On the other hand, small signs of change that are visible in some communities, could imply that to improve police legitimacy and efficiency could make community oriented policing a more viable

approach to policing in the future. In such way a continues focus on improving mechanisms for securing sufficient police accountability could be important for re-building the trustworthiness of the police in the future. However, building trust in diverse communities is an extremely challenging task (Weitzer, 1993), that will not be accomplished overnight, and ongoing efforts are required in order for it to be established (Gaffigan, 1994). Thus one cannot expect any overnight miracles to take place even if the first steps in the right direction might have been taken.

Based on the extreme challenges of both high crime and low trust in South Africa, I would argue that there is strong support for H2, which attributes the failure of police reform in South Africa to a bad fit with the context. Future prospects for making it work may be there, but at present the challenges of high crime and low trust seems to create too high a threshold to make the structural changes implied by the reform, work efficiently to reduce crime and increase police legitimacy as suggested by the original theory.

To poor implementation?

The third hypothesis ascribes the failure of community policing in South Africa to poor implementation – a failure of policies to properly reflect the theory, and/or state failure to adequately implement the policy adopted in practice, mainly caused by insufficient state support for the implementation process.

Before one can blame reform failure on pre-conditions like high crime, low trust and diverse community interest all of which constitute challenges to making community oriented policing a viable and efficient policing policy, we need to consider whether or not the reform has been properly implemented and whether the support for these changes have been in place. Lack of, or insufficient support for police reform has often been considered to be one of the most prosaic factors for its failure (Frühling, 2012). While critics have stated that the new reform policy was quickly abandoned by both the state and the police (Brogden 2002; Minnaar, 2013), findings from the Western Cape case indicates that such assumption perhaps should be modified.

As the empirical findings from the Western Cape province have shown, there has, and still exist an overall stable commitment towards the promotion of both civilian oversight and community liaison efforts, both of which can be seen as strongly related to the underlying

ideals of community oriented policing policy. Visible efforts have been made to translate them into real life actions, as shown by the increase in the number of working CPFs, social crime-preventive programs and projects and the increase in the number of trained NHW volunteers (WCDCS annual reports 2003-2013). New mechanisms for provision of civilian oversight have also been established, and new legislation emphasizing the need for community liaison have been launched along with efforts to improve them and make them more efficient (WCDCS annual reports 2003-2013). The latest development in community oriented policing policy was in the launching of the Western Cape Safety act from 2013, which continues to emphasize the need for community cooperation in crime prevention. I would argue that these findings are indications of enduring and consistent efforts to make community oriented policing become a working police approach, at least to some degree.

However, even if the provincial department of community safety has put efforts into making community policing work, the positive findings should not be overstated. A closer look at the allocation of resources to crime and safety programs in the province (Figure 4.3), show that the allocation of resources towards the programs regarding community oriented policing efforts are highly uneven, where only a small part of the overall resource allocations are assigned to the community oriented policing program. Such uneven support might be explained by the fact that community oriented policing is a small part of the overall NCPS framework, where facilitation of citizen participation merely constitutes a tiny part the new policing strategy.

This leads me to conclude that while efforts have been made to implement the new community oriented policing ideal, it might not have been at the top of the departments` priority list. Hence, the support might have been inadequate to fulfill the all-encompassing changes suggested by the initial theory of community policing.

In other word, H3 – that community policing has failed because the implementation efforts have being too poor – can be seen as, partly supported. Evidence has shown that there has been a persistent support for community oriented policing efforts over the past decades. However, even if the reforms have been supported, they do not seem to have been a top priority. As Bradford et al. (2013: 21) notes “Government and police seem to have uniformly over-promised and under-delivered in regard to police ability to deliver”. Poor implementation may thus be part of the explanation, but in the overall picture, the contextual pre-conditions seem to be the biggest challenge for reform success.

4.5.3 What lessons can be learned from the South African case?

Through this fine-grained case study of implementation of community policing reforms in in Western Cape, I have gained useful insight into the causal pathways which have led to the failure of community policing reforms to meet the high expectations raised by community policing theory.

Before summarize the findings from this study, it is important to have in mind that the underlying causes of crime in South Africa are highly complex, and it is affected by a wide array of factors which I have not have had the time, nor space to include in this thesis. The theoretical strands discussed in this thesis are thus only part of an overall more complex explanation of police reform failure.

The aim of the policing reform, according to the model of community policing presented in section 2.2.5 (Model 2.2) was to, enhance police efficiency and legitimacy “success” would lead to a decrease in both crime and police misconduct. However as findings from this study have shown, two decades of police reform has not contributed much to any of these, and the level of crime and police misconduct have continued to be persistently high. On paper such lack of improvement could indicate that the reforms have been a complete failure.

Comparing findings from the previous discussion it seems to be the underlying contextual variables (Crime, trust, polarization, support), rather than the reform related variables (viability of the theory), that pose the biggest challenge for community police reforms in South Africa.

Findings from the Western Cape Province have shown that the structural changes implied by community policing theory, to some degree have been in place, but they cannot be considered to have been enough for advancing any major improvements neither crime reduction or in improving police behavior. As it appears from the previous discussion of the hypotheses, there exist many obstacles for making community policing policy work in practice. Even if all off the three previously discussed explanations can be seen as part of the overall understanding of police reform failure in South Africa, I would argue that the persistent distrust rooted in long-standing historical relationships combined with poor performance, appears to be the most pressing obstacle that needs to be overcome, in order for the police reforms to become efficient. Since the element of distrust seems to affect all efforts to transform, the gap the reforms tries to bridge appears to be too wide, making partnership policing which is the core element of community oriented policing approach too hard to

achieve. Continued lack of performance and police misconduct has contributed to maintain the level of distrust, and in such way also the gap. To introduce Community policing to the South African post-conflict situation seems to be a case of bad fit, in the sense that the conditions for making the reform work have not been in place.

However, while the underlying contextual variables of community diversity, distrust and inadequate state support made the practical reform efforts lack efficiency, this study have found that, despite lack of results in terms of decrease in crime and police misconduct – the reform efforts – have contributed with some positive improvements to the overall policing situation taking the police a small step in the right direction. The structural foundations for reforming the police are to a larger extent in place, although they need more time to mature.

A lesson from the South African case could be to acknowledge that reforming the police cannot in any way be seen as a quick fix. As the discussion of the underlying contextual variables has shown the root to crime and distrust is a highly complex phenomenon caused by a wide array of underlying, and intervening contextual variables, many which are rooted in heritage from a century of discriminatory rule, making them even more challenging overcome. Based on the underlying complexity of the crime and policing situation in South Africa, it seems to be quite insufficient to see adoption of a community policing policy as an anti-dote to all of these challenges. It could therefore be in place to lower the expectations towards what could actually be achieved by adopting a community police policy in the first place. For, as this study have shown, community policing only constitute a small part of a more all-encompassing police reform strategy, and the expectations to what can actually be achieved by taking on the reform should be adjusted thereafter.

Even if South Africa has been studied as a typical “hard” case of police reform failure in post-transitional context, the representativeness of the findings should not be too heavily emphasize, based on the narrow empirical focus of this study. However, I would argue that an overall awareness of the complexity of the challenges discussed in this thesis could be useful on a more general basis for developing more attuned police reform efforts in the future, also outside the case of South Africa.

Chapter 5

5. Concluding remarks and further research

5.1 Concluding remarks

The community police reforms that were introduced in South Africa as a part of an overall ambitious attempt to transform the South African police in line with the country new democratic ideals in the post-apartheid era, have largely been considered a failure by the scholarly literature. This thesis has aimed to explain why community police reforms have failed in South Africa, and the findings are twofold:

Firstly, evidence from the Western Cape has indicated that dynamics causing police reform to fail is of a highly complex character, and that finding a *single* shared theoretical narrative seems insufficient. However, the underlying contextual pre-conditions can be seen as a major part of the overall explanation as to why the attempts to reform the police have yet to show significant results. Establishing working community police partnerships is defined as the core element of the new policing strategy, but heritage from the past, high levels of crime, persistent high levels of police misconduct and lasting community polarization have all-together made establishing such partnerships an extremely challenging task to achieve in South Africa. This indicates that undertaking community policing reforms in countries with far less favorable pre-conditions than those of the context that originally inspired these reforms is much harder to achieve in practice. Police reform failure in South Africa, can therefore *partly* be ascribed to have been a “bad fit”.

Secondly, findings from this study indicates that it might have been premature to deem the police reforms undertaken in South Africa as a complete failure, given that empirical evidence from the Western Cape Province has shown that positive improvements in fact have taken place. The structural changes suggested by the community policing theory have been in place and visible actions have been made to promote both community liaison and civilian oversight programs and projects. I will therefore argue that it will be unrightfully to deem the police reforms undertaken in South Africa after the transition as a total failure –it only needs more time to become effective.

However, one should have in mind that there exists no quick fix for a problem this deep rooted and complex.

5.2 Suggestions for further research

One finding from this study is that police reform failure in South Africa might not be as absolute nor definite as scholarly literature has suggested – but that more time is needed for it to take hold under such challenging circumstances as those presented in South Africa. To acknowledge this could motivate future research to examine how community policing evolves in South Africa and other post-transitional countries, how such policies could be made to better suit such contexts, and within which time-frames results could be expected.

For future research on community policing in South Africa it could also be interesting to expand the empirical focus by including a larger sample of provinces, in order to study whether or not findings from the Western Cape can truly be seen as representative in a within country comparison.

Chapter 6

6. References

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