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Theme 1: Incidence of violent crime

SU 1.1: Violent Crime

Introduction to the incidence of violent crime

- Violent crime creates a ***sense of fear and helplessness***, as well as the perception that crime is out of control and that the state is unable to deal with the problem.
- Violent crime leads to ***emigration***, which negatively affects the economy.
- Violent crime may give rise to ***vigilante action*** and ***politically inspired violence***.
- According to the Department of Correctional Services (DCS), violent and aggressive crimes and behaviour are on the increase in SA (2008).
- The SA offender population has reached an all-time high for violent and aggressive crime.

General definition of violent crime

- Any type of crime where the use of threat or violence exists (homicide, assault, sexual assault, robbery, kidnapping). Also any offence resulting in death, regardless of intent, where serious injury was intentionally caused/attempted.
- In SA, violent crimes include those crimes where the following elements are present: threat of or the actual injury/death of a person, threat or use of force and violence, use or threat of a weapon. Examples: murder, attempted murder, assault (common and GBH), robbery (common and GBH), rape, indecent assault, arson, kidnapping and abduction, malicious damage to property, car and truck hijackings.

Problems with comparisons of crime in different countries

It is difficult to compare violent crime in different countries due to the following reasons:

- Definitions and legislation differ from one country to the next.
- Law enforcement differs considerably with regard to competence.
- Not all offences are detected by the police.
- Different countries have different methods of reporting offences. Developed countries have a higher reporting rate.
- Different countries have different methods of compiling crime statistics, and vary in precision. Some also deliberately conceal statistics.
- There is great variability in how statistics are processed. Different data may also be used.
- Sophistication of crime recording systems varies from country to country.
- Not all countries handle crime statistics with the same degree of honesty and integrity.
- Only about half the countries in the world report their crime statistics to Interpol.
- Police statistics reflect the crimes reported to or detected by the police, and therefore cover only a part of the total number of offences actually committed.

Note that developing countries have a large juvenile population, and are therefore more prone to violent crime.

International crime trends

- South Africa has a higher murder rate (2007-2008) than the USA. The USA, however, has a much higher rate of aggravated assault.
- Australia has a much lower reported incidence of violent and aggressive crimes.
- Almost all crimes increased in 2005-2006, except for kidnapping.
- England and Wales (2006-2007) had a general increase in robbery, vandalism, and drug offences, and a decrease in homicide, sexual offences, violence against the person, serious wounding, kidnapping, and aggravated vehicle taking.
- In England and Wales, people gave the following reasons for not reporting crime (2006/2007):

- Trivial; no loss; police would/could not do anything
- Private/dealt with ourselves
- Inconvenient to report
- Reported to other authorities
- Common occurrence
- Fear of reprisal
- Dislike or fear of the police/previous bad experience with police/courts.

South African crime trends

- The Institute for Security Studies (ISS) 2007 victimisation survey show an increase in respondents who believe that greed was the motive for violent crimes.
- Compared to the period 2006-2007, in 2007-2008 all crime categories showed a decrease, except for an increase in car and truck hijacking and aggravated robbery (business and residential premises).
- For 2007-2008, Gauteng had the highest reported incidences of car and truck hijackings, robbery (aggravating), and attempted murder.
- For 2007-2008, KwaZulu-Natal had the highest reported incidence for murder, followed by Gauteng, and then the Eastern Cape.

Sexual Crimes

- The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 deals with sexually motivated crimes in SA.
- An analysis of sexually motivated crimes shows a decline in rape and indecent assault during 2006-2007 in South Africa.
- Gauteng had the highest incidence of rape from April to December 2007, followed by KwaZulu-Natal, then thirdly Eastern Cape. Northern Cape has the lowest incidence of rape and indecent assault.
- Adolescent males commit 20-30% of all rapes, and 30-50% of all child molestations. A large number of pre-adolescent girls are reported to be sexually aggressive toward other children.
- Victims of pre-adolescent offenders are generally very young (4-7 years old), most often are female (when the offender is male), and typically are siblings, friends, or acquaintances.

Factors contributing to violent crime

- The period of transition. Crime tends to increase during political transitions, which are characterised by instability and violence.
- A violent past. Apartheid and "the struggle" resulted in a society in which the use of violence to achieve political and personal goals became widespread.
- A culture of violence. During apartheid, mass removals and institutional violence resulted in a weakening of the family unit – parents lost control over their children. The "people's war" and apartheid bred a culture of violent lawlessness, distrust of authority, and "murderous intolerance". Solving problems and conflicts through violence has long been a central part of SA culture (a "culture of violence"), and this is mirrored in our schools.
- Rapid urbanisation. Worldwide, crime rates are higher in cities than in rural areas. Population density leads to competition for limited resources, which contributes to greater stress an increased conflict. Overcrowding, unemployment, high levels of gang activities, and easy availability of firearms contribute to violent crimes. With the abolition of influx control in the 1980s, SA experienced rapid urbanisation. Illegal immigrants add to the problem. Large squatter camps develop quickly, and are difficult to police. Living in a shack also means that children are exposed to adult sexual activities, which they then imitate with other children. In urban areas, the family system is sometimes replaced by a peer group system, which may be extravagant and create more needs. Prolonged unemployment may lead to family tension and lack of basic commodities, leading people to resort to crime, exploitation of children, drug abuse, and negative self-image. Relative deprivation also leads to increased crime.

- Vigilantism. When people fear crime and lose confidence in law enforcement structures, they take matters into their own hands, which leads to more crime.
- HIV/AIDS. SA has very high infection levels of HIV/AIDS. Limpopo has the most infections of all the provinces. Many children are orphaned, and child-headed households are common. This affects the socialisation of children. Many children are also raped due to the false belief that intercourse with a virgin/uninfected person cures HIV/AIDS.
- Conditions conducive to the growth of organised crime. A number of crime syndicates may be responsible for the increase of armed robbery, assault, and hijackings in SA. Conditions conducive to the growth of organised crime include: the availability of resources attractive to organised criminals (diamonds, drugs, etc.); the existence of markets for contraband goods; poorly patrolled borders; opportunities for money laundering; and the sophisticated and well-developed communication and transport network with its internal links (internet, air travel).
- A weak criminal justice system. A swift and functional CJS can help to deter potential offenders. SA's CJS is not performing optimally at present. Fewer than 9% of recorded crimes result in conviction.
- Dysfunctional families and parents. Single-parent homes, broken homes, and conflict-ridden homes are more likely to produce violent and aggressive, antisocial, and delinquent children.
- The cycle of violence and abuse. Perpetrators of violent, aggressive, and abusive behaviour and actions have themselves been the victims of family violence during childhood. Highly violent offenders were subjected to more severe and frequent physical and psychological abuse and punitive parenting. Children in school mirror their home environments.
- Peer group influence and associations. Adolescents are more susceptible to peer influence, and less susceptible to parental influence. Peer influence is a strong predictor of criminality. There is also a link between peer rejection and involvement in criminal activities. Argumentativeness, inattentiveness, aggressive behaviour, poor social skills, and social withdrawal are linked to peer rejection.
- Socioeconomic conditions associated with violent crime. Poverty and unemployment are associated with the increase in crime-related problems in SA. Most violent crime occurs in urban areas. Unemployment, poverty, boredom, the need to hurt others, and seeking attention through doing crime are all linked. The highest concentration of poverty and unemployment is in rural areas.
- Gender differences and violent crime. Boys outnumber girls for most type of crime, especially for violent crimes. Hormonal and biological factors (incl. testosterone) may explain this difference. Physical aggression is more prominent among males. Girls are also socialised differently, and taught not to be openly aggressive. Gender differences in aggression are most likely in place by age 5. Parents are believed to be more coercive toward boys. The gender gap may however be closing for some offences, such as violent and economic crime. Girls are socialised to be more prosocial an accommodating. The media also affects this through aggression-supporting messages. Women are more likely to perceive aggression as a breakdown of self-management strategies, whereas men perceive it as a means of dominance and imposing control over others. In SA, females are increasingly becoming involved in more violent and aggressive crime. Most female offenders are sentenced for aggressive crimes, followed by economic and thirdly narcotic-related crimes. South African juvenile offenders also seem to be increasingly involved in violent and aggressive behaviour, followed by economic then sexual crimes. Regarding the total SA offender population, the majority of offenders (adult males and females and juvenile and youth offenders) are serving sentences for "aggressive" crimes, followed by "economic" crimes and thirdly "sexual" crimes.
- Other factors related to violent crime:
    - A growth in brutality and intolerance
    - The availability of illegal firearms and trained manpower (such as ex-combatants)
    - Higher levels of security (i.e. Steering wheel locks, gear locks, alarm systems, etc.)
    - A growth in organised crime syndicates and greed
    - Increased reporting of these crimes as a result of increased emphasis on individual rights
    - Media focus on these crimes
    - The establishment of special and more user-friendly police units

- Increasing stress levels as a result of the transition process, with concomitant drug and alcohol abuse, associated rising aspirations, competition for scarce resources, retrenchment, and uncertainty about the future.
- An increase in other crimes
- A decline in moral values due to increase in and availability of pornographic material
- Increasing number of illegal immigrants in SA
- The presence of foreigners in SA, also contributing to xenophobia
- Gangs, minibus taxis, and also faction fights between certain tribal groups

Theme 2: Interpersonal Violence

SU 2.1: Interpersonal Violence

Introduction

- Interpersonal violence is an umbrella term which incorporates all types of violent acts between acquaintances and strangers.
- SA is one of the countries with the highest level of interpersonal violence.
- Family violence is primarily perpetrated by men against women (largely by partners) and children.
- Violence against women includes marital violence, marital as well as extramarital rape, sexual harassment, assault, and murder. Abuse may be physical or psychological.

Definitions

- Interpersonal violence: violence between individuals, subdivided into family and intimate partner violence and community violence.
- Family and intimate partner violence includes child maltreatment, intimate partner violence, and elder abuse.
- Community violence is broken down into acquaintance and stranger violence, and includes youth violence, assault by strangers, violence related to property crimes, and violence in workplaces and other institutions.
- Family violence can be identified as domestic violence, family violence, or intimate partner violence.
- Domestic violence is any form of assault (physical and sexual), intimidation, battering (including sexual battering), or any criminal conduct with the consequences of the person, or a family or household, being injured by another member of the family or household who was or is still living at the same residence.
- Intimate partner violence (IPV) describes physical, sexual, or psychological harm by a current or former partner or spouse. This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy. IPV can vary in frequency and severity. It occurs on a continuum, ranging from one hit that may or may not impact the victim, to chronic, severe battering. Repeated abuse is also known as battering.

The Domestic Violence Act 116 of 1998

According to Section 1 of the Domestic Violence Act 116 of 1998, domestic violence includes:

- Physical abuse. Any act or threatened act of physical violence towards a complainant.
- Sexual abuse. Any conduct that abuses, humiliates, degrades, or otherwise violates the sexual integrity of the complainant.
- Emotional, verbal, and psychological abuse. Refers to a pattern of degrading or humiliating conduct towards a complainant. This includes repeated insults, ridiculing, name calling, threats to cause emotional pain or exhibition of obsessive possessiveness or jealousy, which is such as to constitute a serious invasion of the complainant's privacy, liberty, integrity, or security.
- Economic abuse. Includes unreasonable deprivation of economic or financial resources to which a complainant is entitled under law or which the complainant requires out of necessity and the unreasonable disposal of household effects or other property in which the complainant has an interest.
- Intimidation. Uttering or conveying a threat, or causing a complainant to receive a threat, which induces fear.
- Harassment. Engaging in a pattern of conduct that induces the fear of harm to a complainant. Including repeatedly watching, or loitering outside of or near the building or place where the complainant resides, works, carries on business, studies, or happens to be and/or repeatedly making telephone calls or inducing another person to make telephone calls to the complainant, whether or not conversation ensues, and sending, delivering, or causing the delivery of letters, telegrams, packages, facsimiles, electronic mail, or other objects to the complainant.
- Stalking. Repeatedly following, pursuing, or accosting the complainant.
- Damage to property. The wilful damaging or destruction of property belonging to a complainant or in which the complainant has a vested interest.

- Entry into the complainant's residence without consent, where the parties do not share the same residence.
- Any other controlling or abusive behaviour towards a complainant, where such conduct harms, or may cause imminent harm to the safety, health, or wellbeing of the complainant.

Section 1(vii) of the Domestic Violence Act 116 of 1998 defines the term "domestic relationship" as "a relationship between a complainant and a respondent, in any of the following ways:

- They are or were married to each other, including marriage according to any law, custom, or religion
- They (whether they are of the same or of the opposite sex) live or lived together in a relationship in the nature of marriage, although they are not, or were not, married to each other, or are not able to be married to each other
- They are the parents of a child or are persons who have or had parental responsibility for that child (whether or not at the same time)
- They are family members related by consanguinity, affinity, or adoption
- They are or were in an engagement, dating or customary relationship, including an actual or perceived romantic, intimate or sexual relationship of any duration
- They share or recently shared the same residence."

Forms of interpersonal violence

Five main forms of interpersonal violence can be identified:

- Physical abuse: any physical action against another person, such as pulling hair, shoving, etc. Physical violence may result in bruising, swelling, wounds, broken bones, and broken lives, as well as humiliation.
- Psychological/emotional abuse: Emotional abuse goes far deeper than swearing, arguments, blaming, threats, or manipulation. It includes humiliation, denial of basic needs and means, and communication intended to destroy another person's self-esteem. It can also include acts in which a partner prevents the other from communicating with other people, limits their movements outside the house (after the age of 18 years), humiliates the other in front of people, calls the other crazy, possessed, or threatens to take them to a mental hospital/facility, threatens to hurt them, or harm their children or other family members, threatens to damage any of their possessions, or threatens to take their lives, or those of their children. Finally, emotional abuse is also considered to include instances in which one party might threaten to commit suicide if their partner did not do what they wanted.
- Sociocultural abuse: Cultural and traditional laws in some countries negate women's rights and in one way or the other promote violence against women. In such countries, one may argue that violence against women has been institutionalised. In such instances, the women not only suffer from practices associated with sociocultural abuse, but are also subjected to secondary victimisation by members of their own households, family members, the community at large, and the judicial process, as well as by professionals who provide assistance, in that the victim is often blamed for the situation. Homophobia also results in prejudiced behaviour toward homosexual persons, including the avoidance of same-sex-oriented people, telling derogatory jokes about them, harassment (hate speech or physical threats), and criminal violence (gay bashing, rapes, destruction of private property, and murder). Homosexual persons are more likely to suffer from mental health problems, including an increased risk of depression and substance abuse, due to the stress of living in a heterosexist and homophobic society.
- Destruction of property or pets: Violence against property and pets is a form of emotional violence and usually the precursor to physical violence.
- Sexual maltreatment (abuse): Sexual abuse includes any acts in which the perpetrator tries to, or succeeds in kissing, touching, or feeling the victim's body against their will, tries to, or does, have any form of sex, including penetrative, oral, anal, or thigh sex against their will. Sexual abuse furthermore includes any action where a person forces his or her partner to engage in penetrative, oral, anal, or thigh sex against their will, as well as forcing them to watch any of the above in a film, or to watch others doing any of the above, against their will. Sexual violence is a deed of hatred and aggression, and it leaves the abused person with a sense of having lost control over his/her life situation, a feeling of betrayal and loss of trust in the abuser.

Characteristics of violent relationships

- Characteristics of a violent relationship:
    - Pathological jealousy, resulting in the victim's isolation from others, stalking, etc.
    - Ambivalent feelings – feelings towards the partner vary between love and hate, anger and passivity, fear, depression and anxiety, omnipotence and impotence, security and panic. Fear of the abuser prevails.
    - Pathological dependency – both partners are overly dependent on each other.
    - Isolation from others.
    - Battle for control in the relationship – the abuser instils fear by means of abuse, insults, humiliation, sleep deprivation, and excessive sexual demands.
- "Conjugal terrorism" describes the behaviour of violent husbands whose attitudes and behaviour resemble those of the political terrorist. The intention is to break down the resistance of the woman to the will of the husband. Severe external threat is provided by the controller upon whom the victim's survival depends. Coercive control is established by means of:
    - Guilt feelings
    - Significant loss of self-esteem
    - Emotional detachment from severely violent incidents; extreme reactions to trivial incidents.
- Batters use techniques that resemble brainwashing, including social isolation, beatings, torture, starvation, sleep deprivation, threats of murder/torture, random and unpredictable leniency, coupled with equally unpredictable punishment and humiliation.
- One of the primary characteristics of an abusive relationship is the cycle of violence. The cycle of violence is characterised by 3 phases which are repeated:
    - Tension building phase: The abuser's levels of aggression mount substantially over time, accumulating in fault-finding behaviour. The victim reacts by attempts to remove/reduce all known irritants from the abuser's environment in an attempt to keep him/her calm.
    - Explosion/acute battering phase: Despite the victim's efforts to placate the abuser, phase two is an inevitable consequence of phase one. This phase is characterised by an extreme physical/emotional explosion and abuse.
    - Calm, loving respite/honeymoon phase: Characterised by the abuser's pleas for forgiveness and promises that he/she will not act in an abusive manner again. The honeymoon phase contributes substantially to maintaining the cycle of abuse because the abuser's apparent remorse and desire for reconciliation subscribes to the victim's mental and emotional needs. The consequence of this on-and-off pattern of abuse, described by the theory of traumatic bonding, entrapment and dependence, is that a victim develops very strong attachments to the abuser.

Causes of interpersonal violence

- Holtmann hypothesises that crime and violence are perpetuated in two kinds of cycles. The first is that when someone is hit, he/she hits back. Many boys are taught to respond to victimisation in this way.
- The second cycle reflects habitual behaviour patterns that are perpetuated from generation to generation.
- Holtmann's Cycle of Crime and Violence:
    - Vulnerable victims (**alcohol & poverty)**:
        - Early childhood neglect and abuse
        - Normalisation of violence
        - Lack of supervision
        - Truancy
        - Street/homeless children
        - No satisfaction of basic needs
        - Tempted to commit crime
    - Offenders (**drugs & guns**)
        - Petty crimes
        - Gang activity
        - Prostitution

- Conflict with law
- Risky behaviour – crime and HIV/pregnancy
- Young adult: no skills
- Young adult: no hope

Personal factors

- The misogynist: a woman hater. His wife cannot please him. She may be submissive to him in every way and yet experience ever-increasing demeaning criticism. He is ever-ready to criticise and control. He sees women as weak and childlike.
- The antisocial personality (sociopath/psychopath): arrogant, shameless, self-assured, boastful, callous, remorseless, charming, and irresponsible. He is incapable of feeling any genuine empathy for others. Despite a high intelligence and superficial charm, he is unreliable and untruthful. His relationships are impersonal, he has poor judgment, lacks insight, and lacks the ability to learn from previous experience. Characteristically, he squanders money, destroys relationships, and has brushes with the law. Anger may erupt at any moment. Lacks the ability to give or receive love and affection.
- Abusers use violent behaviour to compensate for their feelings of inadequacy and their need for power.
- Violence is most likely to occur between people who are closely tied emotionally (intimate partners, children, siblings, etc.).
- Levels of power:
    - Exploitative power: the most destructive. Violence in its rawest form. Assumes violence as a solution. He/she is out of control. Manifested in abusive intimate partner relationships, child abuse, and parental abuse.
    - Manipulative power – also destructive. Violence is used when considered necessary. Example: incest.
    - Competitive power: power used against another person or people. In its most destructive form it destroys a relationship, community, or company. Physical and emotional abuse can result from competitive power among siblings.
- An excessive need to control others is the primary warning sign for violence.
- Men who hold rigid, traditional views on sex roles and parenting have the potential for endangering their family because the patriarchal system places women under control of men. Some feel that their male image depends on their ability to dominate and control.
- Perpetrators of aggression tend to have poor communication skills.
- Social stress in families is directly related to violence between family members. Contributing factors include unemployment or part-time employment among men, financial problems, pregnancy (in the case of spousal abuse) and single-parent families (child abuse).
- Disruptive social policies cause disempowerment, economic and political upheaval, factory closures, retrenchments and reductions in welfare benefits, which cause men to have only their power positions in the family as a means to assert themselves.
- The family is subjected to serious stresses by difficult working conditions, unemployment, financial insecurity, and health problems, all of which cause family members to be violent to one another. This is exacerbated by the privacy that surrounds the family.

Familial factors

- The impact of exposure to violence, in any situation, manner, or form, has a detrimental effect on a child's development because it impacts negatively on such a child's cognitive development, as well as the development of prosocial behaviour.
- Because violence is normalised, and in the absence of any other prosocial alternatives, children are likely to learn the behaviour itself, as well as experience its "benefits" and "rewards". Violent behaviour then becomes a way of life and problem solving tool, resulting in bullying and abuse of others.
- Further familial risk factors associated with youth violence include family conflict and violence; criminality on the part of the caregivers; antisocial siblings; large family size; low maternal education and young age; poor family management practices; harsh and/or inconsistent disciplinary practices; poor monitoring/supervision of children's activities; permissive or lax parenting; and low levels of family bonding.

Societal factors

- Poverty greatly increases vulnerability to crime.
- Women earn less than men, and experience greater rates of unemployment, therefore many women are forced to find a man/husband to take care of them. Economic dependence on a man limits the options available to abused women.
- The easy availability of guns contributes to high levels of interpersonal violence.
- One study found that women who died at the hands of their intimate partners were more likely to be killed by a legal firearm than women killed by non-intimates.
- In many domestic violence cases magistrates do not order the removal of weapons, despite their use being mentioned in the affidavit and despite there being evidence to suggest that the weapon is owned by, in the possession of, or under the control of the perpetrator.
- Violent behaviour is often rooted in the use of alcohol and drugs. Under the influence of alcohol, individuals may behave in a way that they would refrain from when sober, and it may also take them longer to realise the consequences of their actions than when they are not intoxicated. The woman often accepts this as an excuse.
- The risk of victimisation is much greater among alcohol-dependent women compared with non-alcohol-dependent women. Similar trends can be noted in relation to sexual abuse and rape.
- Drug abuse may influence a parent's cognitive abilities and emotions and contribute to the parent abusing the child. The substances may increase levels of aggression. The parent may also administer substances to keep the child docile.
- Violent behaviour against women may still be blamed on women, because they are seen as too submissive, too provocative, or too liberated.
- Many people still perceive a man to be the head of the household, and his duties may include critical supervision of everything his wife does. Beliefs linked to perceptions relating to gender roles, sexual orientation, race, ethnicity, and religion also contribute to interpersonal violence.

The functional role and value of violence in relationships

Individuals learn violent behavioural patterns and persist with them for as long as such behaviour continues to have a functional value. Violence fulfils the following functions in the family:

- It controls the behaviour of family members.
- It strengthens the doer's position of power.
- It is a way of settling disputes and solving problems.
- Violence communicates certain messages which cannot be conveyed otherwise.
- It provides an outlet for frustration and aggression.
- It is a means of acquiring status and earning admiration.

Types of interpersonal violence

- Intimate partner violence (domestic violence): IPV refers to the violence between individuals that are in some form of a relationship (spouses, partners, parents, and previous partners). The term is narrowly used to cover incidents of physical attack which may take the form of physical and sexual violations, such as punching, throwing boiling water, etc. In a broader sense, IPV includes psychological or mental violence (verbal abuse, confinement, deprivation of resources, etc.).
- Male-female relationships: Men tend to overestimate their partner's violence, while women tend to underestimate their partner's violence by normalising or excusing it. Men underestimate their own violence while women overestimate their violence. Men underreport their victimisation due to embarrassment.
- Same-gender relationships: Research has indicated similarities between male-female and same-gender domestic violence in prevalence, types of abuse, and various dynamics. The differences were found to be situated in areas such as help-seeking behaviours.

Incidence of intimate partner violence (domestic violence)

- Some researchers believe that marital violence is even more underreported than rape.

- The abuse of women takes place at all socioeconomic levels and in all racial groups, and is widespread throughout SA.
- South Africa has the highest murder and rape statistics in the world. This trend is also reflected in domestic violence.

Violence against children

- Child: a person under the age of 18 years.
- Abuse, in relation to a child, is defined by the Children's Act 38 of 2005 as any form of harm or ill-treatment deliberately inflicted on a child, and includes:
    - Assaulting a child or inflicting any other form of deliberate injury on a child.
    - Sexually abusing a child or allowing a child to be sexually abused.
    - Bullying by another child.
    - A labour practice that exploits a child.
    - Exposing or subjecting a child to behaviour that may harm the child psychologically or emotionally.
- Child abuse and neglect is furthermore any recent act or failure to act that may cause serious harm or death.
- Risk factors that increase the likelihood of abuse:
    - Age: Serious or life-threatening injuries occur in the age group from birth to three years. The risk decreases as the child grows. The common age worldwide of children being sexually abused is the age of 10 years (but may vary from 3 months to 18 years).
    - Ordinal position in the family: The first-born child is more often the victim of violence than subsequent children. Abuse of a child in a younger ordinal position in the family is usually accompanied by a predisposing factor such as premature birth or abnormality. In some families various children may be the victims of abuse and in other cases the second eldest child may become a victim after the death or removal of the elder abused child from the family.
    - Gender: The biological mother is responsible for most instances of abuse, followed by the biological father, stepfather, uncle, or male friend of the mother's.
    - Appearance of the child: Factors that increase the risk of abuse are having a very small baby, premature birth of the baby, absence of bonding between the mother and child, physical or mental handicap of the child, retarded development, or the perception by the parents that the child is "different".
- The following factors have been commonly linked to child abuse and neglect:
    - Family violence
    - Behaviour of abusive parents which can often be traced back to negative experiences in their own childhood, for example physical, emotional, or sexual abuse.
    - Blended families, which include children living with unrelated adults.
    - Parents may also be abusive if they are isolated from friends or relatives to support them in times of crisis. First-time mothers may feel isolated and unable to cope with the responsibility of caring for an infant or toddler.
- More than 40 million children are abused each year.
- More girls than boys are sexually abused, according to one survey.
- Factors such as their dependency on others for survival, limited resources, fear, and age may explain why children don't report their victimisation.

Interpersonal sexual abuse and coercion

- More than half of the cases reported to the police do not make it to court. Cases may be withdrawn because the rape survivor is intimidated by the perpetrator, particularly when known to the survivor, the rape survivor is afraid of the possible reaction of unsupportive partners or parents, the complainant laid a false charge, or the police persuaded the complainant to withdraw the charges where the evidence is weak.
- Of these adult rape cases that went to trial, more resulted in acquittals than convictions.
- In sexual offences courts, the conviction rates are believed to be 20% higher due to specialist prosecutorial teams and a victim-friendly environment.
- Secondary victimisation includes scepticism, insensitivity or outright dissuasion while laying a charge, no private waiting rooms or report-taking facilities, long waiting periods before being taken for medical

examination and treatment, no information or explanation about police or court procedures or the progress of their case, the use of prejudiced criteria to decide whether or not to prosecute or close cases, long delays between reporting a case and that case going to court, and being subjected to biased attitudes of and degrading cross-examination in court by court officials as well as the accused and his defence counsel. This treatment not only compounds the initial rape trauma, but may lead to subsequent withdrawal of charges and even dissuade victims from laying charges in the first place.

- In a small proportion of cases personality disorders and mental illness may be factors in the perpetration of rape, but rape is primarily a social problem rather than a product of individual psychopathy.
- Factors that play a role in the perpetration of rape include gender power inequalities, male peer-group status and the climate of male sexual entitlement, rape as one manifestation of a very violent society, poverty, alcohol and drug use, marriage and male sexual entitlement, and the general climate of intolerance.
- According to Section 3 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act rape is defined as the following: "Any person ("A") who unlawfully and intentionally commits an act of sexual penetration with a complainant ("B"), without the consent of B, is guilty of the offence of rape."
- Rape includes the penetration of the vagina, mouth, or anus with a penis, body part, or object.
- "Compelled rape": The conduct of someone who forces another person to rape a third person is now criminalised. Persons will be guilty of sexual assault if they commit an act of sexual violation. This includes the direct or indirect contact between the genital organs and anus of one person and any body parts of another person or animal, contact between the mouth of one person and the genital organs, anus, or breasts of another person, and the masturbation of one person by another person.
- Consent: voluntary and un-coerced agreement.
- According to the Criminal Law (Sexual Offences and Related Matters) Amendment Act, statutory rape can be defined as "where a person ('A') commits an act of sexual penetration with a child ('B'), despite the consent of B to the commission of such an act.
- Sexual assault entails the following:
    - A person ('A') who unlawfully and intentionally sexually violates a complainant ('B'), without the consent of B, is guilty of the offence of sexual assault.
    - A person ('A') who unlawfully and intentionally inspires the belief in a complainant ('B') that B will be sexually violated is guilty of the offence of sexual assault.
- Sexual assault and violation replace the crime category of "indecent assault".

Nature of sexual offences

- Marital rape:
    - Section 5 of the Prevention of Family Violence Act 133 of 1993 states that a husband may be convicted of the rape of his wife. "Parties to a marriage" is construed to include a man or a woman who is or was married to each other according to law or custom and also to a man and a woman who live together as husband and wife although they are not married.
    - One study (Kottler) indicates that women do not define their experiences of sexual violence within a marital relationship as falling into the neat categories of "marital rape" and "not marital rape". Instead they define their experiences in a variety of ways such as "forced" or "survival" sex, sexual assault/abuse, "like rape", and "pressured" sex. Factors that influence how they describe their experiences are closely linked to stereotypical beliefs about rape and marriage and sex.
    - The notion that men are entitled to conjugal rights leaves some women feeling obliged to have sex with their husbands because sex is their duty. Refusal indicates "frigidity", which then justifies the partner's use of force.
    - Some women see marital rape as obligatory sex to repay husbands for food and shelter.
    - Marital rape is not recognised within very traditional societies.
- Child rape:
    - Children are the victims of 41% of all rapes and attempted rapes reported in SA.
    - In the past decade, reported sexual violence against children has increased by 400%.
    - One in four girls is likely to be raped before she reaches the age of 16 in SA.

    - The police do not properly investigate sexual crimes against children. More than half the cases of rape and indecent assault were withdrawn.
    - Girls are in most cases the victims of male and female molesters. However, women molest proportionally more boys than girls.
    - Women have a greater tendency to molest younger children.
    - It is often the shy, quiet, and dependent child with a poor self-image who is in the most danger of being molested. The child will find it difficult to say no to an adult, and will not easily tell what has happened.
- Male rape:
    - Men who are sexually assaulted tend not to report their victimisation, seek medical attention, or get counselling. Male survivors are often shamed by the taboo of same-sex sexual contact, contributing to a sense of isolation and despair.
    - Like females, males also experience depression, anger, guilt, self-blame, sexual dysfunction, flashbacks, suicidal feelings, increased sense of vulnerability, damaged self-image, and emotional distancing.
    - The biggest reason for not reporting the rape is the fear of being perceived as homosexual.
    - Incidents of anti-gay violence also include forcible rape, either oral or anal. Attackers frequently use verbal harassment and name calling during such a sexual assault.
    - The victim serves, both physically and symbolically, as a vehicle for the sexual status needs of the offenders in the course of recreational violence.
    - Most gay hate victimisation involves hate speech.
    - Correctional facilities are high-risk settings for the sexual victimisation and rape of offenders, especially in male correctional centres.
    - Reasons for the occurrence of rape in correctional centres:
        - Not reaching an agreement.
        - Corruption by correctional officials.
        - Gang involvement.

Incidence of sexual abuse and coercion

- Rape statistics for SA have gone up over the past five years, as in the rest of the world.
- Approximately 300 women are raped each day in SA. SA leads the world in rapes. Another source states that a woman is raped in SA every 17 seconds.
- In the USA, a woman is raped every 2 minutes.
- Reasons given by women for not reporting these crimes are the belief that it is a private/personal matter, and the fear of reprisal from the assailant.
- Family violence and abuse are among the most prevalent forms of interpersonal violence against women and young children, both boys and girls.

Explanation of interpersonal violence

- Intra-individual theories:
    - Intra-individual theories locate the cause of deviant behaviour inside the persons. Factors include mental illness, stress, depression, low self-esteem, and other psychopathological factors.
    - Interpersonal violence is attributed to the personalities of the victim and the abuser. A prominent characteristic of violent relationships is pathological jealousy and struggle to remain in control of the victim's life. As a result of this abnormal jealousy, the perpetrator tries to control every move of the victim.
    - Typically the abuser has a low level of frustration tolerance, and experiences problem with impulse control and with excessive use of alcohol. He/she suffers from poor self-image, rage, depression, and self-hate. Many abusers were themselves victims of child abuse or witnessed violent conflict between their parents.
    - Another argument is that the abuser cannot relieve stress at work by attacking the boss, so instead he turns on an available family member. Poor socioeconomic conditions can also contribute to stress and low self-esteem.

- Some believe the myth that battered women who endure the abuse are sick, crazy, or masochistic by nature and that they have an unconscious desire to be abused.
- General systems theory asserts that both parties contribute to violence and that it has a specific function in the relationship.
- According to the social learning perspective, aggressive behaviour patterns are acquired through modelling (abusers were brought up in violent homes).
- Most early explanations portrayed rape and sexual assault as stemming from psychopathology or imbalances within the offender. Sexual assault was a reaction to repressed desires, past domination by a female figure, or other forces beyond the offender's control.
- According to psychological explanations, an uncontrollable sex drive causes rape.

- Sociocultural explanations (patriarchy):
  - This approach looks for events that are external to the individual. It emphasises the amount of stress found within the family, caused by factors such as unemployment, family size, child spacing, and social isolation.
  - The sociocultural and feminist perspective views domestic violence, specifically the abuse of women, as an outcome of their historical treatment and the current patriarchal makeup of society.
  - The sociocultural approach explains marital victimisation of women in terms of a subculture of violence in which they were brought up, as well as the patriarchal system and rigid sex role socialisation. Feminist-oriented researchers such as Pagelow, Martin, Brownmiller, and Dobash and Dobash blame the patriarchal system for the problem because girls are indoctrinated to be helpless, dependent, passive, obedient, and submissive.
  - As a result of the patriarchal system, the occupational opportunities and earning power of women are also limited. The social system forces women to be financially dependent on their husbands.
  - Lower social status is a characteristic of abusive families in which child abuse occurs. Gil reports that half the fathers were unemployed when they abused their children.
  - Families that are isolated from neighbours and friends are vulnerable to internal hostilities.
  - Family size and the spacing between children often create intense stress for parents. Unwanted pregnancies and large families may strain family resources and exacerbate an already tense living arrangement.
  - This model fails to explain why some stressed families do not turn to child abuse as an outlet, or why/how abuse is chosen from all other alternative strategies.
  - Rape is a means of showing and promoting male domination – an offence of power.
  - Rape is the result of stereotyped role expectations.
  - Sexual socialisation teaches males that it is 'manly' to take sexual initiative and to persist, even against resistance.
  - Some researchers have proposed an immaturity hypothesis to account for many rapes. Many rapists have pervasive and obsessive preoccupations with sexual matters.
  - Rapists may reflect the implicit beliefs held by many others. Whether they act on that belief depends on many different factors such as the motivation to commit the act, the internal and external inhibitions present, and the opportunity to commit the act.
  - Highly sexual aggressive men express greater hostility towards women, frequently use alcohol, frequently view violent and degrading pornography, and are closely involved with peer groups that reinforce highly sexualised and dominating views of women. The more sexually aggressive the man, the more likely he is to believe that force and coercion are legitimate ways to gain compliance in sexual relationships.
  - Some rapists become highly sexually aroused even by scenes of nonsexual aggression.
- The social learning approach: learned helplessness
  - The social learning theory focuses on the absorption of experiences and reinforcement.
  - The perception is that abused children will grow up to become child abusers (cycle of violence). There is also the belief that children who witness spousal abuse will also become spouse abusers in their relationships as adults.
  - Many battered victims suffer from learned helplessness. The idea of learned helplessness is based on three components. The first is the information a person has about what is going to happen. The second

is the knowledge or perception about what will happen. This component usually comes from past experiences (or lack thereof). The third is the person's behaviour towards the event that takes place. Some victims believe that they cannot influence or control what is about to happen to them. As these perceptions grow, the woman starts to believe that she is powerless to alter her environment. As a result she may appear apathetic and passive to some observers.

- A typical pattern of victimisation is characterised by increasing tension in the first phase, culminating in the impact phase when the violent episode takes place, followed by the posttraumatic phase. During the last phase, some batterers show remorse and try to please the victim by means of presents and friendly gestures, which strengthens the couple's bond of love.

SU 3.1: Taxi Violence

Key terms

- Taxi violence: The terms taxi violence and taxi wars are used interchangeably, and normally refer to the territorial conflicts or wars fought between rival taxi associations and individual minibus taxi operators in SA towards the end of the 1980s to the present day.
- Turf wars: A notion that describes a common problem in broader bureaucracies when two or more organisations compete for resources/money. It describes contention for authoritative allocation of values (resources) among parties, which leads to confrontation. Territorial wars are also fought between street gangs for control of a specific area or spot to sell drugs.

The history and economics of the minibus taxi industry in SA

- The minibus taxi industry is regarded as the biggest employer in the SA economic sector. The overwhelming majority of workers are drivers; 95% of them are African. Most work for a taxi owner and get paid for the number of passengers they transport. A typical driver's work day starts at 5am and ends at 7pm, with no paid leave.
- The minibus taxi industry was established in the late 1970s to meet the demand for transport. Apartheid policies and laws made it extremely difficult for black people to obtain a permit to operate a taxi, so drivers resorted to working without permits, and resorted to bribery. Local government closed down taxi ranks in retaliation.
- In 1986, government made it legal to operate 16-seater taxis, but restricted the number of permits. By 1989, approximately 50 000 minibus taxis were in operation throughout the country.
- By 1999 the taxi wars had begun with numerous taxi associations fighting over control of taxi routes.
- Before the apartheid government's policy of economic deregulation in 1987, African taxi operators had resisted apartheid laws that discriminated against black people. No transportation of merchandise or commuters was allowed without permission from the Local Road Transportation Board (LRTB). Even when an applicant did manage to get a taxi-operating permit, the Act allowed only small cars (4 passengers).
- For this reason, from the beginning of the 1980s, taxi operators started using 15-passenger taxis. They provided a late night service, commuted to remote areas, transported passengers from their homes to their workplaces and back again, had affordable levies, made convenient stops on long-distance routes, and minimised waiting time.
- The 1977 Van Breda Commission of Inquiry into the Road Transportation Bill found that SA had developed to an economic and industrial stage which enabled it to progress towards a freer competition in transportation. This prompted the general deregulation, commercialisation, and privatisation of the taxi industry.
- Three factors caused the taxi organisational rivalries to be marred with violence: politics, race, and crime.
- In 1987 the government deregulated the minibus industry, forcing thousands of poor blacks to move into the taxi business. This caused intense rivalry, and apartheid agents instigated and fuelled violence among taxi operators in order to delay political freedom.
- After the end of apartheid, taxi owners grouped themselves into cliques, which blossomed into cabals or cartels.
- Pre-1977: state-controlled ownership:
    - The Motor Carrier Transportation Act of 1930 banned the transportation of merchandise or passengers by road for profit without a permit from the Local Road Transportation Board (LRTB). Initially the

transport industry was state controlled, within the South African Transport Service (SATS). Taxi owners formed local informal taxi associations.

- 1977-1987: gearing towards the deregulation process
    - Along with growing political pressure, the Soweto Riots of 1976 prompted the then National Party government to form a commission of inquiry into the transport industry. In 1977, the Van Breda Commission of Inquiry recommended freer competition and less regulation in the industry.
    - In 1979, the first national association of black taxi drivers was established: the South African Black Taxi Association (Sabta). In the years that followed, a competing association, the South African Long Distance Taxi Association (Salta), came into being. This organisation, along with other political entities, began exerting pressure on the apartheid government to deregulate the taxi industry.
- 1987 – 1994: the rapid deregulation process
    - In 1987 the White Paper on Transport Policy, along with the Transport Deregulation Act of 1988, effectively deregulated the entire taxi industry overnight. More importantly, minibus taxis gained legal status to operate. However, the process of issuing permits was rife with corruption.
    - The rival taxi organisation felt threatened, and taxi violence and loss of life ensued.
- 1994 – 1999: the post-apartheid period
    - In 1995, the government commissioned the National Taxi Task Team (NTTT) to investigate taxi violence and related matters. In 1996, the NTTT's first report recommended the immediate re-regulation of the industry. The government's attempts at re-regulation were actively resisted by the now powerful taxi organisations, and the violence escalated.
    - The NTTT recommended three things requiring special attention: 1) regulation and control, focusing on measures such as permits, minimum labour standards, safety controls, and taxation; 2) institutional structures, especially a formation of a unitary (single) national taxi association of owners/employers; 3) a training and development institution, and financial assistance to the industry.
    - Government's master strategy for economic assistance is taxi recapitalisation. New taxis will carry 18 or 35 people rather than 16. Government will offer a "scrapping allowance" to owners who hand in their own vehicles, provided they possess a legal permit to operate, are registered with the Provincial Department of Transport, and are affiliated and belong to a recognised taxi association.
    - Government is still waiting for taxi owners to establish a national owners' association; another delay relates to decisions about which company will be awarded the contract to manufacture the taxis, and decisions about using computers to record takings. The scrapping allowance is also still being discussed.
    - It is hoped that recapitalisation will lead to taxi owners paying income tax, safer taxis, registration of workers by taxi owners with Department of Labour, and an advanced system in the management of information related to the taxi industry.
- 1999 to date: the taxi recapitalisation period
    - The government proposed the National Land Transport Transition Act 22 of 2000 to help formalise and re-regulate the taxi industry that was now out of control. In conjunction with new legislation, the four-year recapitalisation scheme was instated (see above).
    - The South African National Taxi Council (Santaco) warned parliament about the dangers of further delays in the recapitalisation process.

The historical perspectives on taxi violence in SA

- Taxi conflicts, wars, and violence:
    - The immediate and far-reaching result of the rapid deregulation was the emergence of the taxi associations which have been directly linked with the taxi wars.
    - In the years between 1987 and 1994 government's attempts to deal with the taxi industry were almost non-existent. In some cases, the police were implicated in the conflict.
    - In the years preceding the 1994 election, the Human Rights Committee witnessed outbreaks of violent taxi conflicts in places like Johannesburg, Soweto, the East Rand and Pretoria in Gauteng, around Durban in KwaZulu-Natal, in the Eastern Cape around Bisho and King William's Town and Umtata, and in Limpopo and North West province.

    - The most persistent conflicts happened between taxi organisations operating on long distance routes. Most were interprovincial in nature involving long distance taxi associations of the Letlhabile Taxi Organisation (Lto), the Federated Local and Long Distance Taxi Association (Fellta) and the South African Local and Long Distance Taxi Association (Salldta).
    - The changing nature of the taxi associations and the tendency of smaller taxi associations to become affiliated with the more militant and financially successful organisations have added complexity to the circumstances of taxi violence. Between 1987 and 1999 some of the worst conflicts happened at the Rietgat Taxi Rank in Soshanguve and adjacent Mabopane station.
- The nature and extent of taxi violence in SA:
    - The cartels have fought for years over control of lucrative routes and the drivers who serve them.
    - The August ambush at a taxi stand in a Khayelitsha neighbourhood called Kuwait left one taxi owner, Khonzani Mono, dead and seven people wounded. The stand is one served by the Congress for Democratic Taxi Associations (Codeta). Just a week earlier, an executive of the rival Cape Amalgamated Taxi Association (Cata) was fatally shot.
    - In 2009 the most recent surge in the Cape peninsula killings can be traced to the opening of a shopping mall near Kraaifontein, which employs many workers from Khayelitsha. The Codeta taxis wanted to take the workers directly to the mall, while Cata officials insisted that the approved route run through the taxi stand at Bellville, which they dominate.
    - During the 1990s more than 2000 people were killed as a result of taxi-associated conflict in South Africa (official statistics), whereas unofficial reports suggest a much higher figure.
    - The Gauteng government has proposed that two feuding rival taxi associations, the Alexandra-Randburg-Midrand-Sandton Taxi Association (Armsta) and the Alexandra Taxi Association (Ata), merge.
- Statistical information on the taxi industry as of 2006: *Note that the lecturers have said that we do not need to focus on the statistics in the module. Refer to p. 64 of the study guide*.
- Statistical mortalities and injuries in taxi violence. *Note that the lecturers have said that we do not need to know the exact statistics in the module. Refer to p. 64 of the study guide*.
    - Between 1991 and 1999, the most deaths occurred in 1993 (330), and the least in 1991 (123).
    - Between 1991 and 1999, the most injuries occurred in 1993 (526), and the least in 1991 (156).

The causes of taxi violence and contributory factors

- Taxis started organising in the 1970s to fight against government restrictions. Later some of the taxi organisations fought one another over routes.
- The South African Black Taxi Association (Sabta) was the first national organisation of taxi owners (1979).
- In the early 1980s, a separate association for long distance taxi operators was established – the South African Long Distance Taxi Association (Salta). Other rivals to Sabta were also established.
- Post-1987 the industry was rapidly deregulated, leading to an influx of new operators.
- The economic drivers for the wars were intertwined with political unrest around the fall of apartheid (1994). Often the fighting factions involved were from opposing political parties. Police officers were also found to be complicit in taxi violence.

The impact of taxi violence

- Serious injuries and death to operators, commuters, and bystanders.

SU 3.2. Political Crime

Definition of key concepts

- Political violence: acts of destruction that impact on power relations in society.
- Terrorism: may be regarded as a strategy of political violence involving systematic acts of humiliation aimed at a target audience with the goal of changing or maintaining power relations by spreading intense fear and feelings of intimidation that transcend the harm caused to the immediate victims. Terrorism is usually defined as political violence carried out by an opponent. Initially terrorism was seen as an act against the state but

recently nation-states have also been included in definitions as potential perpetrators of terrorism. Terrorism is aimed at killing defenceless men, women, and children. It is devoid of any moral content.

Historical background

- In the past two decades, SA has been in the grip of the most violent period of its history.
- Conflict that began in the mid-1970s related to a struggle for access to political power. Prior to 1990, violent conflict in SA was characterised by riots and protests fuelled by the resistance of residents of black townships to the system of apartheid. The conflict found expression through rent and consumer boycotts. Workers went on strike, schools were disrupted, and mass mobilisations were organised.
- During 1984 and 1986 violence in SA black townships escalated. The immediate trigger was the implementation of the tricameral parliamentary system in 1984, which incorporated coloured and Indians but excluded black people. During 1985 35 000 troops were deployed in townships throughout SA. Consecutive states of emergency were declared by the government. Many people were killed, and funerals became occasions for mobilising communities.
- During the 1990s political parties came into conflict with one another. Violence took the form of massacres (where 5 or more people are killed in an attack by one specific group), political assassinations aimed in particular at the moderate community leaders, large-scale intimidation and forced mobilisation, acts of intimidation by township youths operating within the self-defence units (SDUs), attacks on train commuters, minibus taxi wars, appearance of warlords in informal squatter camps, and increased incidence of violence during the period from 1990 to the elections in April 1994.
- Since the beginning of 1990 there has been an increase in selective assassinations, especially in KwaZulu-Natal, of members of opposition parties such as the African National Congress (ANC) and the Inkatha Freedom Party (IFP).
- Criminals have taken advantage of the political situation to commit their acts of violence under the cover of political motives. More than 50 massacres with an average of 25 deaths per incident have been recorded since July 1990.
- The high level of uncertainty brought about by the political situation resulted in increased militarisation of communities. For purposes of self-protection, residents armed themselves and organised themselves into paramilitary structures. Factors that have contributed to communities arming themselves include the illegal firearm trade and loss of confidence in the state security forces.
- Communities lost faith in the courts' ability to prosecute criminals, and resorted to vigilantism and informal peoples' courts.
- As a result of the conflict, people feel insecure and threatened, productivity has dropped, dismissals and unemployment have increased and the tourism industry has been severely affected.
- Whereas political violence was open during the apartheid era, some are of the opinion that individuals are now targeted far more subtly, although murders, threats, and intimidation are still used against political opponents. Reasons why violence is still used in the political arena may include the failure of political parties to deal with the criminals in their midst as well as not ensuring that illegal guns are surrendered, and the culture of lawlessness of persons who have known links to violence.

Different forms of political violence

- Executions: SA has been a world leader in enforcing the death penalty.
- Death squads, assassinations, and disappearances: During the trials of Dirk Coetzee and Eugene de Kock it became evident that opponents were often eliminated by death squads. The purpose of police units such as the one stationed at Vlakplaas was to eliminate the enemies of the government, such as Chris Hani.
- Legal police killings: The SAPS are allowed to shoot to kill in defending people or property, in order to prevent the escape of a particular person or in order to disperse a riot. Before 1994, police actions where crowds were fired on were increasing.
- Detention without trial: Many detainees died in detention, such as Steve Biko (1977). Many political opponents were kept in solitary confinement and tortured for information.
- Torture: Torture is used as a means to obtain information. It is also a means of physically hurting and mentally destroying the individuals who have been detained.

- Arson: Arson and bomb attacks on the homes of anti-apartheid activists and headquarters of anti-apartheid organisations were frequent during the 1980s.
- Necklacing: A car tyre is placed around the neck of a victim, the inside of the tyre is filled with petrol and set alight. Victims included community councillors, policemen, suspected informants and collaborators, etc.

Factors contributing to political violence

- Apartheid: Apartheid is a common reason given, but this does not explain why the level of violence was low during apartheid, and escalated once it was being phased out. Also, most incidents of political violence involved black-on-black violence.
- Ethnicity: Much of the conflict in KwaZulu-Natal has been between Zulus.
- Socioeconomic deprivation: This is a common reason given, but note that SA experienced increased levels of violence at the very time when the economic position of black people started to improve.
- Political competition: This is an important factor, but does not explain the lack of violence in the Indian, coloured, and white communities.
- Crime: SA's culture of crime has a political origin. Apartheid led to the disintegration of family life in black communities, poor and inadequate schooling, economic exploitation, poverty, and high levels of unemployment. The availability of firearms, poor relations between the police and black communities, and the massive release of prisoners during 1991 contributed to the increase in crime.
- The state: The investigation of the Goldstone Commission showed that there was a group of organised individuals in the security forces who were involved with a campaign of "dirty tricks".
- The role of politicians: The statements made by politicians can instigate violence among their supporters.

Right-wing violence

- Some experts argue that the rise of rightwing resistance is not so much attributable to the pursuit of political reform as the result of an increasing sense of insecurity brought about by the unprecedented increase in the incidence of crime.
- A number of paramilitary organisations have been established in SA, including the Wenkommandos and Ystergarde (Iron Guard) of the Afrikaner Weerstandsbeweging (AWB), the Boereweerstandsbeweging, the Afrikaner Volksleër (Afrikaner People's Army), the Wit Wolwe (White Wolves), the Afrikaner Monargiste, the Ku Klux Klan, etc. The largest of these is the AWB (15 000 male members).
- The AWB was established at Heidelberg in July 1973 during a meeting of 7 people, including the current leader Eugene Terre'Blanche. The AWB is primarily targeted at the government in power and all actions of the AWB are intended to disrupt and overthrow the government or to force a radical change in policy. Mebership is restricted to white adult citizens of SA who are not members of foreign organisations and who support the constitution of the AWB.
- In 1983, members of the AWB were charged with various accounts of illegal possession of arms and explosives and terrorism. The actions of the AWB may be classified as racist terrorism. A member of the AWB, Janus Walusz, and his accomplice, Clive Derby-Lewis, was responsible for the assassination of Chris Hani on 10 April 1993.
- In 2002 it became evident that the Boeremag were devoted to creating an independent Afrikaner state. The trial of the Boeremag ended in 2007 when 21 of its members were found guilty of a plot to overthrow the government violently. It was found that they were responsible for a series of bomb explosions, including a railway line in Soweto in 2002, which resulted in the death of a woman in a nearby squatter camp. Other evidence presented in the trial revealed the following:
    - A plot to murder Nelson Mandela with a car bomb.
    - A group called "Die Volk" robbed army trucks of their weapons and planned to arm the whites to take over the country.
    - A plot to disrupt the World Summit on Sustainable Development.
    - The group was responsible for 8 bomb blasts in Soweto. The blast at the railway caused damage estimated at R2 million.
    - The group was responsible for a bomb blast at the Buddhist Temple in Bronkhorstspruit, 30 km east of Pretoria, where two security guards were injured.

Some contemporary South and southern African examples

- In Zimbabwe during the 2008 political elections there were over 700 incidents of violence, including:
    - An MDC ward chairman was taken from his home and beaten with clubs and guns.
    - A shop owner who supported the MDC was beaten, his house burnt down, and his goat stolen.
    - Two prominent MDC figures, one of whom was Morgan Tsvangirai (the MDC leader), sustained head injuries and other wounds after a police attack.
- The new COPE (Congress of the People) party was formed in November 2008 and consists of former ANC members as well as other South Africans. Since its formation there has been violence between the ANC and COPE. One incident was in Kou-Kamma, where members of ANC came to a COPE meeting in order to attack COPE members. COPE claims that the police did nothing to stop the attack. 7 COPE members were injured.

SU 3.3: Xenophobia

Definition

- Xenophobia is defined as a hatred or fear of foreigners or a strong fear or dislike of people from other countries. It is a violent practice that results in bodily harm and damage.
- Xenophobia describes attitudes, prejudices, and behaviour that reject, exclude, and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society, or national identity.

Causes

- Xenophobic attacks are fuelled by the notion of differences between strangers and settlers of different skin pigmentation, customs, and/or faith, who appear unwilling to dissolve or assimilate into their host community.
- Strangers are perceived to be arrogant if they maintained their customs, exploitative if they were seen to be more successful than their hosts, and bigoted if they adhered to their religious beliefs. While much of the resentment could have been spontaneous and a product of poorly managed interpersonal relations, it could also be orchestrated to serve the personal or political ends of the local elite.
- The setting or preconditions for xenophobic attacks may be found in residential segregation, distinctive physical features, peculiar dress and food cultures, differing religious affiliations and differential access to health facilities, social amenities, and economic opportunities.
- Africa and African foreigners have been represented negatively and xenophobically by the state, the media, and the public. Negative perceptions and stereotypes are used to normalise and rationalise violence against them.
- The major causes of the attacks in May 2008 include deteriorating socioeconomic conditions among the majority of black South Africans, and the competition for scarce, life-supporting resources such as housing, jobs, etc. The underlying factor is poverty. The violence was directed against black foreigners, mostly from Zimbabwe, but also from Mozambique and Malawi, on the pretext that they commit crime and steal jobs.
- Zondi is of the opinion that the explanation for the xenophobic violence is dominated by 3 perspectives:
    - Criminal elements in society used people's vulnerability to commit crimes against foreigners. From this perspective, the killing, looting, arson, etc. were committed by criminals for their own gain.
    - The attacks were not spontaneous, but orchestrated by a group or groups with political motives.
    - The most popular view is based on the hypothesis that xenophobia has been developing in SA over a period of years and has been intensified.

Impact

- SA's culture of violence has a negative impact on SA's economic growth, social relationships, and tourism.
- SA hostility encourages foreigners to leave, and causes resentment and hostility on the part of foreign migrants.
- SA political activists sought refuge in African countries during apartheid, and received excellent treatment.
- Some communities have internalised brutal responses to things or people that they dislike.
- Crime has embedded itself within communities, and is ready to take advantage of public mayhem. Wherever violent incidents against foreign-owned business occurred, criminal elements targeted assets for looting.

- Numerous reports have concluded that poverty and socio-economic hardship experienced by South Africans can be blamed for perpetuating the conditions in areas where the violence flared up. The responsibility to address socio-economic hardship rests on both the state and big business.
- Some of the comments aired in the media on the recent events confirm the existence of stereotypes rooted in the philosophy underlying the policy of apartheid: uncontrolled migration is to be blamed for societal ills like joblessness, crime, and the spread of disease. These myths cause irreparable damage to SA's image.

SU 3.4. Terrorism

Terrorism defined

- Terrorism remains one of the most complex and difficult issues facing law enforcement in the 21st century.
- Terrorism is the unlawful use or threat of violence against persons or property to further political or social objectives. It is designed to intimidate or coerce a government, individuals, or groups to change their behaviour or policies.
- The absence of an agreed definition for terrorism blocks the possibility of referring terrorist acts to an international court, as for genocide and other war crimes, and it leaves individual countries free to outlaw activities which they choose to classify as terrorism, perhaps for their own political convenience.
- According to Reid, in the political arena, terrorism is defined as motivated violence for political convictions.
- According to Siegel, the term "terrorism" indicates preplanned, politically motivated violence by groups of people that want to elicit public reaction. The violence is therefore directed at targets that cannot defend themselves. International terrorism refers to terrorism in which citizens or territories of more than one country are involved.
- According to Whittaker, terrorism is the preplanned threat or use of violence by sub-national groups or clandestine individuals with the intention of intimidating or forcing governments in order to achieve political, religious, or ideological outcomes and to create fear in the public at large.
- According to McLaughlin, terrorism is an offence that is purposefully directed at civilians who are not in a position to protect themselves. Terrorism is by nature revolutionary and is carried out by sub-state groups.
- According to the United Nations General Assembly Resolution 54/110 of 9 December 1999, terrorism is criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons, or particular persons for political purposes.
- According to McEvoy, Gormally, and Mika, terrorism is the use of violence for political reasons and includes any use of violence with the purpose of creating fear in the public or any section of the public.
- Friedland states the following two criteria for identifying a violent act as terrorism: (1) the act is not just focused on the achievement of political objectives, but is also intended as an instrument of publicity and intimidation; (2) the act is directed at causing damage to others in place of the direct opponent in the political conflict.
- If the above definitions are analysed, the following common denominators are identified:
    - Terrorism is the illegal use of violence.
    - The crime is directed at the person (innocent people who cannot defend themselves) and property and not at the direct political opponent.
    - The intent of the act is to arouse fear in the general population and as a result bring about a change in government. Terrorism is not a common law crime committed out of zeal or for personal benefit or egotism, but to achieve political goals.
    - A characteristic of terrorism identified by Badey is that violence occurs repeatedly. This distinguishes terrorism from isolated cases of individual violence. According to this author, terrorism is the repeated, systematic exploitation of terror. During the evens of 11 September, four airliners were hijacked and used in terror attacks on the World Trade Center and the Pentagon.

Who are the terrorists?

- Today's terrorists have a deep-seated belief in the justice of their cause. They are tough, cunning, and have very little regard for their lives or the lives of others.

- Their weaponry often comes from the illegal international arms market and could originate with legitimate arms vendors who are, to a great extent, unregulated.
- Through their expansive organisational structure, many have the ability to acquire timely information on potential targets and security precautions for those targets.
- They can be part of a large organisation or act with a few persons who share similar beliefs. Most groups have a membership of fewer than 50 people under the command of a few members. The group is divided according to specific tasks such as intelligence, support, and tactical functions.

The terrorist defined

- The same group may be regarded by some as freedom fighters, while others would label them terrorists. Many who had once been labelled terrorists were later redefined as freedom fighters (e.g. Nelson Mandela).
- McLaughlin: Terrorists are pathologically disoriented, fanatical individuals who act clandestinely and have the support of minority groups/states that use terrorists to further their own geopolitical interest.
- McEvoy, Gormally, & Mika: A terrorist is a person involved in committing or attempting to commit an act of terrorism or who gives other people advice on or organises or trains people to commit acts of terrorism.

The characteristics of the terrorist

- Oversimplification of issues
- Frustration because of the inability to change society
- A feeling of self-justification
- A utopian belief in the world
- A feeling of social isolation
- The need to validate one's own existence
- A cold-blooded willingness to kill

The purpose of terrorist groups

Reid distinguishes between terrorist groups based on their distinct objectives:

- Xenofighers fight for foreigners with the intention of
    - Attracting international attention
    - Damaging the relations that the target country has with other nations
    - Causing uncertainty and doing harm to the economic and public order of the target country
    - Creating feelings of distrust and animosity against the government among the population of the target country
    - Doing actual damage to civilians, security forces, and property in the target country.
- Homofighters fight for their own people and therefore need the support of fellow patriots in the fight to discredit their own government. Terrorists may make use of an acceptable cause to justify their unacceptable tactics (Robin Hood example). The following objectives are stated:
    - Undermining internal security, public order, and the economy to create mistrust of the government's ability to rule the country
    - Obtaining popular support through positive action
    - Generating popular aversion to extreme anti-terrorism measures
    - Harming the international position of the existing government
    - Causing physical damage to and harassing people and institutions that represent the government of the day

Forms of terrorism

- Criminal terrorism involves the use of terror for profit or psychological gain. Criminal terrorism fails to merit the same attention as does nationalistic violence. The terrorists seem to lack the political sophistication and support of other types of terrorists. Thus, the control of criminal terrorist activity typically becomes a law enforcement matter.
- Ideological terrorism is normally an effort to change the current political power. It has been argued that ideological terrorism involves a revolution, but that it is not always the case.

- Nationalistic terrorism is characterised by terrorist activity that supports the interests of an ethnic or nationalistic group, regardless of its political ideology.
- State-sponsored terrorism occurs when government regimes use or threaten to use violence in international relations outside established diplomatic protocol. States sponsor terrorism for many different reasons. One is to achieve foreign policy objectives that could not otherwise be achieved through political or military means. Sometimes states sponsor terrorism to create/expand their power and influence among ideological movements. Still other state-sponsored incidents attempt to stifle domestic opposition through assassination of dissidents abroad.
- Revolutionary terrorism involves persons whose guerrilla-like tactics invoke fear in those holding political power and their supporters. The goal is to overthrow the current power base and replace it with political leaders who support their cause. Common tactics include kidnappings, bombings, and assassinations, all of which are skilfully designed to force the existing government to respond with repressive measures. The terrorist then uses media coverage to attempt to expose the government as being inhumane.

The victims of terrorism

- The entire society is victimised. Innocent victims are killed or injured, victims are instilled with fear.
- Stockholm syndrome is a hostage's incongruent feeling of empathy with the terrorist as well as misplaced frustration and aggression towards the state.

The extent of terrorism

- About 8000 incidents of international terrorism took place during the period 1968-2001.
- Maree reports a total of 203 incidents of international terrorism during the period 1990-1999, and 88 during the period 2000-2002.
- The largest available approximation of global terrorism figures shows a growth to 655 in 2005 from the record of around 175 in 2003.

The nature of international terrorism

- The methods that have been identified include arson, the planting of bombs and bomb threats, car bombs and chemical substances, hijacking, abduction and the taking of hostages, the use of grenades, firearms, knives and machetes, letter bombs, mortar and rocket launchers, stoning, suicide, and vandalism. The use of airliners with passengers as suicide bombers occurred for the first time on 11 September 2001. Later in 2001, letters containing anthrax powder were sent to people in the USA which led to some deaths, while in 20 other countries the same methods were reported without any deaths but with the accompanying fear.
- These attacks were all directed at aeroplanes, airports, banks, businesses, buses, diplomats, embassies, government officials and offices, hotels, markets, military personnel and installations, religious figures and buildings, railways, roads, shopping centres and underground transport systems.
- Terrorist incidents have not necessarily increased, but the number who have died has (due to technological advances).

Terrorism in southern Africa

- Acts of terrorism in Tanzania were initially isolated and limited. The people responsible did not belong to a well-organised group. The first incident of transnational terrorism that occurred in this country was on 7 August 1998 with the bombing of the American Embassy in Dar-es-Salaam. This was the first suicide bomb attack in southern Africa.
- In SA, a fundamentalist Muslim organisation (Qibla) in Western Cape founded the organisation "People against gangsterism and drugs" (PAGAD). This organisation has been held responsible for an urban terrorism campaign in the Western Cape during 1996-2000. Intensified countermeasures by the security services against terrorism, in which participants were arrested (e.g. Staggie), led to a decrease in terror activities. Activities included attacks on municipal buses, individuals, and law enforces.
- In Zimbabwe, the terrorism in the run-up to the election before 2002 and again afterwards were mostly committed by ZANU (PF) supporters, therefore we can conclude that these activities were aimed more at the party than at the state. Zimbabwe is an example of the manipulation of the "war against terror" for the

purposes of addressing political differences of opinion that are exacerbated by limited public access to power and political process.

- In SA, the Boeremag was involved in a number of bomb explosions on railway tracks, at a taxi rank, and in a mosque in Soweto on 30 October 2002. Twenty-two members were charged with high treason and sabotage.
- High treason refers to overt actions for the purpose of overthrowing the government or state by a citizen of that country or inflicting personal harm on the heads of state or their families.

Future types of terrorism

- Bioterrorism. Biological warfare agents are living organisms, regardless of their nature, or the infected material that develops from them, which may be used for hostile purposes with the intent to cause disease and death in people, animals, or plants, and which are largely dependent on their ability to multiply in the person, animal, or plant that is attacked. The criteria with which these agents have to comply include a known effect (disease or death); they have to be highly contagious and effective in small doses; the target population should have little or no immunity; little or no treatment should be available; the aggressor should have the means available for protecting its own forces and civilians; it should be suitable for mass production, and stable during spread. Examples of biological warfare agents are bacteria, rickettsia (a group of parasite micro-organisms), fungi, viruses, microbial toxins, animal toxins, plant and kelp toxins, snake and spider toxins, and neuropeptides.
- Chemical terrorism. This includes the release of toxins in central city areas, into water supplies, and in areas with high concentrations of people.
- Nuclear terrorism. This is a form of mass destruction. A number of countries have been identified that have the capacity and are potentially willing to trade in radioactive material and information on nuclear processing. These include Libya, Iraq, and Iran. Examples of nuclear terrorism include the bombing of Hiroshima and Nagasaki in 1945.
- Ecoterrorism. Ecoterrorism focuses on the environment and includes environmental abuse and pollution. An example is the Earth Liberation Front (ELF) in America.
- Cyberterrorism (infoterrorism). Cyberterrorism using computers and the internet is directed at attacks on information systems. The MyDoom virus attack on the internet is an example. Telecommunications infrastructure links computers all over the world, supports the control of aircraft, trains, and traffic lights, coordinates the generation of electricity and the transfer of money between banks. Governments, banks, power stations, dams, roads, companies, and specific businesses regarded as threats are targets for terrorists.

The risk factors for terrorism

- The profession of the individual perpetrator
- The organisation of which the perpetrator is a member
- The context in which a specific crime is committed
- Maree is of the opinion that power is the most important motive for political crime: to acquire, maintain, and expand the power of an individual and his/her organisation.
- Other risk factors that influence political crime involve cultural structures, economic structures, organisational structures, political structures, and social structures.
- A country is more vulnerable to political crime if it has open borders, poor immigration control, poor internal antiterrorist and anticrime surveillance, extensive human bureaucratic procedures and an open democratic society.
- Social factors that increase the risk for political crime include porous borders, poor immigration control, an open society, high crime figures, and long drawn-out public service procedures.
- Risk factors that contribute to South Africa's vulnerability include:
    - The geographical concentration of communities in certain areas of SA makes infiltration by terrorists easy
    - It is relatively easy to acquire weapons and explosives in SA
    - A number of targets in SA are vulnerable, for example, dams and railway stations.
    - There is a large pool of potential training recruits.

The motives for terrorism

- Emotional deviance in the individual – There is a view that some terrorists live out their psychosis within the bounds of violent groups. His/her acts can be motivated by a self-destructive urge, disturbed emotions combined with problems with authority, and contradictory or weak parental discipline.
- Extreme ideology – Successful terrorists believe that the end justifies the means. Most are well qualified.
- Feelings of alienation and failure – Some are raised from a young age to believe that the world is heading for disaster, and through terrorism he/she may attain salvation. Some feel alienated in modern society.
- Criminal motives – In most cases, criminal activities are not the primary motives, but simply the outcomes.
- The fight for power – Terrorists are motivated by their belief that they do not have sufficient representation or opportunities. In this case, the terrorist activities do not always result in violence, and may be resolved.

Explanations for terrorism

- Theoretical perspectives on the explanation for terrorism. A perspective refers to the ability to see concepts in relation to one another. When perspectives are grouped together we talk about an approach.

The law and social order approach

- The consensus perspective. The basic assumption of this perspective is that most members of society agree on what behaviour is acceptable and what is not. Institutions of the community work together towards a common goal. Four fundamental characteristics of the consensus perspective:
    - A belief in the existence of core values.
    - The notion that laws reflect the collective will of the people.
    - The assumption that the law serves all people equally.
    - The idea that those who violate the law represent a unique subgroup with distinguishing features.
- The pluralistic perspective. Society is characterised by conflicting perspectives on basic values and norms and not everyone agrees that its laws are just and fair. Each social group has its own set of values and norms, which makes it difficult to agree on one common set of laws to govern behaviour. The basic principles of this perspective are as follows:
    - Society consists of many and diverse groups. The diversity among groups is settled in variables like ethnicity, level of education, sexual preference, and political affiliation.
    - Each group has its own characteristic set of values, beliefs, and interests.
    - There is general agreement on the usefulness of formalised laws as a mechanism for dispute resolution.
    - The legal system is value-neutral. It is free of petty disputes and above the level of general contentiousness which may characterise relationships between groups.
    - The legal system is concerned with the best interests of society. Officials of the CJS can be trusted to act in accordance with the greater good, to be unbiased, and to maintain a value-free system for enforcement of the laws.
- The conflict perspective. Conflict is a fundamental aspect of social life and will always occur in one way or the other. The formal agencies of social control make laws to suit their needs and purposes, and coerce the unempowered to comply with them. Six key elements of this perspective:
    - Society is composed of diverse social groups. Diversity is seen as based on distinctions which people hold to be significant, for example ethnicity, political affiliation, or gender.
    - Each group holds to differing definitions of right and wrong.
    - Conflict between groups is unavoidable. It is based on the socially significant differences that is unavoidable because the groups compete for power, wealth, and authority.
    - The fundamental nature of group conflict centres on the exercise of political power. Political power is regarded as the gateway to the various forms of power, like wealth and political dominance.
    - Law is a tool of power and furthers the interests of those powerful enough to make it.
    - Those in power are inevitably interested in retaining their power and therefore in protecting themselves against those who would like to take it away from them.

The radical-critical perspective

- The causes of crime are rooted in social conditions that empower the wealthy and politically well-organised groups, but disenfranchise the less powerful groups in society.
- The notion of class is central to this perspective: this notion entails distinctions between individuals on the basis of significant defining characteristics like religion, gender, race, and education.
- The radical-critical perspective is based on the following propositions:
    - The conditions of one's life affect one's values and norms. Complex societies are composed of groups with markedly different life conditions.
    - Complex societies are therefore composed of widely disparate and conflicting sets of norms.
    - The probability of a given group's having its particular normative system embodied in law is not distributed equally but is closely related to the political and economic position of that group.
    - The stronger a group's political or economic position, the greater the probability that its views will be reflected in laws.
- Politics and crime are intertwined because some government officials commit criminal acts in their efforts to maintain political power. The action of legislative bodies in defining crime through the making of statutory laws reveals the important link between social organisation and the use of law as a tool of the powerful.

Theoretical explanation for terrorism

- Rational choice and behaviour: Evidence is slowly coming to light that individuals who belong to terrorist groups consider their objectives carefully and then plan to achieve them. Based on the analysis of the term terrorism, it is postulated that such behaviour indicates the preplanned threat(s) or use of violence with the purpose of intimidating the authorities. The general approach is that a list of objectives is drawn up, possibilities are considered, the danger is assessed, options chosen and decisions made on where and when it would be best to act – this comprises the strategy. More detailed planning is required to make decisions on tactics, such as who should do what, how many people will be needed for the undertaking, what methods are to be used, the security of the specific target as well as the escape after the act(s) have been carried out. Motives start off as political, ideological, or religious, and are then converted into intention and behaviour.
- Socially/environmentally directed explanatory theories:
    - Process theory: Sutherland's differential association theory proposes that crime is acquired behaviour, based on a process of symbolic interactions with others and, more specifically, groups. Sutherland identifies 9 starting points, but the point that is specifically applicable to involvement in political crime is nr. 6, which stipulates that a person is guilty of misconduct or crime as a result of a prevalence of definitions (rationalisations and attitudes) in favour of breaking the law. A general association with offenders does not necessarily lead to crime, but frequency, duration, priority, and intensity are crucial. Most political offenders develop a conviction that crime has a positive outcome when the number of definitions in favour of breaking the law outnumbers the definitions against it.
    - Structure theory: Explains human behaviour on the basis of the social structures in which people function and the way in which people are influenced by institutions, culture, economies, political systems, and conflict. The radical conflict theory, based on the work of Karl Marx, postulates that political crimes are rooted in and stem from social, political, and economic processes. Conflict in a society is a result of a lack of resources such as housing, wealth, etc. This results in inequality between individuals and voters of different political parties, which gives rise to a struggle between those who possess resources and those who do not. Class differences give rise to crime.
- Evaluation of the theoretical explanation for terrorism: Impulsive acts of destruction are carried out, but most individuals involved in group action weigh up the advantages and disadvantages and plan accordingly. The conflict and differential association theory are not only able to account for common law crimes, but may also be successfully applied to explain terrorism and to grasp its dynamics. After economic factors, conflict may be seen as the most important reason why people become involved in terrorism.

Countermeasures

- International antiterrorist countermeasures:

    - The signing of international conventions such as the United Nations Convention for the Prevention and Control of Terrorism.
    - The establishing of centres such as the Anti-Terrorism Early Warning Centre at the Interpol subregional bureau for southern Africa, which serves as a pilot project. Its purpose is to enable southern Africa to prevent and control terrorism in the subregion proactively. Mechanisms are in place for the exchange of information on terrorists.
    - The forming of the "Fusion Task Force" to demonstrate Interpol's intention to control international terrorism.
    - Policy that will serve as direction for those involved with the prevention of terrorism: international cooperation with regard to joint conventions and treaties, and practical measures such as the exchange of information and law enforcement.
- National antiterrorist countermeasures:
    - An internal national policy for terrorism. This policy should be in place.
    - Law enforcement. A single antiterrorist law should be reinforced with other laws that will jointly contribute to the prevention of terrorism.
    - A combination of intelligence-driven operations and operational action. Intelligence is a first line of defence and should focus on the purpose of the terrorist organisations/groups, their motives, logistical and financial capacity, target analyses, liaison analysis, and profiles of various groups and individuals. Monitoring services should give advance warning in order to prevent terrorist attacks. Countermeasures should be in place as terrorist organisations are inclined to infiltrate governments and security agencies. Special units supported by forensic scientists and fingerprint experts, computer experts, and legal experts should be established.
    - Security operations. These should be in place to protect key national installations such as buildings and important parties in the investigation and trial process.
    - Border control and policing. No-flight zones and the monitoring of smaller airports and landing strips. This involves aircraft, air traffic control, private aviation authorities, law enforcement agencies, and the defence force.
    - Be prepared for the unexpected. A cabinet committee that can take immediate command and control when bomb blasts, hostage dramas, aeroplane disasters, the hijacking of aeroplanes, etc. occur.
    - Deterrence (general and specific). Neutralise resistance in a way that will ensure that the perpetrators do not repeat the offence (specific deterrence) and will influence others to not rebel against the government (general deterrence).
    - Statecraft. The art and science of social control as developed and used in the political organisation of social life. Addressing political resistance involves isolation, sanctions, and convictions.

Theme 4: Gangs and Prison Violence

SU 4.1: Gangs and Prison Violence

Definition of the term "gang"

- California Penal Code: A street gang is any organization, association, or group of three or more persons whether formal or informal, which has a common name or common identifying sign or symbol, where members individually or collectively engage in or have engaged in a pattern of criminal activity.
- Joan Moore: Gangs are unsupervised peer groups who are socialized by the streets rather than by conventional institutions. They define themselves as a gang or "set" or some such term, and have the capacity to reproduce themselves, usually within a specific neighbourhood.
- Klein: A gang is a group of youngsters who also have been involved in a sufficient number of delinquent incidents to call forth consistent negative response from neighbourhood residents and/or law enforcement agencies.
- Haskell: Participation in a street group leads to antisocial acts for either of the following reasons:

- The street group has a delinquent subculture which defines such acts as appropriate.
- The street group is by definition non-normative, thus comprised of young people on the streets with no defined objectives. Such a group engages in a great deal of experimental behaviour, some of which is likely to violate the legal norms of the larger society.

Characteristics of gangs

- A review of the characteristics in some prevailing definitions of gangs can be summarised as follows:
  - Gang members range in age from youngsters ("corner kids") to adults aged 20-40 years.
  - The nature and activities of gangs are mainly determined by their social context.
  - Membership of gangs may include persons both inside and outside of jails.
  - Gang members may range from street level operators to sophisticated syndicate bosses.
  - They may be at risk of becoming involved in crime, or may make the choice to become involved.
  - Gangs may be involved in crime for survival, or may be high-level structured criminal organisations.
- Gangs demonstrate the following characteristics:
  - Group name
  - Turf – an area/neighbourhood that it claims, marking it by graffiti on walls
  - Codes of dress
  - Types of jewellery
  - Communication through special hand signals
  - Slang
  - Tattoos
  - Weapons

Incidence of gangs

- Gangs have existed in Europe and America since the 14th and 15th centuries. Today, gangs are present in almost all cities with a population of 100 000 or more. In America, the most serious gang problems are experienced in Los Angeles, Chicago, Miami, and San Diego. Gangs are also found in prisons.
- Gang members commit a disproportionate number of offences, especially violent offences. Gang activities are concentrated in certain suburbs, schools, and large cities. Many murders are committed at random and haphazardly.
- Overseas, the gang problem is regarded as a lower-class urban phenomenon which is commonly found in neighbourhoods characterised by a rapidly changing population and diverse ethnic and racial groups.
- Different gangs specialise in diverse types of criminal activities, such as assault, robbery, and drug dealing.

Types of gangs

- The numerous types of gangs worldwide may be categorised in several ways, among others by:
  - Their degree of organisation (loosely organised street gangs, highly organised crime units)
  - Location (street gangs, prison gangs)
  - Nation (Bloods and Crips, both from Los Angeles, Gangster Disciples from the south side of Chicago)
  - The types of crimes committed by the gang members
  - Mode of transportation
  - Longevity (generational)
- A group of researchers in Chicago distinguishes between:
  - Street gangs – a group/collection of individuals participating in significant illegal activities that are of a threatening and violent nature. The emphasis is on the neighbourhood where the gang is active.
  - Youth gangs – youths/adolescents in a gang context, and also the youth sector of a street gang. The battle is primarily for status, prestige, and turf protection.
  - Deviant groups – less deviant and criminal than gangs, and do not have a distinguishing way of dressing or signals.
  - Crime organisations – relatively well organised and sophisticated groups of juveniles or adults or a combination of both, organised around illegal activities for economic gain.

Types of gangs in SA

- Corner kids: playgroups which are formed on the streets. Children end up in the streets as a result of the overcrowded conditions in their homes. In most cases, they are 10 years old or younger. The playgroup is a substitute for the family, provides entertainment, and protects against loneliness. The corner kids sometimes perform tasks for older youths in return for cigarettes or dagga.
- Defence gangs: grow out of a need for physical defence and a demand for goods. Usually well organised. They participate in housebreaking, theft, and robbery.
- Community protection units: usually formed by the older residents of an area in response to the prevalence of gangs in the area, and the lack of police intervention in the violence. They usually patrol the streets.
- Reform gangs: formed in reformatories and industrial schools. Alienated from their family, friends, and community, and bored, the kids join gangs for friendship, security, and protection. Identified by tattoos.
- Prison gangs – see the next section.
- Mafias – constituted from the immediate and extended family. Active in the illegal section of the informal business sector. They undertake large payroll jobs, large-scale warehouse thefts, drug wholesale, and drug distribution.
- Syndicates – powerful businessmen who are active on the wrong side of the law. Organised groups of merchants who often have the monopoly on the illegal supply and distribution of goods, such as drugs and cars. They operate in a secretive manner. Involved in illegal drug dealings or the sale of stolen items such as cars.
- Violent gangs
    - Social and political conditions in SA (poverty and unemployment), particularly in the coloured and black townships have been instrumental in encouraging the forming of gangs. In the coloured townships, where the young people were less deprived, street gangs have been characteristic mostly of the poorer sectors since the 1940s. The enforcement of the Group Areas Act and forced removals expedited gang formation. Other contributing factors were the fragmentation of extended family systems, the collapse of the informal economy, and the effect of new environments and increasing alienation between communities.
    - The areas most affected by gangs are the poorly developed areas with few/no recreational facilities. Gangs rent out shacks to families needing shelter, while gang members act as banks and lend on a monthly basis. In this way gangs are able to ensure the loyalty of the community whose members are in their debt.
    - Children who drop out of school present a perfect labour force for gang bosses. Even children younger than 4 years have been charmed by gang culture.
    - The anticrime organisation People Against Drugs and Violence (PADAV) stationed in Port Elizabeth acts as a pressure group fighting drugs and gang-related violence. A similar organisation in the Cape and a large part of Gauteng is PAGAD (People Against Gangsterism and Drugs). There is tension between these organisations and police services because they tend to develop into vigilante groups.

Other types of gangs

- Prison gangs – Most prison inmates belong to a gang. Should an inmate refuse, he may be forced to perform tasks for other inmates, or subjected to sexual abuse and rape. Gang rivalry and violence is common.
- Gangs in overseas institutions
    - Aryan Brotherhood, California: This gang of neo-Nazi white supremacists originated in the 1960s in the San Quentin prison. It was originally called the Diamond Tooth Gang or the Bluebirds. It is regarded as the most dangerous, most violent, and most feared prison gang in California. It is funded through blackmail, drug trade, robberies, and prostitution. Membership is based on the "blood in – blood out" principle – once you are a member, you remain a member until your death. The gang hierarchy consists of a three-man commission and a council of 9. A gang member may progress through the hierarchy by committing acts of violence aimed at furthering the aims of the gang.
    - Black Guerrilla Family, California: In about 1972 two main prison gangs formed this black supremacist group in the San Quentin prison. It was established by George L Jackson.

Gangs in South African prisons

- Six active gang groups are operating in correctional institutions in SA, namely the 28 gang, the 26 gang, the 27 gang, the Big Fives, the Air Force Four, and the Air Force Three.
- The 26 Gang is the most powerful, violent, and abusive gang within the prison, and controls the informal trade networks inside prison. The 28 Gang organises sexual services for prison inmates.
- Gang activities result in violence, uprisings, and conflict. Factors that give rise to gang formation in prisons include deprivation of goods and services, lack of security, and the absence of heterosexual relationships, freedom, and autonomy.

School gangs

- School gangs are an international phenomenon, and are also called school-yard gangs/Wanna-Bs.
- The youth become involved in a kind of surrogate family with a different set of norms than their primary family when they spend a lot of time on the streets. However, they can also become involved because a gang may provide norms, values, and structure if this has not been part of their childhood.

Neighbourhood-based gangs

- A traditional type of street-gang that is turf-oriented. Socialising and protecting the neighbourhood are primary goals.

Entrepreneurial gangs

- Oriented toward the commission of criminal acts for profit. Some neighbourhood gangs are developing into entrepreneurial gangs.

Adult criminal organisation

- Small groups of adults that engage in criminal activities for economic reasons.

Troublesome youth groups

- Children who hang out together in shopping malls and other places, and may be involved in minor forms of delinquency as a result of boredom and peer pressure.

Theme 5: Armed Robberies

SU 5.1: The Crime of Armed Robbery

Key terms

- Armed robbery:
    - Armed robbery is a criminal act, defined in most countries as involving the use of a weapon to appropriate other persons' moveable material thing(s) through the use of force or threat of force or intimidation.
    - It is interesting to note what the various definitions have in common, namely "aggravated assault and larceny". Loewy refers to armed robbery as "larceny" (theft) from a person in his/her presence through the application of force or the threat of immediate force.
    - Otu quotes Naudé and Stevens, describing it as the unlawful, wilful, and violent taking away of another person's moveable property, and its appropriation without the person's consent wither with actual violence against the person or the threat of violence.
    - Iwarimie-Jaja refers to armed robbery as the criminal act of a person or group of persons, using weapons such as firearms, knives, clubs, bows and arrows or even spears, with the intention of committing a crime of robbery, or actually committing a robbery, during the day or night, on a person, commercial establishment or residential area owned by another person or other persons.
- Robbery:
    - MacDonald: Robbery is the unlawful taking of anything of monetary value from the guardianship, care, custody, or control of a person by force or violence, or by instilling a sense of fear in the selected target; acts of assault to rob or attempts to rob are accommodated in this definition.
    - Wikipedia: Robbery is a crime of seizing property through physical violence, threats, or intimidation. More precisely, within the context of common law, robbery is viewed as the taking of the property of another, with the intent to permanently deprive the person of the property, through forceful means or fear. Robbery is also involved when forced intimidation is directed at the victim(s). Whereas armed robbery involves the use of a weapon, aggravated robbery involves the use of a dangerous instrument or any object that looks like a deadly weapon.
    - Farlex: Robbery refers to the taking of cash or merchandise in the possession of another person, from his/her person or immediate presence, through the use of force or intimidation. A crime of robbery may be categorised as stealing by force or by threat of force. Robbery demands the appropriation or the taking of property from the person or presence of the victim, meaning that the illegal taking must be from the victim's possession, either actual or constructive.
    - Beirne and Messerschmidt: Robbery is the illegal taking or attempt to take something of value from another person or persons, by using some types of violent force or by making threats; it involves a direct confrontation between perpetrator and the selected targets.

The historical perspective on armed robbery

- For centuries, the armed robber has been admired, feared, glorified, and vilified.
- Relatively little has been written about armed robbery. Information has been collected directly from diverse perpetrators and their victims, at times at the scene of the holdup within minutes of the crime.

The nature and extent of armed robbery

- Armed robbery has been called the quintessential urban crime by Philip Cook because of the unknown city life and the unlimited figures of targets identifiable in a big urban centre.
- There is a clear correlation between the size of a population and its robbery figures. Rates for rural areas are lower than for urban areas. An area becomes more susceptible if it has many commercial targets, is inhabited by persons mostly from low social background, and if it is adjacent to main thoroughfare.

- Armed robbery instils more fear in urban residents than any other criminal offence because it has no respect for human life.
- Armed robbery is one of the most serious types of crimes. The increasing number of citizens killed by both the syndicates and law enforcement agencies as a result of armed robbery has led to a sense of mistrust.
- The general awareness of a significant increase in armed robbery in Nigeria has led to a public outcry about the need for law and order.

The causes of armed robbery

- Many armed robberies are the result of peer pressure and an inability to resist temptation on the streets.
- Since the early 1960s there has been a rise in armed robbery. Rapid urbanisation and modernisation are strongly associated with the ever-rising crime statistics. The urban lifestyle presents criminal opportunities and temptations, and at the same time limited control measures to prevent and curb such behaviour.
- Negative peer group pressure and culture play a role in the escalating reasons linked to the aetiology of criminal activities. Beyond juvenile delinquent behaviour, there has been a growth in the severity of crime recently with the use of addictive drugs. The increase is also due to the rising number of young people in the population. Age variables are one of the key "energetic" factors in criminality.
- Modernisation has resulted in a significant increase in female criminality. However, most armed robberies are still perpetrated by males.
- Poverty and racial/ethnic discrimination: Poverty is particularly linked to criminality when marked inequalities in terms of income and levels of lifestyle are perceived. If this view is reinforced by association with a cultural or racially identifiable group, then political activity, which may be violent, is likely.
- The motives:
    - Demographic features may point to a particular population sector as more likely to commit crime than others, but these cannot be seen as the only reasons. In most cases, such features are indirectly accountable for the facilitation of armed robberies in that they mould the interactional setting within which the potential for perpetrating the crime is realised.
    - With a few exceptions, the decision to rob emerges from circumstances that the robber himself or herself regards as being critical, especially concerning a need for money.
    - Certain robbers occasionally commit armed robberies even though they have enough money, due to an opportunity that was too good to pass by.
    - Many individuals who commit armed robberies for financial reasons are committed to the pleasure principle of a lifestyle which will always exhaust their cash (desperate partying).

Typology of armed robbers

- Amateur armed robbers:
    - The largest group of known commercial robbers are a group of amateurs and novices who engage in limited planning and often seem unaware of the consequences of their involvement.
    - Characterised by low levels of organisational planning, selection of more accessible targets, lack of experience, type of interaction with violence, and use of weapons.
    - They tend to work individually, targeting comparatively small amounts of money and have a track record of failed or attempted robberies.
    - They usually need cash desperately for debts, merchandise, or to maintain/enhance a drug habit.
- Intermediates:
    - Characterised by a reasonable degree of planning, long histories of criminal participation, and greater readiness to carry firearms, but less drug-related motivation.
    - This group is divided into two subgroups:
        - Criminal diversifiers: engagement in armed robbery is sporadic, and armed robbery is mixed with other crimes. Tend to be in late teens/early 20s when sent to prison, and admitted to a continuous involvement in crimes of burglary, car theft, and drug dealing. They do not identify as armed robbers as such, but as general-purpose criminals ready to engage in commercial robbery when an opportunity arose. They often acted on information and tips received or were

invited to join an armed robbery planned by others. Some felt that this flexibility made them more unlikely to be singled out in an investigation.

        - Criminal developers: Developers progress from petty crimes towards more serious and advanced ones. They do not necessarily refer to themselves as armed robbers, even if they have participated in armed robberies. They do, however, have ambitions about becoming more professional and considering more demanding targets.
- Professional and persistent robbers:
    - For this smaller, elite group, robbery is more of a career and lifestyle.
    - A long-term dedication to crimes such as robbery involves a disregard for conventional ways of life. The significant dissimilarities between persistent robbers and the other groups involve the degree of planning, targets chosen, the use of firearms and violence.
    - They operate with known partners/associates and spend weeks developing strategies when they plan a robbery. Working in groups of 3-4, one or two professionals require the use of much more sophisticated types of equipment and generally use more than one vehicle for each assignment. Escape routes are carefully outlined. They target lucrative merchandise and are ready to take on unusual targets with the potential of high rewards.
    - Violence has to become part of one's character (a dedication to physical violence). Carrying loaded firearms and unexpectedly displaying violence while committing a robbery is necessary.
    - Most professional robbers known each other and tend to drink together in the same places.

Modus operandi in armed robberies

- Diverse robbers have distinctly different methods which involve different logistics, different approaches, and a variety of weapons to be used. These differences tend to afford serial robbers a specific trademark that allows police to link robberies and, in certain cases, to associate them with particular armed robbers.
- There are five main variations of the modus operandi:
    - The presentation or the threat of a firearm at the scene.
    - Jumping over the counter or getting behind the counter and threatening staff.
    - Breaking into the premises when closed and opening the safe or waiting for staff to arrive.
    - Threatening customers or taking a customer hostage.
    - An inside job in which access is arranged beforehand.
- The most common method remains the presentation of a weapon or the threat of a weapon at the counter.
- Most armed robbers prefer hostage taking inside the institution and holding a gun to the person's head. This affords them considerable leverage. Some prefer to jump over the counter to maximise control and ensure the staff clears the tills.
- Skilled robbers maximise the takings and know that the money may be in many places besides the safe.
- Attacks against goods-carrying operations are done in one of the five following ways:
    - Attacks on the courier while carrying cash from the armoured vehicle to a particular establishment (in transit), referred to as "across the pavement" robberies.
    - Robber waiting inside the premises attacks when cash boxes arrive for delivery.
    - Direct attack on the security van so as to persuade the security guards to hand over the merchandise.
    - "Tiger kidnaps", whereby robbers take members of the security guard's family hostage and threaten to harm/kill them if the cash is not handed over.
    - A more advanced method involving the vehicle itself transporting cash being hijacked and driven away to be broken into.
- One study found that the most frequent method of attack was "across the pavement".
- Target selection:
    - Often the choice of target is based on opportunity.
    - Sometimes the choice of target is based on information/tips received from a friend/contact.
    - Some robbers frequent bars so as to get information about potential armed robberies (more adults than youths).
    - Some prefer to attack areas they knew. In other cases, targets are selected for their geographic position and/or the amount of cash is involved.

    - Robbers tend to choose times during peak-hour traffic, and far from the police station/patrols.
    - The primary goal is to minimise all risk.
    - Money is a main motivation and the amount available also a key factor of the target selected. Another criterion for selecting or getting rid of targets is the compassion the robbers demonstrate towards the victim.
- Weapons used:
    - Weaponry may include guns, knives, clubs, bows and arrows, spears, or anything that is a deadly weapon or looks like a deadly weapon.

SU 5.2: Vehicle Hijackings

- A characteristic of vehicle hijacking is that it is accompanied by considerable violence and many victims lose their lives.
- Vehicle hijackings are increasing enormously, and costs the victims and the country dearly, as well as instilling fear that inhibits freedom of movement and economic activity.
- The vehicle hijacker's primary motive is often to take the vehicle from the victim in a violent manner in order to sell it to a crime syndicate.

Definition of terms

- Robbery:
    - Snyman: the unlawful, intentional, violent removal and appropriation of a moveable corporeal thing belonging to another. Theft by means of violence.
    - Glick: the removal of the victim's possessions by means of violence or threats of violence.
    - For a crime to be defined as robbery, the following characteristics must be present throughout:
        - Robbery is principally a crime of violence, but it is also a property crime.
        - Violence or threats of violence are always present during a robbery.
        - Robbery can give rise to fear of crime among the community.
- Vehicle hijacking:
    - The taking away of a vehicle from a victim, or an attempt to take the vehicle away, by an individual or group of individuals that are armed with weapons. This objective can be achieved by the use of violence and intimidation. The victim can also be robbed of valuable articles, kidnapped, and raped. Vehicle hijackings usually take place at stop signs, traffic lights, and filling stations.

The incidence and extent of vehicle hijacking

- Hijacking is rare in Europe. The only countries where this takes place on a large scale is America and SA.
- Hijacking is on the increase. In 2007, motor vehicle hijackings increased by 40% from April to October.
- In the 2007/2008 period, motor vehicle and truck hijackings increased considerably.
- In the 2007/2008 period, the highest number of vehicle hijackings occurred in Gauteng and the lowest number in the Northern Cape. The Free State showed the biggest increase. The Eastern Cape is the only province that showed a decrease.
- Certain areas are more susceptible to violent crime on account of population density, economic aspects, transport networks, and accessibility. Crime is more common in urban areas.
- In 2007/2008, there was a huge increase in truck hijackings in Gauteng, possibly because Gauteng is the transit route for trucks bound for other destinations in the country.
- Vehicle hijackings are more common in Gauteng because of the province's geographical location, the high population density, and the visible gap between rich and poor.
- LDVs appear to be the most popular with hijackers. The second most popular is Toyotas.
- The type of vehicle is not really the decisive factor; the type of crime planned after the hijacking is more important. For a robbery, an older vehicle is preferred, because this enables the robbers to disappear into traffic. Older vehicles are also sought after for spares.
- New vehicles are usually hijacked because they are easy to dispose of, especially outside the borders of the country. 4x4s are sought after by hijackers who require them for violent crimes such as road robberies.

Various causes/motives for vehicle hijacking

- Economic benefits: primary reason. Hijackers earn R10 000 – R20 000 per vehicle.
- Materialism: a motor car is a status symbol.
- Urbanisation: The alienation and reduced social control that accompany urbanisation can lead to an increase in vehicle hijacking. It is mainly the mega townships that create problems. The following factors related to urbanisation leads to an increase in hijacking: the growth of squatter camps that are difficult to police; unemployment; the absence of family structures; an increase in relative deprivation; the creation of needs and expectations that cannot be met; the creation of opportunities to commit crimes.
- Dehumanisation: Vehicle hijackers show little respect for the lives of others and for the consequences of their actions for the victims. The victims are often dehumanised.
- Climate of violence in SA: The political, social, and economic changes that have taken place since 1994, the transition to a democracy, unrealistic material expectations that have been created in society and cannot be fulfilled, political conflict, and the unique socioeconomic conditions in SA create a fertile breeding ground for this type of crime.
- Inadequacy of the criminal justice system: Ineffectual policing owing to a lack of staff and resources, the overloading of investigating officers, and a poor relationship between the police and the community contributes to the high number of vehicle hijackings and the low arrest figures. Light sentences, the ease with which bail is obtained, and the early release of offenders on parole help to reduce the deterrent effect of punishment for potential vehicle hijackers. The possibility of applying for amnesty and the abolition of the death sentence also contribute to the failure of the CJS to deter potential hijackers.
- Socioeconomic conditions: Poverty, unemployment, and economic deprivation could lead to vehicle hijacking and theft.
- Markets for stolen vehicles: Vehicles are often sold on the black market to so-called "chop shops" and to unscrupulous motor dealers. A large number of vehicles are undoubtedly hijacked "on order". SA is an important source of supply of hijacked vehicles to Africa and overseas countries. Because Egypt and SA are the only two African countries where vehicles are manufactured, there is a great demand for vehicles in other countries. Hijacked vehicles are often used as currency in illegal drug and firearms transactions.
- Inadequate border control: Inadequate patrolling of SA's land and maritime borders and the ease with which goods can be taken across these borders make it easy to take vehicles out of the country. The electric fences between SA and Zimbabwe have been switched off for over 10 years, with only the alarms still working. The South African National Defence Force (SANDF), which patrolled the border between SA and Mozambique, has also been withdrawn. Passport control is not up to standard either, and criminals enter SA at the Lebombo border post with valid passports. Limited cooperation between the police units of SA, neighbouring states, and international police forces also makes it difficult to prevent the increase in hijackings.
- Corruption: The corruption of government and provincial officers is a further reason why so many vehicles are successfully hijacked. Corrupt officers are bribed with goods or money in exchange for protection against prosecution. Customs and excise officers are bribed to smuggle vehicles across the borders. The fact that the remuneration packages of police officers are often too low is one reason why there is a great temptation to participate in crime. Documents and evidence are usually destroyed or forged, and hijacked vehicles are issued with clearance certificates. Bribery at the points where vehicles are reregistered makes it easy to sell the vehicles. Corruption also occurs when the owners of hijacked vehicles are not informed by the police that their vehicles have been recovered and the vehicles are then sold later on.
- Security mechanisms in vehicles: Because of the security mechanisms used (immobilisers, gear locks, wheel locks, alarm systems, etc.), it is easier to hijack a vehicle than to steal it. A vehicle with a key also fetches a better price on the black market. It is also easier to hijack a vehicle than to steal it.
- The availability of firearms: The illegal and legal importation, use, trade in, and possession of firearms and ammunition are other important factors that contribute to the high vehicle hijacking statistics in SA.
- Inadequate vehicle inspection methods: The fact that the vehicle identification number (VIN) has to be engraved on certain parts of a vehicle makes it easier for chop shops to chop up the vehicles and sell the parts separately.

- Crime syndicates: The large number of national and international organised crime syndicates that function in SA and pay vehicle hijackers to hijack vehicles is largely responsible for the increase in this type of crime. Greater accessibility by land, sea, and air also contributes to an increase in organised crime.
- Insurance fraud: Insurance fraud involving motor vehicles is increasing, where owners pay criminals to hijack vehicles. This type of fraud usually occurs when owners are no longer able to afford payments on their vehicles. They then claim from the insurance company, and may also be paid by the hijacker/syndicate. Vehicles are reported stolen or hijacked and a police clearance certificate is fraudulently obtained. Vehicles are then usually taken out of the country and sold. The owners of company cars are notably more likely to engage in this type of fraud.
- Other criminological factors: Peer pressure, alcohol and drug dependence, various biological factors (such as abnormal testosterone levels) as well as psychological factors (such as uncontrolled impulsivity and aggression) could predispose a person to hijack a vehicle. The influence of media reports on how easy it is to hijack a vehicle and the fact that hijackers are not usually caught could motivate potential hijackers to engage in vehicle-related crime.
- Absence of protection: Although hijackings in peak traffic allow the hijacker to catch the victim unawares, the presence of eyewitnesses may cause the hijacking to be abandoned. The presence of police patrols, traffic officers, security officers, and even members of a neighbourhood watch has a decisive effect on the offender's decision whether or not to proceed with a hijacking. Hijackers choose a place where there are as few police officers and spectators as possible. The chance of being hijacked when you are alone is also ten times as great as when you are with a group. The way a person is likely to react is another factor taken into account.

The modus operandi of vehicle hijackers

- Hijackers steal stationary vehicles next to the road, in front of a house or at a stop sign, when the victim is driving in or out of a driveway, force the vehicle off the road or steal the vehicle when goods are being loaded or unloaded or when passengers are getting in/out. They also steal vehicles at filling stations, car washes, or ATMs.
- Bump and attack: Robbers deliberately bump the vehicle, and when the victim stops and climbs out, they hijack him/her. This technique allows the hijackers to follow the vehicle until a suitable spot is found.
- Vehicle on vehicle: Takes place while the victim's vehicle is in motion. One, two, or three vehicles move in next to, in front of, or behind the victim's vehicle. The hijacker tries to distract the victim by leaning out of the window and displaying a weapon, and forces the victim off the road. Intimidation and violence are present during this kind of hijacking, and alcohol and drugs may play a part.
- One study found that the preferred method involved pretending you want to buy a car, and then taking it for a test drive. Another technique is to overpower the security guarding cars at open-plan parking areas from which cars are sold. The street corner technique is used when the opportunity presents itself.
- In 2003, the highest number of hijackings occurred on Fridays and the fewest on Sundays. Wednesdays and especially Tuesdays also showed higher occurrence figures than the other days of the week.
- Most vehicle hijackings occurred between 18:00 and 20:59.
- At least 70% of motor vehicle hijackings take place at the entrances of driveways at residences.
- In the case of truck hijackings, the robbers concentrate on the freight being carried. This type of hijacking requires runners (who physically hijack the trucks), drivers to replace the legal drivers, technicians who have to disconnect the satellite tracking system while the vehicles are in motion, people to arrange for a warehouse and handle the freight, salespeople who sell and dispatch the goods, and distributors who ship the goods from the warehouse to the hijackers.

The profile of the vehicle hijacker

- They seldom work alone, since an accomplice is needed to provide transport initially or to assist with the hijacking.
- Most hijackers are in their late teens or early twenties.
- A study in the USA found that most were black, followed by whites and Asians. Ages were between 21 – 29 years.
- Typology of vehicle hijackers by Myerson:

- Transit hijacking may be carried out by an individual or a group (not a syndicate). Age: teens to slightly older youths. Main objective: acquiring transport. May be accompanied by intimidation and violence, and valuable articles may be stolen. Vehicles are mainly stolen at stop signs, traffic lights, and the exits of buildings. Alcohol and drug abuse may be involved.
- Macho hijackings take place in a group context, with the members competing with each other. Same age group as transit hijackers. Alcohol, drugs, and ego play a part and intimidation and violence may be present. The theft of valuable articles is a secondary consideration, but can occur. The hijacking pleasure is the primary consideration. Victims should not offer resistance to this sort of hijacker.
- Operative hijackings are carried out by criminals who used to steal vehicles, but have changed their modus operandi to hijacking. This is regarded as robbery with violence. Age: 15 years and older. Hijacking is considered a new and exciting challenge. Hijackings net the hijackers cash, jewels, and other valuable articles. Intimidation can be expected and this kind of hijacking is carried out in a group context. Primary motive: financial gain. They are represented by syndicates or middlemen who distribute the stolen vehicles. Alcohol and drugs are not considered to be a contributory factor.
- Syndicate operators have turned vehicle hijackings into a profitable business where the motive is financial gain. Age: 18 years and older. Primary motive: hijack a vehicle, while at the same time protecting the identity of the syndicate. They are highly competent, and are the most effective hijackers. They do not usually use alcohol/drugs, but may be violent if challenged. Aim: to take the vehicle away from the victim by violent means and sell it to the syndicate. This type of hijacker identifies both the type of vehicle and a victim who is a soft target in advance.

The victims of vehicle hijacking

- Hijacking is an interracial phenomenon. Blacks are more likely than whites to be hijacked.
- Average age: 20 – 50 years
- Men are more likely than women to become victims of hijacking.
- When the vehicle is hijacked, the victim can expect one of the following reactions from the hijacker:
  - "Nuisance hijackers" are only interested in stealing the vehicle and any valuables, and the victim is removed from the vehicle. They do not intend to harm the victim, unless the victim provokes or threatens them.
  - The second option is to steal the vehicle, but to keep the victim in the vehicle for an indefinite time, rob him/her, and then push the victim out of the vehicle.
  - The victim may be pushed out of the vehicle and shot, after which the hijacker drives away with the vehicle.
  - The victim is first shot in cold blood in the vehicle, and then kicked or pushed out of the vehicle before the hijacker drives away with the vehicle.
  - The victim is shot inside the vehicle and kept inside the vehicle (injured or dead), and disposed of later.

SU 5.3: Cash-in-Transit Robberies

Introduction

- Security cost cutting by businesses and competition between cash-in-transit (CIT) companies may be adding to public risk. Fuelling this risk is the steady growth of cash into the economy at a rate of 13% per year.

Definition of key concepts

- Robbery: the unlawful, intentional, and violent removal and appropriation of any moveable property of another, or a threat of violence, where the victim believes that the offender is able to carry out the threat to obtain the said property.
- Cash-in-transit robbery: A form of armed robbery. A robbery of cash while in transit, and the unlawful, intentional, and violent removal and appropriation of cash or assets in transit while they are under the control of a security company. This may include (1) incidents inside or outside a bank and/or other premises, depending on the circumstances, and (2) removal and appropriation of cash or assets under threat of violence.

- Attempted cash-in-transit robbery: A situation in which the offenders/robbers or their plans of action were unsuccessful in their attempt to hijack cash. This usually happens when they are hindered by guards, vehicle-interlocking systems, smoke boxes, alarms, or bystanders. They leave the crime scene without the cash.

The characteristics and incidence of cash-in-transit robberies

- Characteristics:
  - Violence
  - Low level of concealment of weapons: little attempt by perpetrators to conceal the incidents from the public
  - Overt display of force: more powerful weapons such as automatic rifles preferred.
  - More CIT heists take place in the UK, Belgium, and Sweden, but without the fatality rate.
- Incidence:
  - In 2006 four CIT security guards were deliberately burnt to death in their vehicle by robbers in Limpopo.
  - In KwaZulu-Natal in 2002, a gang of armed gunmen robbed Coin Security guards by shooting at their tires until they were forced to stop. The gunmen were using stolen vehicles.
  - In 2008 in Johannesburg, a gang of 8 men in 2 BMWs smashed through the locked gates at Clearwater Mall, and then rammed a car through the door of one of the shops. They hit 3 jewellery shops and stole jewellery worth hundreds of thousands of rand.
  - Less than 5 hours later, a 17-man gang forced a Giesecke and Devrient cash van off the highway near Germiston. They blasted its rear, but fled empty handed after failing to open the safe.
- The cost of CIT robberies:
  - The use of helicopters is expensive.
  - Involving the police during the planning of safety measures may have a financial implication. Some top-ranking police officers have been involved in heists.
  - Banks insure the money they transport daily and, in the event of a heist, insurance companies replace the loot. If the insurers must replace the millions of rand regularly, they will have to recover their losses from the consumer by increasing insurance premiums.
  - Increased policing will require increased revenue from the taxpayer.
- The extent of CIT robberies:
  - The levels of reported crime in SA dipped considerably from 1994-1996 during the "honeymoon period", the nation-building period. But from 1997/1998 onwards, crime levels rose steadily, beginning to level off in 2000/2001, dipping in 2001/2002, but rising again in 2003/2004.
  - In July 2001 a moratorium was placed on the release of crime statistics.
  - Reasons for the strong media and public reaction regarding the release of analysis of crime statistics:
    - Statistics are often misinterpreted, and people believe they are more accurate than they are.
    - The data collected and analysed on criminal offences largely hinges on social definitions and constructions as well as societal perceptions, in particular that of the public, the media, and politicians.
    - The definitions of what denotes criminal behaviour are constantly shifting.
  - There was a resurgence in CIT robberies in 2002/2003 and a downward trend in bank robberies, probably due to the dying of money and the creation of banking forums, and perhaps due to the increase in the number of ATMs (and the resultant robberies accompanied with their proliferation).
  - CIT robberies increased by 74% in 2005/2005 and 2005/2006, partially due to a change in the way police define CIT robberies. Police now include cross pavement incidents which were previously categorised as general aggravated robbery.
  - Louw attributes the increase in CIT robberies to various factors:
    - More cash in circulation
    - Inadequate cash management processes
    - Ineffective information sharing between affected parties
    - Absence of minimum standards for vehicle, training, vetting, etc. among companies
    - CIT guards generally outnumbered in terms of personnel and firepower during attacks
    - Limited use or availability of SAPS and back-up vehicles
    - Inadequate environmental design (areas for cash pickup are open to public)

The modus operandi of CIT robbers

- Due to improvement in security in banks, robbers are targeting CIT vehicles.
- Weapons:
    - Mostly assault rifles (AK-47, R4, R5) are used, as well as 9 mm handguns, knives, and gasoline.
- Membership and connections:
    - Qwelane estimates a gang to number over 200 highly professional and well-connected members; at least 2 arrests have been made of serving policemen with the ranks of inspector and sergeant.
    - In Venda, police arrested some of the 17 men who snatched about 15 million rand from a convoy. In a matter of days the convicts escaped in broad daylight during visiting time.
    - In one instance, some named suspects were accompanied by their lawyer to the police station, and managed to evade arrest there by promising to the police that they would hand themselves in the next day.
    - In one incident, when the police informed a suspect that they wished to question him, he said he would attend to the police on his return from his Christmas break.
    - One mastermind, Collin Chauke, was once seen at the birthday party of a well-known politician.
- Planning:
    - Some are highly trained former guerrillas or disaffected members of the security forces.
    - The planning phase of a CIT robbery is similar to that utilised in bank robberies:
        - The aim in both instances is to minimise the risks.
        - Both types of robbers consider the escape route to be essential for success.
        - In CIT robberies 3 or more vehicles are generally used, with light commercial/delivery vehicles and microbuses being preferred.
        - These vehicles are generally stolen on the day prior to the robbery and left abandoned afterwards.
- Groups:
    - The groups are large (6 – 20 men). They are grouped on an informal basis.
- Attacking:
    - Attacking entails ramming CIT vehicles and the collection of cash, keys to the vehicles, and firearms of the victims.
- Ramming:
    - Luxury cars are often used to ram CIT vehicles off the roads.
- Collection of cash, keys, and firearms:
    - The perpetrators collect cash, they keys to the vehicles, and the firearms of the victims.

Profile of victims of CIT robbers

- Gender: Victims are both male and female.
- Children: Children are also affected by CIT robberies, for example, a child could be shot dead in a shootout.
- Eyewitnesses: The robbers force the victims to lie down or threaten to kill them if they look at the robbers, and this makes it difficult to identify them.

Profile of CIT robbers

- Masterminds:
    - The Goldstone Report unmasked several alleged masterminds of criminal activity whose intent was to derail the peaceful constitutional process, but whose whereabouts were unknown except for a handful of individuals. Some of the few include highly trained Vlakplaas and CCB political thugs who worked for the former National Party government, often lining their own pockets through theft and robbery. Eugene de Kock testified to that effect.
    - Madikizela-Mandela disclosed that she had told Mufamadi, the then Minister of Safety and Security, to contact her if he wanted to know the identity of the “youths” involved in the highway robberies, but he did not contact her.
- Nationality: The perpetrators are generally representative of the SA population.
- Age: Perpetrators are aged 20-30 years old.

- Occupation: Includes military units of the liberation movement, South African National Defence Force (SANDF), South African Police Service (SAPS), and a selection of bank, security, and cash moving companies.
- Dress code and communication style: Research indicates that they adopt a specific dress code and style of communication to counter infiltration.

The role of the criminal justice system

- Definition of crime prevention:
    - Crime prevention may be defined as steps you can take to minimise the risk of your business becoming the victim of either an internal or external crime. For a crime to occur, three elements must be present: ability, motivation, and opportunity. If you eliminate one of the, the crime will not occur.
    - Measures taken by the SBV security company to prevent CIT robbery:
        - All drivers who are on duty for the day report at the depot.
        - None of them know what assignment he/she will carry out.
        - Ostensibly none of the top managers know what the state of play for the day will be.
        - At the appropriate time everyone is called to a central point to ensure that there is contact with the outside world at that specific stage.
        - Once everyone is inside, a computer programmer goes to a monitor and gives it a command.
        - The computer then, at random, selects a driver's name and prints it. It then rapidly prints the registration number and company number of the particular vehicle the driver will command, prints out the name of the route which the driver will take, and where the convoys are involved.
        - When the computer is done, the sheet of information is printed and folded and put into an envelope and handed to the selected driver. The rest he/she will discover once he/she is locked in the van.
    - Steps have been taken by both the SAPS and the security industry, and include additional training of security personnel, cooperative research projects, and higher rewards for information.
    - Maree argues that the problem is that crime prevention measures limiting opportunities to offend may result in crime displacement.
    - The Cash-In-Transit Crime Prevention Forum was formed as a result of the increase in CIT robberies.
- Cash-In-Transit Crime Prevention Forum:
    - In February 1998 a forum to form a united front to fight crime in the CIT industry was formed by Richard Phillips, then a director of Fidelity Cash Management Services. The forum included the SBV security company, the then Coin (now Protea Coin), the then Fidelity Cash Management Services (now G4S Cash Services), the SAPS, the NPA, and the then Banking Council (now South African Banking Information Centre).
    - The forum allowed members to share ideas about how to combat CIT robberies.
    - Police statistics show a decline in CIT heists.
- Fidelity Cash Management Services (FCMS):
    - FCMS has a strategic focus on research and development; they follow the three-phase philosophy of deter, deflect, and defend. These form three objectives: (1) to entirely deter criminals from considering an attack; (2) to deflect impending criminal activity away from clients' assets; and (3) to provide vigorous defence.
    - Much of the research focuses on innovative electro-mechanical devices, alarms, and smoke systems. Other developments include high-profile Cross-Pavement Carriers (CPCs), a fleet of armoured vehicles, and tamper-evident bags.
    - The latest addition is a vehicle developed in partnership with Toyota South Africa. It is armoured to withstand the firepower of weapons like AK-47s. It has survival tires that deflate at super-low speeds, allowing plenty of time for the driver to drive away. The double rear wheels enable the vehicle to be driven further and with increased stability while under attack. The vehicles are fitted with state-of-the-art ABS retarder braking systems that ensure fast, safe braking. The vault in the vehicle comprises two strategically positioned Category Three safes with both interlocking-immobilising and global-locking systems that are controlled remotely.
    - One of the cornerstones of how business is done is the reaction time to the heist by SAPS and reaction services.

    - Methods used to reduce the risk of a heist include using all available technology and splitting the cash by doing more collections of smaller amounts.
    - FCMS has a national control room based in Randburg and a separate control room at each of its 32 branches countrywide. Each branch is responsible for its own route planning and schedules. All vehicles are on a fleet management system and have drop-safes fitted with global locks. All vehicles have interlocking doors and vaults, so if a vehicle is attacked, both the vault and the cab close automatically.
- South African Banking Risk Information Centre (SABRIC):
    - SABRIC serves to create, maintain, and support crime-combating initiatives that ensure safe, secure, and fraud-free banking within the industry. Its strategy is to provide clients and partners with crime risk information and liaison services to support the fight against crime.
    - SABRIC concentrates its efforts in the banking and CIT environments.
- Collaborative approach needed for security in the retail sector:
    - Retailers have started using CIT services to collect their banking on a daily basis. This led to a rise in cross pavement robberies.
    - Anderson from ADT recommends implementation of the following processes:
        - Risk assessment and hazards analysis of the possible hazards involved in an armed robbery
        - Development of emergency plans to determine what actions need to take place
        - Training of staff to help ensure that everyone understands how the plans should be put into practice
        - Setting up a mutual aid agreement and communication network so that information can be relayed to all parties concerned.
        - Property developers to integrate their efforts with law enforcement initiatives as well as service providers and the tenants in the shopping centres

SU 5.4: Robberies at Business Premises

Introduction

- Robberies at business premises are on the increase in SA.

Definition of key concepts

- Robbery: the unlawful, intentional, and violent, completed or attempted taking of property or cash by force or threat of force, with or without a weapon, and with or without injury.
- Robbery at business premises: the unlawful, intentional, and violent taking by force or threat of force of anything from the care or custody of a business or financial establishment, with or without injury.

Incidence of robbery at business premises in SA

- In the period April 2006 – March 2007, robberies at business premises showed an increase of 52%.
- Gauteng was the hardest hit by business robberies (54%), followed by KwaZulu-Natal (10%).
- It is possible that offenders redirect their criminal efforts away from Gauteng as law enforcement improves.
- SA's major metropolitan areas with their large, concentrated populations are situated in Gauteng, KwaZulu-Natal, and Western Cape. Most economic activity and wealth is situated in these provinces, making them attractive for people to flock to. Gauteng is often a destination of choice for illegal immigrants.
- Charles Nqakula stated that there was an increase of 47,4% in robberies at business premises for 2007/2008.

Modus operandi of robbers targeting business premises

- The use of force or the threat of force is present. Robbers are usually armed, but the possession of a firearm or even a weapon is not a prerequisite, as long as the victim perceives the threat of harm/danger to be real.
- Weapons used include knives, broken bottles, semi-automatic firearms, and handguns (most cases).
- Some robberies might be opportunistic and unplanned, but most are planned. Robberies are often an 'inside job'. Businesses are observed for a long time before the robbery.

- Many robberies occur at closing time and over weekends, when takings are lucrative and there are fewer customers.
- Business robberies increase during the Christmas season due to the lucrative takings (customers spend more).
- Usually a group of 3-4 people males commit this crime. It is not often connected to organised crime. The group usually dissolves after the robbery.

Motive for robberies committed at business premises

- More money can be robbed from a business than from a residential site.
- Reasons for needing money include greed, desperation, drug addiction, basic survival (main motive), the thrill (only a few isolated cases), gang activities.

Causes of robberies at business premises

- Lack of unemployment and high illiteracy rate
- Rapid urbanisation (relative deprivation and financial marginality)

SU 5.5: House robberies

Introduction

- Robbery has become one of the crimes that inspire the most fear. House robberies are increasing by the year.

Definition of key concepts

- Robbery: the taking or attempting to take of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- House robbery (residential burglary): the taking or attempting to take something of value from a house belonging to a house owner, caretaker, or person in control of a house by means of violence or threat of violence, with the intention of engendering fear in the victim.

Incidence and extent of house robberies in South Africa

- House robberies have increased annually. The number of cases has increased by about 500 annually.
- The increase in house robberies, break-ins at businesses, robberies in transit, and motor vehicle hijackings all have a financial motive.
- House robberies increased by 13.5% for the country as a whole in 2008. The Free State had the biggest increase. The most cases were reported in Gauteng and KwaZulu-Natal. Gauteng was the only province to report a decrease.
- Gauteng has a higher population density, and is characterised by informal settlements surrounding the cities.
- In Gauteng, Sandton and Honeydew on the North Rand are the most frequently targeted by house robbers. Tembisa on the East Rand and Kwa-Mashu in KwaZulu-Natal come a close second.
- In Pretoria, Silverton and Mamelodi East are the two policing areas that had the biggest increase in house robberies in 2006/2007 to 2007/2008.
- The more affluent neighbourhoods seem to suffer more from crime. Garsfontein, Brooklyn, and Sandton has very high crime figures.

The modus operandi of the house robber

- It is important to examine the planning stage, the operation stage (execution stage), and the stage following the commission of the deed.

The Planning Stage…

- The vast majority of respondents planned the house robbery in meticulous detail.
- Reasons for the choice of a specific house:
  - Information received from an informant
  - Luxurious lifestyle of the occupants (expensive houses, luxury motor cars, double-story houses, houses with expensive fittings, architect-designed houses, valuables kept in house)

    - Most important factor: informant shares that a large sum of money is kept in the house
    - Informants are usually employees or former employees
    - Informants share where money is kept, where valuables are kept, security measures, number of vehicles, number of household members, routine, and how to access the house.
    - Those who did not obtain prior information took the decision to attack based on the luxurious lifestyle of the occupants and extensive observation.
- Collusion with security guards:
    - 10% of the sample indicated that they had colluded with private security guards, and shared the proceeds with them.
- Time spent before a house robbery is carried out:
    - The majority of respondents spent 1 hour close to the targeted house before the robbery, and some spent up to 10 hours. In farm attacks, respondents said they watched the farm for 2 days to 2 weeks.
- Specific techniques used to mark targeted houses:
    - Majority of respondents did not know of any methods to mark houses.
- Choice of escape route:
    - Majority of respondents preferred to use back streets or remote country roads, and wanted the escape route to be as quick as possible. Most immediately (within 1 – 30 minutes) used the escape route after the crime.
- The use of narcotics to tranquillise a victim before a house robbery is carried out:
    - This is done mainly when the victims are already asleep.
    - The tranquillisers contain animal hair, are about 4 cm long, and are sold by witchdoctors.
- The type of house and its location:
    - Residential houses account for the highest number of robberies, followed by farmhouses and flats. Residential houses usually have back gardens from which to watch the house, and are more isolated than flats.
    - House robbers regard farm robberies as the most dangerous, due to farm labourers, isolated roads, animals that make noise, and farmers having firearms.
- Preventative measures taken during a house robbery to avoid apprehension:
    - The majority indicated that they left no fingerprints.
    - The majority wore no disguises, and believed they would not be identified.
- Preferred time of day for committing a house robbery:
    - The majority of house robberies occur when the robbers think the occupants will be at home, namely in the early hours of the morning (03:00 – 07:00), the early morning (10:00 – 12:00), and with a definite increase after working hours (19:00 – 24:00).
    - House robberies are committed when the occupants are in the house and not moving around in the garden, for example between 07:00-08:00 as well as between 16:00-18:00.
    - Most break in when respondents are relaxing (watching TV, etc.) and alarms are not yet on, or in the morning when the alarm has just been deactivated.
- Reasons for choosing a specific time:
    - The most usual reason is that all the occupants would be inside the house at that time.
    - At night the respondents were able to observe the lighted rooms from their hiding places.
    - Neighbours are usually busy in their own houses between 19:00 – 22:00, and do not notice that a break-in is taking place next door.
    - If there are no lights burning in certain rooms, the robbers have the best chance of breaking into those rooms unnoticed. Most people also open the windows for fresh air in the evening.
- Choice of a victim:
    - Majority of respondents had no preference when it came to the sex of the victim.

Modus operandi during the robbery…

- Methods used to travel to the targeted house and escape after the robbery:
    - In most of the house robberies, the robbers used a vehicle to travel to the house.

    - Some robbers approached the houses on foot. The majority of the house robberies took place within walking distance of the robbers' own residential areas.
    - Some robbers travelled by taxi.
- Methods used to gain access to the premises and the targeted houses
    - Most gained access to the house by climbing over a wall or fence or by crawling through a fence.
    - Most gained access to the house by breaking open a door or window or by forcing the burglar proofing open. They usually choose a window/door out of sight of the occupants and passers-by.
    - Tools are usually brought along, or stolen from the yard, garage, or store room.
    - Respondents indicated that strict security measures do not hamper them if they have a specific target in mind.
- Treatment of the victims by the robbers during the robbery:
    - House robbers are extremely violent in general and do not hesitate to use maximum force.
    - All intimidated their victims (verbal threats, shouting, swearing, aiming a firearm at the victim, etc.).
    - Most (63%) assaulted their victims. 13% physically harmed/wounded their victims, 10% raped their victims, and 3% killed their victims. 24% did not harm the victims.
    - Aggressive treatment ensures that the victim will offer no resistance.
- Time spent inside the house by robbers:
    - Majority spent a maximum of 30 minutes inside the house.
- Kind of weapon used during a house robbery:
    - Most of the house robberies were carried out with a weapon, and some carried more than weapon. Most were in possession of a firearm. More than half of the firearms had been stolen.
    - The firearm of choice is a handgun (pistol or revolver). Pistols are easy to conceal, and the sound it makes when cocked intimidates the victims.
    - 20% of the robbers were armed with a knife, and 17% were armed with tools or equipment (hammer, axe, crowbar, etc.).

Modus operandi following the robbery…

- Place to which the robbers returned directly after carrying out the robbery:
    - Most returned to their own houses and either remained there or remained close to their houses.
- What becomes of firearms used in house robberies:
    - The majority kept the weapons.
- What becomes of vehicles stolen during a robbery:
    - 50% wanted to sell the vehicle to a syndicate or to a specific client or to use it for their own purposes or to sell it out of hand.
    - Those wanted to sell out of hand wanted to sell it to a motor vehicle disassembly business (scrapyard), a panel beaters, or to foreigners who would smuggle it out of the country.
- Final destination of the stolen goods:
    - All the robbers divided the stolen cash among themselves and their accomplices and the informer who gave them the information on the targeted house or the victim.
    - 73% made use of the stolen goods (cell phones, jewellery, etc.)
    - Most sold the goods in the neighbourhood where they lived.
- Measures taken by robbers to make it difficult to identify stolen goods after a robbery:
    - Most disposed of the stolen goods. Items that could be identified from serial numbers were sold immediately and others were purchased in their place.
    - The number plates of stolen vehicles are altered/switched immediately after the robbery, and vehicles with satellite tracking are taken to motor vehicle disassembly businesses for the removal of the satellite tracking equipment.
    - Serial numbers of firearms are filed off.

Possible causes of house robberies

- The availability of illegal firearms

- Illegal immigration (Attacks on farms in the Underberg are ascribed directly to Mozambican gangs who come into the country to rob.)
- Poverty and unemployment
- Avarice and self-enrichment (financial gain)
- Materialism
- Dehumanisation
- Inadequate border control

The profile of the house robber

- Race: corresponds to the composition of the country's population
- Age: 19 – 26 years
- Sex: 99% male, 1% female (accomplices)
- Scholastic education: 20% have matric, and not one of the respondents had post-school qualifications
- Family circumstances: 70% are from broken homes or single-parent families
- Criminal record: Involvement in less serious offences from an early age, progressing to more serious criminal offences such as house robbery.

The victims of house robbery

- Luxurious lifestyle (expensive house with unique architectural features, and expensive equipment and items).
- Race, age, and sex do not really have an influence on the selection of a victim.
- Physical condition of the offender may be taken into consideration
- Low security

SU 5.6: Attacks on Farms and Smallholdings

Definition of terms

- The concept "farm attack" or smallholding attack" is a broad, comprehensive concept that could include various actions intended to inflict material damage or physical injury on the owner or occupier and his/her dependents, workers, property, and possessions.
- Haefele: A farm attack is a situation where the people living on a farm are physically attacked with a specific intention. This intention could be to murder, rape, steal, rob, or inflict physical injury.
- National Operational Coordinating Committee (NOCOC) of the SAPS: Attacks on farms and smallholdings refer to acts aimed at the person of residents, workers, and visitors to farms and smallholdings whether with the intent to murder, rape, rob, or inflict bodily harm. In addition, all actions aimed at disrupting farming activities as a commercial concern, whether for motives related to ideology, labour disputes, land issues, revenge, grievances, racist concerns, or intimidation, should be included.
- The above definition excludes social fabric crimes. These are the crimes that members of the farming community may commit against each other, such as domestic violence or workplace violence. The focus is on outsiders who enter the farms to commit specific criminal acts.
- The MEC for Safety and Security for Mpumalanga, Dina Pule: A farm attack refers to an incident when the sole motive is to take the life of the person who resides on the farm and nothing else.
- Human Rights Watch has criticised the use of the term "farm attack", which they say is reinforcing, through the use of the word "attack", the idea that there is a military or terror basis for the crimes, rather than a criminal one.

Occurrence and scale of attacks on farms and smallholdings in SA

- Owing to an early moratorium on crime statistics it was extremely difficult to get a true picture of the attacks on farms and smallholdings. The only reliable source is the police Crime Information Analysis Centre (CIAC).
- SA crime administration does not make provision for farm attacks as a separate category of crimes.
- From 1991 to 1995 there was an increase in farm attacks followed by a decrease in the following two years. From 1998 to 2001 farm attacks increased sharply and the highest incidence of farm attacks was recorded in

2001. From 2002 farm attacks declined but they began to increase again in 2006. The following year showed a decrease.

- The largest number of attacks occurred in Gauteng over the past few years. The highest number of attacks was in North West in 2007. The increase in farm attacks in KwaZulu-Natal in 2006 and 2007 is a concern.
- The areas most seriously affected by farm attacks are Rustenburg, Muldersdrift, Hartbeespoort Dam, Kwadukuza, Estcourt, Polokwane, and Makopane.
- Extreme violence is a feature of farm attacks.

Different motives for attacks on farms and smallholdings in South Africa

- Robbery:
    - One study found that in 90% of the cases the motive was robbery, and that it took the offenders 3 to 7 days to plan it. Most travelled less than 40 km to commit the attacks.
    - Illegal firearms were used to terrorise, injure, or kill victims.
    - Gayton McKenzie says that farmers are murdered because the criminals believe that they farmers are the source of everything they need for their careers of crime. No professional robber would waste his time attacking a farm.
- Culture of violence:
    - If the average age of the attackers (24.5 years) is taken into account, it is clear that this is the generation that grew up at the height of the struggle. Their attacks are carried out with military precision, indicative of military training. Many are/were members of APLA and MK.
    - Media fixation on farm attacks may instigate farm attackers.
    - A deeply rooted hatred for farmers (maburu) arose during apartheid. Mr Happy Mphahlele, former Director for Operations of APLA, stated in his evidence to the TRC that white farmers and the white farming community are a legitimate target.
    - Over the years the farming community has been the subject of inflammatory statements by various groups and political leaders.
    - Racism is undoubtedly a motive for some of the attacks on and murders of farmers and their families.
    - Some link land claims to the motive of racism.
- Poverty and unemployment
- Revenge and reprisal:
    - One study found that only 6% of the offenders had grievances against their victims.
    - Where revenge was a motive, labour disputes sparked the incident.
- Illegal immigrants:
    - There have been cases where farmers and employers did not pay their illegal workers for months at a time and if the workers objected they were evicted or reported to the immigration offices.
    - The withdrawal of the SANDF makes it easy for gangs to enter the country illegally.
    - Attacks on farms in the Underberg are ascribed to Mozambican gangs who enter the country illegally.
- The availability of firearms:
    - Weapons are easily smuggled in.
    - Farmers also possess firearms, and this gives rise to further attacks.
- Public hearings of the Truth and Reconciliation Commission:
    - Public hearings may result in reprisals. In 1995 when the activities of the TRC began, statistics on farm murders peaked.
- Perceptions and race relations:
    - As a result of the policy of segregation, blacks and whites never got to know each other first hand, leading to prejudiced perceptions.
- The subdivision and transfer of land and land claims:
    - Violence is an unavoidable consequence of the land occupation that occurs when the government drags its feet or when the process of land distribution cannot gain momentum as a result of protracted court battles.
    - Delays in land tenure reform are regarded as the most important cause of farm attacks in SA.

    - The Department of Land Affairs has a backlog of land claims, and is unable to reach their targets due to rising land prices and other problems.
    - The controversial Expropriation Bill, which gives the government the power to expropriate land, has given rise to a great deal of dissatisfaction among farmers.
    - Land claims in Mpumalanga were temporarily suspended after the Department of Agriculture ran out of money for that province. Farmers are usually blamed for the tardy rate of land reform.
    - Van Zyl ascribes the delays to budget limitations and ignorance. The perception is created that farmers are not willing to part with their property.
- Socioeconomic conditions:
    - Socioeconomic conditions are not the main motive for farm attacks, but attackers do believe that farmers are vulnerable due to their relative isolation. They are also regarded as prosperous people.
    - Certain people believe that stealing from farmers is not a crime; it is merely taking back goods that were illegally obtained from blacks in the past.
    - Although socioeconomic conditions were the motive for farm attacks in the past, it should be remembered that these conditions have always existed and do not explain the sudden increase in farm attacks since 1992.
    - The Institute for Human Rights and Criminal Justice Studies believe that intimidation and attempts to drive farmers off their land were the motives for farm attacks. Action: Stop Farm Attacks believe that politics and race play a part in attacks.
    - Perceptions that farm attacks are prompted by more than mere criminality are reinforced by the extreme violence that accompanies farm attacks, the thorough planning that is often a feature of the attacks, and the fact that the value of the stolen goods is usually low.
    - The police believe that crime is usually the motive for the attacks, and that political slogans left at crime scenes are an attempt to mislead the investigating officers.
    - The leader of the PAC in the Northern Province says there is no justification for a political motive for farm attacks. He believes that farmers who employ illegal immigrants leaving local people unemployed are a good example of what gives rise to this crisis.
    - A farm attack could well be motivated by several factors operating jointly.

The profile of the farm attacker

- Young, single, unemployed South African black man
- Aged 15 – 35, and comes from a broken home
- A quarter of the attackers are under the age of 18 years.
- About half have a grade 7 to grade 9 educational qualification, 30% have a grade 10 to grade 12, and the remainder have less than grade 7.
- Only 12% are married
- 10% are farm labourers

The modus operandi of the farm attacker

- There is usually a definitive pattern in the modus operandi of farm attackers.
- Usually armed with handguns, knives, and pangas.
- Attack is thoroughly planned, and they gain access in daylight. They usually wait in the house for their victims.
- They wait for the right moment, usually when there is the least activity, before attacking the farmer and/or his family.
- Farmers are also attacked at night when they go out to switch off equipment or to check on animals.
- Attackers use the pretext of wanting to buy farm products (small stock, cattle, vegetables, etc.) to gain access to the farm or to gather information.
- Advance planning of the attacks is a leading characteristic of the modus operandi.

The victims of attacks on farms and smallholdings

- Victims include black and white farmers, as well as farm labourers and domestics.
- Victims are mainly elderly people.

- Farm labourers are usually attacked because they are seen as obstacles.

SU 5.7: Attacks on and Murders of Police Officers in South Africa

Definition of terms

- Police officer: Any member appointed by virtue of section 5.2 of the South African Police Service Act or any other Act to serve in the South African Police Service.

Occurrence and extent of attacks on and murders of police officers in SA

- Attacks on police officers peaked in 2005/2006, and a large decline has subsequently been evident.
- During the 2007/2008 financial year attacks on and murders of police officers declined by -41% and -0.9% respectively. The number of attacks consequently dropped to its lowest level since 2002/2003.
- The percentage of murders of police officers for the 2007/2008 financial year is 23.6%, the highest level since 2002/2003. Clearly, the number of murders has increased since 2005/2006. There are two possible explanations:
    - There was a decline in the number of less serious attacks that accompanied the service delivery protests when they were at their height in 2005/2006.
    - Criminals appear to have a specific intention of murdering police officers. This is illustrated by the fact that they shoot at the heads and sides of police officers, areas not protected by bullet-proof clothing.
    - The highest number of murders of police officers took place in 2002/2003 and the lowest number in 2004/2005. The 2007/2008 figures show a decline of -0.9% in comparison with the previous year.
    - Police officers are attacked when following a suspect, when on the point of arresting a suspect, or when they are in the process of making an arrest.
    - No research findings indicate that police officers are murdered for their firearms, or that it is connected to police corruption.
    - Most police officers are attacked while on duty, but most are murdered when they are off duty.

Motives for attacks on and murders of police officers

- The continuation of violence
- The defence of personal autonomy
- Protection from concrete danger
- Defence or protection of others
- Violence as an expression of contempt

Continuation of violence

- This occurs when a violent situation already exists before the arrival of the police officer.
- The attack on the police officer is seen as a response to his/her intervention in or interruption of the violent action.

Defence of personal autonomy

- This occurs when the attacker feels that he has been the object of undesired manipulation by the police officer in question. This is especially likely to happen when the police officer is threatening to overpower the attacker or the independence of the attacker is threatened.
- This includes violence as a response to physical contact, orders or instructions, unwelcome interference or disturbances caused by the officer which lead to the officer's becoming a victim.

Protection against concrete danger

- Violence is used by people to defend themselves against the police member (the victim) who is seen as a threat. This happens when the victim is attempting to flee, resisting arrest, trying to avoid being transported from the

police station to the jail, trying to avoid the discovery of incriminating evidence, or trying to avoid personal injury.

Defence or support of others

- This refers to actions taken to save a friend, an acquaintance, or a fellow conspirator engaged in a physical struggle with the police officer. This could be anyone in the process of being arrested or anyone threatened with physical danger.

Expression of contempt

- Police officers often unwittingly evoke violent expressions of contempt and displeasure. They attract attacks by their identity of simply by their presence.
- Verbal threats of violence directed at the offender could also precede this kind of attack.
- Most attacks are unannounced and take place spontaneously.

Political motives

- To fight for the country
- The oppressive arm of the government.
- Right wing politics.

Post-traumatic stress

- One respondent cited post-traumatic stress as his motive.

Modus operandi of the attackers of police officers

- Attackers of police officers do not follow a definite modus operandi.
- Chance, impulses, and spontaneous reaction to circumstances are strong characteristics of the modus operandi of attackers.
- Most are attacked on the street and in a house or shack.
- Attacks are spread equally over mornings, afternoons, evenings, and late nights.
- Most attacks are gang related.
- The use of weapons (particularly firearms – pistols) is typical.

The profile of the attacker

- Black man in his mid-twenties with a 50% chance of being unmarried and a low level of education. There is an 80% chance that he has not completed his secondary education and about a 40% chance that he has not completed his school education or secondary education.
- He has more than an average chance of having been neglected during childhood, and of having come from a dysfunctional/broken home where there was occasionally hunger and poverty and where he did not get a proper upbringing.
- There is a 60% chance of previous involvement in crime or illegal activities and a 35% chance of a previous conviction.
- He is usually armed. The attack is likely to be spontaneous and in reaction to circumstances.
- The attacks usually take place in the street or in an urban area.

The victims

- 90% of the police officers who participated in the investigation said that a docket had been opened following an attack on their lives.
- The majority of the police officers who filled in the questionnaire were male.
- The majority of the victims were aged 21 – 35 years.
- Half of the respondents held the rank of sergeant.
- The majority of the respondents came from uniformed branches of the SAPS. A considerable number of them represented crime prevention units at station level.
- 38% of the victims said that they had been in a patrol vehicle when they were attacked.

- Half of the victims were in uniform at the time, and most of the rest were in civilian clothing.
- 4.6% were under the influence of alcohol at the time of attack.