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"An Acceptable Level of Violence": Intra-Community Violence in Northern Ireland and South Africa

by *Colin Knox and Rachel Monaghan*

INTRODUCTION

South Africa and, more tentatively, Northern Ireland are emerging from bitter ethno-national conflicts in which violence and crime characterized the transition to peaceful political settlements. The collapse of apartheid in 1989, lifting the 30-year ban on the African National Congress (ANC) and the subsequent release of Nelson Mandela, created a climate for political negotiation and change in South Africa. This paved the way for an interim constitution, the first multi-racial democratic elections in 1994 and led to the Government of National Unity. The ANC's success in the most recent elections (June 1999) gave the party an overwhelming mandate to accelerate Thabo Mbeki's program of "transformation" aimed at tackling the significant socio-economic problems facing South Africa: unemployment, AIDS, crime and education. The legacy of political resistance, often violent, deployed to make the townships ungovernable during apartheid has created a culture tolerant of citizens taking the law into their own hands. Although the number of political killings (killings arising out of the conflict between different political factions) dropped sharply from about 2,500 in 1994 to fewer than 500 in 1997, [1] Mbeki in his inauguration speech in Pretoria (16 June 1999) regretted that some South Africans were "forced to beg, rob and murder to ensure that they and their own do not perish from hunger." [2] The savagery of the crime wave is however captured in reports that one in every two South African women will be raped during their lifetime, the average South African is eight times more likely to be murdered than the average American, and one policeman is killed each day - 1,400 have died since the ANC came to power. [3] The public response is that "brutality should be met with brutality. The rich surround themselves with razor wire and private security guards, and the poor resort to vigilantism." [4]

Northern Ireland's transition to "peace" has been more recent and capricious. The signing of the Belfast Agreement [5] in April 1998 and its subsequent endorsement in referenda by its electorate (71.2 percent) and voters in the Irish Republic (94 percent) heralded a political solution to the seemingly intractable problems which bedevilled the province for 30 years. [6] The British and Irish governments formally resolved their historical differences through the general and mutual acceptance of the principle of consent - Northern Ireland is part of the United Kingdom, and will remain so, as long as a majority wishes. The Irish constitution (articles 2 and 3) was amended to reflect this understanding and power was devolved (December 1999) to a locally elected Northern Ireland Assembly with a wide range of executive and legislative powers. The agreement also contained measures designed to create a "normal and peaceful society in Northern Ireland." The most significant included the early release of political prisoners, parallel reviews of the policing and criminal justice systems, new independent Human Rights and Equality Commissions and a commitment from participants to total disarmament of all paramilitary organizations by working with the independent International Body on

Decommissioning. Failure to resolve the arms issue (prosaically described as "no guns, no government") led to the suspension of the Northern Ireland Assembly and Executive on 12 February 2000, a political impasse and the re-imposition of Direct Rule from Westminster.

The Secretary of State for Northern Ireland recently claimed "the guns are silent and the IRA's cease-fire has, on the whole, held for over two and a half years." [7] Even though the Omagh bomb (15 August 1998) constituted the worst terrorist atrocity in Northern Ireland in which 29 people died and 200 were injured, in 1999 seven civilians were killed, the lowest figure since the "troubles" began, and the first year ever that no security forces were murdered. This, however, conceals an ongoing level of violence perpetrated by paramilitaries through "punishment" attacks, beatings and shootings in their role as community "protectors" upholding the law in areas they control. Up to the end of 1999 police statistics show there have been 2,241 shootings and 1,560 beatings since the figures were first recorded. [8] These statistics, however, are thought to under-estimate the true extent of the problem. Those subjected to beatings and shootings are fearful of involving the security forces in case of paramilitary reprisal and hence there is large scale under-reporting. The current political vacuum has led to a significant increase in the number of beatings and shootings. During the Mitchell review [9] of the implementation of the Belfast Agreement (September 1999), Sinn Féin stated the importance of the political process in making conflict a thing of the past, accepted decommissioning (the hand over or verified disposal of paramilitary held weapons) as an essential part of the agreement, and opposed the use of force and "punishment" attacks. [10] This resulted in the cessation of republican paramilitary shootings until the suspension of the Assembly, at which point they recommenced.

This brief overview of the two countries suggests several things. First, communities, which have been brutalized during conflicts over a long period, become desensitized to violent crime. In the case of Northern Ireland this has been variously described by a former Secretary of State as "the peace we have now is imperfect, but better than none" or perhaps, more tersely, as having "an acceptable level of violence." [11] Second, within conflict settings crime can be differentiated into "political" and "normal" crime. The former could include informing and collaborating with the "enemy" even though such activities would not necessarily be deemed as criminal by the state. In contrast, "normal" crime would include break-ins, muggings, rape, car theft, drug-dealing etc., all of which would be considered as criminal by the state and necessitating action by the formal justice system. When the legitimacy of the state and its organs (the security forces and legal system) are integral to the nature of the conflict, however, this forecloses recourse to the normal channels by which communities seek to tackle "normal" crime. Third, and as a direct consequence, communities develop their own response to crime that will be heavily influenced by the violent environment within which they live.

This article, drawing on focus group interview material, will therefore examine ways in which the communities in Northern Ireland and South Africa have responded to crime both during the conflict and thereafter. If the raison d'être for "political" crime has been removed once a negotiated settlement is reached and the legitimacy of the state

reaffirmed by agreement, can communities then subscribe to the formal system of criminal justice? Given the relatively recent, albeit fragile, arrival of a "peace" settlement to Northern Ireland the article considers what lessons, if any, can be learned from the South African post-conflict experience and its efforts to deal with community [12] responses to crime.

Crime in Northern Ireland and South Africa

The Northern Ireland security forces have prided themselves on having a lower rate of "ordinary" crime than other parts of the United Kingdom, even allowing for evidence of under-reporting particularly among republicans. [13] In 1994, for example, Northern Ireland had a lower crime rate than in any of the 43 police forces in England and Wales. Figures from the 1998 Northern Ireland Crime Survey show lower levels of crimes against the household than the equivalent British Crime Survey (23 percent and 34 percent respectively). In the case of violent crimes against the person, the figures between the two regions are very similar: 4.7 percent of British Crime Survey respondents, compared to 4.4 percent in Northern Ireland, said they had been a victim of violence. [14] This contrasts starkly with a report by the Police Authority for Northern Ireland [15] which monitored the performance of the Royal Ulster Constabulary (RUC) [16] during 1998/99 and found "that many categories of crime are on the increase while police performance in tackling this has not always been as effective as anticipated." [17] The report notes that the number of violent crimes [18] rose by 21.2 percent, recorded crimes increased by 27.9 percent and crimes against the person went up by 33.2 percent. These figures were confirmed by a Home Office report on international crime statistics, which showed that Northern Ireland's percentage increase (28 percent) in recorded crime was second only to South Africa where it rose by 37 percent in 1998. Northern Ireland also experienced the largest rise of the 29 countries examined in the report in the area of recorded violent crime, with an increase of 21 percent, while England and Wales, and Ireland recorded decreases of 6 percent and 17 percent respectively. [19] One explanation suggested by the Northern Ireland Police Authority was that reduced levels of security force activity provide greater opportunity for criminals.

The parallels with South Africa are outlined by one observer:

The province could be risking a surge in non-political organised crime, as members on both sides of the sectarian divide exploit the weaknesses of peacetime policing. Urban guerrilla movements such as the African National Congress's Umkontho we Sizwe, the Ulster Volunteer Force and the IRA have routinely resorted to bank robbery, protection rackets, and smuggling to fund their military campaigns against the ruling power. When, as was the case in South Africa, the movement becomes the dominant political force, many of its former operatives find themselves unable to adjust to life on the side of the law. Instead, they stay in the shadows, and sometimes join forces in lawlessness with the very men who, when they served apartheid's police structures, were given the task of fighting them. [20]

South Africa has been described as a "crimo-generic society," the origins of which can be traced to its apartheid past. [21] Transgressions of pass laws were classified as crime and those involved in the liberation struggle justified the use of violence as a legitimate means to an end. Subsequently, politics and crime have been closely interlinked. Police figures show that crime had actually begun to increase in the decade prior to the ending of apartheid (1980-1990), when for example, murders increased by 32 percent, rape by 24 percent and burglary by 31 percent. [22] In the post-apartheid era, crime has continued to rise. In the period between 1990 and 1997, police data for the number of recorded crimes to the person showed a dramatic increase. For example, assaults rose by 89 percent, rapes by 157 percent and robbery by 100 percent. For the same period, the number of recorded crimes to property also increased, where house-breakings were up 50 percent and theft of motor vehicles by 47 percent. [23] The only crime to have experienced a decrease is that of murder, which is due to declining levels of political violence. As Mark Shaw notes,

Increases in crime from 1990 are consistent with the experiences of other countries undergoing transition to democracy: as change proceeds, society and its instruments of social control B formal and informal - are reshaped. The result is that new areas for the development of crime, which are bolstered by the legacies of the past, open up. [24]

What appears to have happened in Northern Ireland as the conflict developed is that the boundaries between so called "normal" and "political" crime have become blurred, leading to community frustration with the formal system of criminal justice yet, at the same time, fear of the influence exerted by paramilitaries. Questions are now being asked as to whether these erstwhile community protectors have become oppressors and what, if any, is their ongoing role in an era of "peace." We now examine in some detail the response of communities to crime during the conflict.

Community Response to Crime in Northern Ireland

Paramilitaries in republican areas of Northern Ireland have assumed the role of community "police" from the very beginning of the "troubles" in what they describe as the absence of a legitimate police service. [25] Not only do they see the RUC as an instrument of the British state, which they do not recognize in Northern Ireland, but point to such failings as its religious composition (8 percent Catholic from a 40 percent population) and treatment of the minority community. [26] They cite cases such as Robert Hamill, beaten to death by a loyalist [27] mob and witnessed by police who allegedly failed to intervene. They claim RUC collusion with loyalist paramilitaries, most notably in killings of high profile nationalist/republican figures, such as human rights lawyer Rosemary Nelson and solicitor Pat Finucane, and accuse the police of exploiting young petty offenders for intelligence information gathering. In contrast, within the loyalist communities, the RUC are seen as legitimate but ineffectual, part of a system of criminal justice which cannot react quickly enough and exact retribution deemed appropriate by victims of crime. Pat Conway [28] points to significant differences in loyalist and republican policing. In the former he suggests they are more involved in policing their own organizations for reasons such as internal disputes and informing. Young people involved in anti-social crime, rather than being marginalized, are often persuaded to

either "join-up" or, at the very least, contribute part of the proceeds of their criminal activity to the paramilitaries.

Communities have turned to paramilitaries for protection against crimes committed in the areas they control. Typically these will include burglary, car theft and joy-riding, drug dealing and more generally what is described as "anti-social behaviour" against the community or "hooding." Officially, when community members complain an investigation is carried out and, if substantiated, followed up by a "punishment" graduated on a scale or a tariff system consistent with the seriousness of the "crime." This can range from warnings, threats, curfew, beatings, shootings, exiling and ultimately execution. [29] In practice, however, blame and guilt may be established through little more than hearsay and the level of "punishment" can be arbitrarily brutal or lenient, depending upon whether the accused "is connected" (related or linked in some way) to known paramilitaries. Beatings are carried out using weapons such as baseball bats, golf clubs, pickaxe handles, drills, iron bars, hammers and hurley sticks spiked with nails to inflict puncture wounds.

Community endorsement and support for the system is outlined by two interviewees:

The RUC don't come into our areas so we have to look to the republican movement for policing. Because we don't have cells to lock offenders up, the system evolved from there. In the '70s they dropped breezeblocks on them and nobody complained. As a matter of fact, I don't think they are doing enough to them now.

No person will go to the RUC. They will either go to representatives of Sinn Féin, community representatives or members of the IRA to actually get it dealt with. If somebody's caught joyriding in the area, they're going to face the courts, probably get out on bail, more likely get a suspended sentence, and they're free to go out again, start joyriding, terrorising the community again. If they go through the informal system, action will be taken immediately, whether it's exiling, their legs broke[n] or kneecapped. That's tackling the problem, getting to its core. [30]

All of this ignores available evidence that a number of people have been mistakenly identified by "punishment" gangs who perpetrate these criminal acts, boys as young as 13 years old hospitalized through paramilitary beatings, and the process used to settle grudges or internal feuds, euphemistically described as "housekeeping" issues. The police tacitly acquiesce in a system which they know to exist and can exploit for intelligence gathering ("informing" from another perspective), particularly given the vulnerabilities of many of the young people targeted by paramilitaries. Hence communities are caught in a trap. Even though the Northern Ireland conflict reached a political and constitutional resolution through the Belfast Agreement, the associated reforms of the police and criminal justice systems have not yet happened. A hiatus therefore exists. In republican areas the RUC are anathema and communities still look to paramilitaries for community "protection," yet their political leadership gave a commitment to the Mitchell principles of democracy and non-violence. [31] In loyalist areas, which are much more factional in their paramilitary make-up and therefore less

ideologically homogeneous, there is a more irregular approach to community "justice." This is best illustrated by a comment from one interviewee in a loyalist area:

Quite frankly, I don't want the paramilitaries to deal with anything. I want the police to have power to look after the community. As far as I'm concerned the paramilitaries have no place in Northern Ireland. I mean they were set up to protect one side and fight the other side. Well that's done. We've got peace now. They're big business. They're hiding behind this paramilitary protection and all this, but really they are extortionists into fraud and drugs. There's no place for them. They're kneecapping a young lad for housebreaking yet they are holding up post offices and banks. [32]

This remark traces the shift in community feelings from a stage when paramilitaries were seen to have a legitimate role to play in a conflict scenario. In these circumstances communities were prepared to overlook racketeering, choosing to believe that this was necessary to fund the ongoing "struggle." As "peace" developed they have become intolerant, yet no less fearful, of the role played by paramilitaries. The line between "ordinary" crime and "political" crime is indistinct and a frustration is palpable that the formal system of criminal justice has been unable to keep pace with this shift in the attitudes of communities. An international report on armed groups recently argued that "the distinction between politically motivated action and organised crime is fading away. All too often, the political objectives are unclear, if not subsidiary to the crimes perpetrated while allegedly waging one's struggle." [33] This is particularly apposite in the case of loyalist paramilitaries whose political objectives might broadly be defined as defenders of the Union but, in practice, they have been the countervailing forces to IRA violence. With the Union secured and the IRA maintaining a ceasefire, their current role is being questioned by those they claim to protect. In a situation where police reforms have yet to be implemented and the outcome of the criminal justice review has just been published, how then do communities deal with crime?

Crime in the Transitional Period

In this fluid political scenario republican paramilitaries, under pressure from Sinn Féin who must demonstrate their democratic credentials, have given their support to the concept of community restorative justice (CRJ) schemes. Restorative justice, based on some form of victim-offender mediation, seeks to move away from the traditional retributive system of punishing the offender for crimes committed. It attempts to restore and repair relationships between the offender, the victim and the community. Therein victims are given the chance to say how the crime affected them, the offender is confronted with the distress he/she caused, given the opportunity to make amends and offered a way of reintegrating into the community. [34] The impetus for republican endorsement of this approach came via a report produced by academics and criminal justice practitioners who designed a restorative justice system appropriate for local circumstances. [35] It presented a workable model comprising referral, investigation, informal caution, informal mediation, formal mediation, hearing and "solutions" or "disposals" (e.g. restitution of damage, referral to a statutory agency, community service and community boycott). This approach has been enthusiastically embraced in many

republican and nationalist areas (Derry and west and north Belfast) with demand outstripping the capacity of CRJ activists to deliver. The principles of restorative justice have also found support in the government's own review of criminal justice in which they argue "it is necessary to find a means of mobilising local opinion against vigilantes and violence" but "it must be in partnership with, rather than as an alternative to, the official systems." [36]

Therein lies the problem. Community restorative justice schemes in republican areas do not recognize the RUC as integral to the process and critics have branded their approach as nothing more than a cover for a "Provo police force." [37] This has prompted questions from Unionist politicians about their long-term role. David Trimble, for example, asked Adam Ingram, the Security Minister the following parliamentary question:

Does the Minister agree that some of the restorative justice schemes that are operating in Northern Ireland could be accurately described as alternative justice schemes? Does he also agree that those schemes are operating wholly outside the legal system and involve significant abuse of the rights of the people who are caught up within them? [38]

The Minister responded:

Some schemes clearly do not conform to what is desirable, do not recognise the police and, indeed, may not even recognise the due process of law. Such schemes do not fall within the ambit of restorative justice but of a different type of civil administration and are, therefore, unacceptable. [39]

Others are generally critical of the whole restorative justice approach. Mike Brogden, [40] for example, questions the detail of its implementation. Most sanctions, he argues depend on "shaming" the offender and reintegration into society. The shaming process requires community solidarity not present in Northern Ireland. He also queries what happens to the offender who refuses to accept the legitimacy of the community court and/or the penalty handed down. He concludes that "as an alternative to "punishment" beatings and the inefficiencies of the formal system, it is welcome. But restorative justice is also ineffectual. For most part, it represents a road to nowhere." [41]

Loyalists have also become involved in restorative justice, most notably through a program entitled the Greater Shankill Alternatives. The scheme commenced in 1998 as a direct response to paramilitary "punishment" attacks. The concept of restorative justice is not as widespread and less well-known in loyalist areas. Our focus group participants in the Shankill area, for example, had "only vaguely heard of the Alternatives project." It is also more difficult to secure the endorsement of loyalist paramilitaries for restorative justice given their factionalism. What is interesting, however, is that those involved in the program grouped "punishment" attacks into three categories: those carried out by paramilitaries on their own members for internal disciplinary matters; those involved in anti-social activities; and feuds between groupings involved with the sale of drugs. In the latter it was argued, with some circumspection, that "these are not in themselves paramilitary groupings, although there could at times be an overlap in membership." [42]

Based on this analysis, the community restorative justice project opted to restrict its involvement to anti-social activities. Since then, according to those involved, its work has widened to include "socially harmful activities, empowerment of the local community, and areas of weakness within the formal criminal justice system." [43] Aside from the more limited geographical coverage of restorative justice in loyalist areas, activists claim police cooperation. Republicans contest the nature and extent of this and see it as duplicitous to secure government funding. Their criticisms are, in part, a reaction to their own largely unsuccessful efforts to gain access to public sector resources which they argue are being vetoed by the Northern Ireland Office.

A key element within the Belfast Agreement was a proposal to reform the existing policing and criminal justice systems. Participating political parties felt the agreement "provides the opportunity for a new beginning to policing in Northern Ireland with a police service capable of attracting and sustaining support from the community as a whole." [44] In view of the contentious and highly emotive nature of policing, an independent commission (chaired by Chris Patten) was established to design "a police service that can enjoy widespread support from, and is seen to be an integral part of, the community as a whole." The Independent Commission reported in September 1999 and recommended, inter alia:

- A commitment via oath by all officers touphold human rights.
- The creation of a new Policing Board(replacing the present Police Authority) to hold the Chief Constable and policeservice publicly to account. Its 19-member composition would include 10cross-party Assembly representatives and nine independents from the business,voluntary and community and legal sectors. The Policing Board would have thepower to require the Chief Constable to report on any issue pertaining to theperformance of his/her functions or those of the police service. The obligationto report would extend to explaining operational decisions.
- At the local level each district councilwould establish a District Policing Partnership Board with a majority electedmembership and independents. The District Police Commander would meet with thePartnership Board, present reports and answer questions about community concernsand policing priorities. The local boards would have an additional communitysafety role with powers to purchase services on top of normal policing.
- A reduction in the size of the RUC's13,000 officers to 7,500 and a recruitment profile of 50/50 Protestant/Catholicover a 10 year period.
- A change of name from the Royal UlsterConstabulary to the Northern Ireland Police Service and the adoption of a newbadge and symbols which were entirely free from any association with either theBritish or Irish States.

Unionists reacted to Patten with hostility, accusing the Secretary of Stateof "politicising the RUC, not only by taking away the good name, but alsoremoving the independent Police Authority and placing a future police serviceunder a Board controlled by politicians."[45]They see the reform process as the symbolic cleansingof the RUC's association with the crown and now demand a moratorium on policereform until the IRA moves on arms decommissioning. Nationalists, for theirpart, criticized the government

for diluting Patten's proposals on policeaccountability in order to appease Ulster Unionists' concerns, ensure thesurvival of David Trimble and copper-fasten the UUP's (Ulster Unionist Party)commitment to power-sharing with Sinn Féin. Gerry Adams, in turn, pointed outthat the legislation did not remove the Unionist ethos and emblems nor providereal democratic accountability. The potential for policing reforms to restoreconfidence in the short-term within alienated loyalist and republicancommunities is limited. The medium to long-term prospect is more difficult topredict.

The dilemma facing communities is obvious. "Normal" crime is increasing andthe rationale for "political" crime waning. The transition to "peace" hasexposed the activities of paramilitaries, especially in loyalist areas, ascommunity oppressors rather than defenders of a cause which has been overtakenby political events. Yet it will take some time for the necessary changes in thepolicing and criminal justice system to be put in place, and even longer for thecommunities to have confidence in them. To whom do working class people turnwhen faced with criminal activities that blight their lives? The apparent support by paramilitaries for communityrestorative justice schemes may be no more than a cynical response on their partto keep their political representatives involved in the democratic process.There is evidence that they can initiate and discontinue "punishment" beatingsand shootings at will. To cede responsibility for law and order to the formalcriminal justice system would be to loose control within their communities wherethey have some social standing and exercise patronage (the "hard men" image).

The expectations of the communities, however, are also important here. Theirexperience is one of living in a conflict setting for 30 years where their majorrecourse to the "law" was through the paramilitaries who administered "justice"expeditiously and often through the use of violence. John Brewer et al[46]have argued that civil unrest has, in fact, been acontributory factor to the survival of community structures - those under attackhave been strengthened as a consequence. Their expectations of the formalsystem, even a reformed one, based on this experience will be difficult tofulfil. Brutalized communities have become tolerant of rough "justice." Onecommentator on South Africa remarked "our high rates of criminal violence, roadtraffic deaths, domestic violence, rape and child abuse are all obliqueexpressions of the brutality that is embedded in this society."[47]The same is true in Northern Ireland. This questioningof the role now played by paramilitaries has not provided the communities withany obvious answers to tackling crime. As one interviewee put it:

We've been brainwashed over the years. Whenever you heard of a "punishment"shooting or beating the first thing came into your head was "what did they do,they must have done something" because we placed so much faith and trust in theparamilitaries. Now I would put a question mark over these things but in ourarea the attitude is "well it hasn't come to my door, I'm sorry for you but aslong as they leave mine alone."[48]

Given Northern Ireland's transitional status to a post-conflict society, whatlessons, if any, can be learned from the experience of South Africa in thecommunity's response to crime?

Community Response to Crime in South Africa

Prior to the peace process in South Africa, the police and criminal justicesystem were viewed by large sections of the population as being not onlyillegitimate but also tools of the repressive apartheid state. The police wereconcerned with policing the apartheid laws, crushing resistance, recruitinginformers and supporting vigilante groups rather than combating crime. Inaddition, the courts were busy enforcing apartheid legislation instead of tryingalleged criminals and incarcerating those found guilty of crimes such as rapeand murder. Thus the townships in many areas were devoid of a police presence,and a dispute settlement/policing vacuum emerged. Subsequently, townshipinhabitants developed informal criminal justice mechanisms for dealing withcrime in their community. These mechanisms were developed, in part, fromtraditional rural practices such as the lekgotla,[49]which emphasized the restoration of harmony and there-integration of offenders into the community. Sentences handed down to thosefound guilty included fines, corporal punishment and community service.Neighbourhood patrols and street committees were also established in an attemptto deal with such "normal" crime as robbery, theft and rape. With the emergenceof the politicized youth or "comrades," people's courts were established withinthe townships and residents were encouraged to take their problems to the"comrades." These courts were seen as part of the political struggle againstapartheid as they represented an alternative to the state structure and dealtwith both "normal" and "political" crime. They advocated discipline,organizational accountability, recognition of the "true enemy" (the state andits surrogates), and an understanding of the damage that crimes against theoppressed caused, namely, that they were divisive and counter-productive to thestruggle. Those found guilty by the people's courts were often given punishmentsof a community service nature, such as painting an old person's house or tidyinghis or her yard, a fine or, in more serious cases, limited physical punishmentwith a sjambok (whip). As Wilfred Schärf and Baba Ngcokoto note, "the main aimof such exercises in 'people's justice' was to show the wrongdoers that they hadnot been abandoned by their community."[50] Gradually these courts, which numbered some 400 by1987, began to acquire the reputation of "kangaroo courts."[51]Given that these courts were characterized by apredetermined assumption of guilt of the accused, and instant redress, it isunsurprising that they often engaged in human rights abuses. The people's courtsof the "comrades" in some cases meted out beatings and whippings with a sjambok,with sentences of up to 300 lashes, and occasionally they passed a deathsentence. By the mid-1980s, those individuals accused of "political" crimes,such as collaboration, informing or being a "sell-out" (working as a councilloror a police officer) were "necklaced" for their alleged crimes. The necklacemethod involves the placing of a petrol-filled tyre around the accused's neckthat is then set alight. Estimates suggest that between 1985 and 1990 some 350to 400 people were killed by this method of execution with a further 500necklaced between 1990 and 1994.[52]

Not everyone within the townships supported the anti-apartheid struggle andby the mid-1980s vigilante groups in opposition to the "comrades" and supportiveof the status quo had emerged. Such groups were violent, organized and receivedvarying degrees of police support. Members included local élites includingbusinessmen, elders and their supporters, urban gangsters and police personnel.[53]These vigilantes only responded to "political"

crime,which was defined broadly as any action against the apartheid state. Theiractivities included physical attacks on individuals and the destruction ofdwellings. By 1988, more than 90 percent ofunrest related deaths were attributed to vigilante violence and some 6 to 7,000people had died by 1992 as a result of such attacks.[54]

The various mechanisms developed by the township inhabitants to counter crimewithin their areas received varying degrees of community support and legitimacy.Like the makgotla before them, the people's courts of the "comrades" lostsupport when their methods and punishments became more arbitrary and violent. AsMike Brogden and Clifford Shearing note, "township ordering processes could onlywork effectively as long as they were regarded as legitimate by all those whoappeared before them - or dared not resort to the state system."[55]With the ending of apartheid and the negotiation ofa political settlement, the question arose as to whether community responses tocrime would continue in the "new" South Africa?

Crime in the Post-Conflict Era

In the years leading up to South Africa's first multi-racial democraticelections the country experienced both a decline in overt political violence anda dramatic rise in "normal" crime. Figures for the transition years of 1990 to1994 show a 7 percent decrease in the murder rate but increases in rape (42percent), robbery (40 percent), vehicle theft (34 percent) and burglary (20percent).[56]In the same period, people's courts continued tooperate and employ varying degrees of punishment. For example, in Nyanga (nearCape Town) two men were given a 100 lashes for stealing a pair of shoes[57]while in Mamelodi (near Pretoria) a newspaper reporterwas sentenced to 500 lashes for writing about the township's informal courts.[58]Given the reputation of people's courts for brutalityand summary justice, anti-crime committees have been set up within a number oftownships. In some areas training programs have been developed and operationalguidelines issued. The committees have had varied success.[59]Furthermore, non-violent community courts have alsobeen established. These courts, or forums as they are frequently known, operatea restorative justice philosophy echoing the practices of the makgotla and seekto involve the community directly in the resolution of disputes and problems.Punishments are non-physical and incorporate an element of shaming. A communityforum co-ordinator explains how this is done to those found guilty:

We educate them so that they respect the community, . . . it's not apunishment where people are sjambokked, it's education where people getthemselves embarrassed. [W]hen people come from work, they want to see thepeople who have been punished by the court . . .. So people like to see them .. . [and] if they see you there they will laugh at you. Everybody will know hewas a thief, or whatever.[60]

The democratic elections of 1994 saw the formation of a new government, onethat was finally recognized by the majority of the population of South Africa asbeing the legitimate government of the people. This (new) government inheritedits predecessor's structures of law and order. Subsequently, it has attempted toaddress the problems of illegitimacy and accountability within the criminaljustice system. In 1995, the South

African Police Service Act[61]was passed. This act not only renamed the police butalso envisaged their transformation into a public service provider. It alsoallowed for greater civilian oversight and community cooperation with the policethrough the creation of Community Police Forums. Within the magistrate's courtsystem, lay assessors drawn from the community have been introduced therebygiving the community a greater say in the sentencing of those found guilty ofcrime. More recently, the Law Commission[62]has begun to explore the possibility of not onlyrecognizing the informal community court structures that operate a restorativejustice approach in the townships, but also incorporating them into the formalsystem. It should be noted that these reforms have not resulted in theeradication of informal justice in the townships. Indeed, there has been agrowth in extra-state mechanisms of law and order together with a decliningconfidence in the state to provide a safe and secure environment. High crimerates, perceived police ineffectiveness and alleged corruption within thecriminal justice system have all contributed to the continued existence ofretributive informal justice. To those who can afford it the private securityindustry now provides safety and security for a fee. It is estimated that theprivate security industry is worth more than R9bn (approximately US$1.145bn) andthat the ratio of private security personnel to uniformed police officers isfour to one.[63]Those communities who cannot afford this alternativeprotection have to rely on their own initiatives. The "comrades" are no longerinvolved in anti-crime activities; rather new groups have emerged that includePeninsula Anti-Crime Agency (PEACA)[64]in the Western Cape, Mapogo a Mathamaga[65]in the Northern Province and the willingness of taxiassociations in some townships to become involved in crime solving for a fee.Furthermore, in some cases spontaneous mobs form to mete out justice to allegedcriminals. All of these groups stand accused of using corporal punishment andviolence in responding to crime. Indeed Mapogo's leader, John Magolego, assertsthat public flogging, "is the African way of stopping crime. The criminal mustlie on the ground, and we must work on his buttocks and put him right."[66]Alleged suspects are usually beaten until they confessor provide information as to the whereabouts of stolen goods. Mapogo has alsobeen accused of throwing suspects into crocodile-infested waters, whiletaxi-drivers in Guguletu are implicated in dragging alleged criminals behindvehicles.

To the inhabitants of the townships, the kangaroo courts of the taxiassociations or justice of the mob are the only effective source of crimecontrol and justice available to them. The police and criminal justice system,although accepted as legitimate, are perceived as ineffective, cumbersome and insome instances corrupt. The anti-crime activities of the taxi-drivers inGuguletu were seen by many residents as an effective crime control measure; notonly were goods and monies retrieved and the alleged criminal dealt with, butthe actions of the taxi-drivers were viewed as a deterrent to other criminals inthe area. Crime figures cited in the Cape Times for the first month of thetaxi-drivers' actions show a decrease in theft (21 percent), murder (56 percent)and housebreaking (24 percent) in the area.[67]Superintendent Conradie, head of crime prevention atGuguletu Police Station, while condemning the taxi-drivers' methods,acknowledged that crime had risen since their anti-crime activities had stopped:"After these people of the taxis were arrested, immediately there was anenormous lot of robberies especially with firearms and the taxi

people reallymade a difference."[68]Community endorsement and support for the taxi-driversare outlined by two interviewees:

You have just bought a new microwave, a new fridge and so on. Perhaps you goto work, the kids go to school, you come back later during the day andeverything is gone and it's quite a difficult situation. You have seen the taxipeople working. They were able to catch the thief, bring back the stolen goods.So you are obviously driven towards the taxi people to ask for help. Immediatelythey have picked up the individual and the individual has dished out thenecessary information in terms of where the goods are. The taxi people go beyondthat to the extent of perhaps killing the person, and that leaves the communityspirit crushed.

People go to the taxis because they are looking for a quick fix, because thepolice is a long road that can take years. The taxis, you go now and you getyour stuff in the afternoon, and the case is solved, everything.[69]

In addition to the developments in the black townships, an organizedvigilante group has also emerged from within the coloured and predominantlyMuslim community living in the Western Cape. This community lives predominantlyin the townships of the Cape Flats, which are characterized by the existence ofgangs. Some of these gangs have long histories and it is estimated that thereare up to 80,000 active gang members in the Cape belonging to some 137 gangs.[70]Crime, including murder, rape and drug abuse, aredaily experiences for the people living and working in these townships. PeopleAgainst Gangsterism And Drugs (PAGAD) was established toward the end of 1995 andarticulated a number of stated aims and objectives:

- to propagate the eradication of drugs and gangsterism from society;
- to cooperate with, and to coordinate the activities of similar mindedpeople and groups;
- to encourage the incorporation of these people and other groups intoPAGAD's campaign;
- to generate funds to realize their stated aims.[71]

PAGAD acknowledges that it holds large-scale public meetings and protests,stages marches to the homes of alleged drug dealers and gangsters, and issueswarnings and ultimatums to individuals involved in drugs and gang-related crime.However, the organization denies that it is involved in drive-by shootings,petrol and pipe-bombings and other shootings, although its members were capturedon film shooting and then setting alight Rashaad Staggie, a leader of the "HardLivings" gang in August 1996. Individuals who have dared to criticize PAGAD'smethods have also been targeted. For example, Dr Ebrahim Moosa, an academic atthe University of Cape Town, had his home bombed after criticizing theirvigilante tactics on the Muslim radio station Radio 786. A leaked militaryintelligence report suggests that between March and July 1998 PAGAD targeted 86alleged drug dealers and succeeded in killing 24.[72] Furthermore, thepolice attribute 188 out of the 667 violent attacks recorded in Cape Town in1998 to PAGAD, and arrested 28 suspects with links to the organization.[73]Its members have been charged with

a range ofoffences, including sedition, murder, attempted murder, possession of illegalfirearms, malicious damage to property and public violence. Initially, PAGADreceived backing from the Muslim community; support rose from around 6,000 inMay 1996 to 100,000 in the following year.[74]An Institute for Democracy in South Africa (IDASA)survey in September 1996 found that nearly one-third of those surveyed supportedPAGAD.[75]However, more recently original supporters, includingindividuals and Muslim groups, have begun to distance themselves from theorganization. The Safety and Security Minister, Steve Tshwete, regards PAGAD as"terrorists, pure and simple."[76] The state has advocated a much harsher response totheir activities and has proposed a new Anti-Terrorism Bill[77]that would allow for the detention of suspects for14 days and the banning of organizations like PAGAD.

In discussing community responses to crime it is important to remember thatthe recourse to violent action outside the formal institutions of the state is awell-established principle in South Africa. Indeed, a "culture of violence" canbe said to exist in which society endorses and accepts violence as an acceptableand legitimate means to resolve not only problems but also to achieve goals.[78]The Reverend Frank Chikane wrote in 1987 that "themost tragic reflection of [the] war situation in which South Africa finds itselfis that it faces the years to come with children who have been socialised tofind violence completely acceptable and human life cheap."[79]In the period before the unbanning of the ANC and thelifting of the state of emergency (February 1990) much of the conflict andviolence was driven by township residents' opposition to apartheid and theirattempts to make the townships ungovernable. This included rent, services andconsumer boycotts, worker stayaways, protest marches and mass mobilization. Thestate responded by imposing a state of emergency and clamped down on overtpolitical activity thus leading to confrontation between township residents andthe security forces. The period leading up to democracy (1990-94) wascharacterized by both inter- and intra-community violence facilitated by thederegulation of the repressive state security forces and the legitimization ofviolence by all political groupings prior to the 1990s.[80]In democratic South Africa violence is endemic andcan be found in almost all parts of social life, including attacks againstillegal aliens and xenophobia, campus violence, domestic violence, minibus taxi"wars" and violent crime.[81] Thus the sjambokking of "skollies" (local hoodlums)by organized groups such as Mapogo or the coming together of concerned communitymembers like taxi-drivers or ex-combatants has become common place in thetownships in the "new" South Africa.

CONCLUSIONS

What "lessons," if any, can Northern Ireland draw from the South Africanexperience? Firstly, the implementation of reforms needs to involve a "wholepackage" approach. The police reforms in South Africa have addressed the problemof legitimacy but new problems of effectiveness and transparency have emerged.The "new" police service established in 1995 has inherited many of the personnelrecruited during the apartheid years, some of whom are badly trained andeducated. It is estimated that 25 percent are illiterate and around 13 percentdo not hold a driver's licence, although the ability to read and write andpossess a formal driver's licence are requirements of the South African

PoliceServices Act.[82] The service also suffers from a lack of resources, detective training and high absenteeism. The creation of Community PolicingForums and encouragement of community involvement also appears to be a rathersuperficial measure given the general lack of resources and, in some cases, police antagonism to civilian scrutiny. The introduction of lay assessors atmagistrate court level was designed to allow the community a greater say inmatters of concern to them. Much confusion exists about the scheme and itappears to be haphazardly applied, working in some areas and not in others. Thelow levels of state aid to people without work in addition to the high levels ofunemployment exacerbate the crime situation in the townships. For some, crime isthe only option if they are to survive. Unless economic reforms are implementedto alleviate levels of poverty and deprivation then crime will continue to be aproblem in the townships. Secondly, on the issue of community restorativejustice the townships have a long history of such an approach and even in thosetownships where it is operating successfully, instances of retributive informaljustice still occur. Community restorative justice projects are a relativelyrecent approach in Northern Ireland and there is no guarantee that they willwork or result in a cessation of "punishment" attacks. Thirdly, in South Africathe police are now accepted as legitimate but a culture of violence persists.The "comrades" may no longer "police" the townships but other groupings haveemerged who are willing to mete out their version of justice and/or retrievestolen goods, thus bypassing the formal criminal justice system. A negotiatedpeace that results in the community accepting the formal system does notnecessarily mean that the utilization of often "successful" methods ofretributive informal justice will be abandoned. This is particularly relevant inNorthern Ireland where progress towards a post-conflict society is dependent onovercoming obstacles to police reform, demilitarization and decommissioning ofparamilitary arms. In circumstances where reform of the key organs of crimeprevention, the police and criminal justice system, are inextricably bound tothe faltering political process, then communities will continue to seek redressthrough the paramilitaries. For those in Northern Ireland and South Africaweaned on political violence, the promise of a robust and effective formalsystem of criminal justice seems a rather remote prospect. In the meantime, thealternative informal system continues, sustained by a demand from communitiesconditioned to violence who endorse, without necessarily agreeing, with itsexcesses. The key lesson for Northern Ireland is that political, constitutionaland criminal justice reforms must operate in tandem to restore confidence incommunities that real change is taking place. There must be an acceptance thatsuch change will not happen overnight and the process is fragile and subject toscrutiny by those suspicious of its effectiveness. Any hint that the guarantorsof change (e.g. Equality Commission, Police Ombudsman, Patten)[83] are being frustrated in their efforts, will simplyreinforce community mistrust and reassert their reliance on paramilitaries. Theultimate goal is the transition from "an acceptable level of violence" to realpeace.

Endnotes

This research was conducted as part of the University of Ulster's ViolenceResearch Project examining violence in the community with particular referenceto Northern

Ireland and South Africa, and received funding from the UnitedKingdom's Economic and Social Research Council.

1.   South African Institute of RaceRelations, South Africa Survey 1997/1998 (Johannesburg: SAIRR, 1999), p.51.

2.   Thabo Mbeki, Presidential InaugurationSpeech (Pretoria),http://www.anc.org.za/ancdocs/history/mbeki/1999/tm0616.html,16 June 1999.

3.   "Mandela's Heir," The Economist, 29 May1999, p. 8; and "A Society of Rapists," Weekly Mail and Guardian (Johannesburg),http://www.mg.co.za/mg/news/2000apr1/7apr-rape.html,7 April 2000.

4.   The Economist, p. 23.

5.   http://www.nio.gov.uk/agreement.htm.

6.   http://cain.ulst.ac.uk/issues/politics/election/ref1998.htm

7.   Peter Mandelson, Article by theSecretary of State for Northern Ireland for Newsweek (Belfast: Northern IrelandInformation Service, 21 February 2000), p. 1.   The Irish Republican Army (IRA)is the main republican paramilitary group and was formed in 1970 following asplit within the republican movement.

8.   Figures for shootings and beatings werefirst recorded in 1973 and 1982 respectively and show that loyalists wereresponsible for 42 percent of the shootings and 45 percent of the beatings;republicans carried out the remainder.

9.   The Mitchell review was an 11-weekexamination of the deadlocked peace process by George Mitchell, the former USsenator, who had previously chaired the multi-party talks that led to theBelfast Agreement. During the review, Senator Mitchell met with all thepolitical parties in an attempt to break the deadlock over the decommissioningof paramilitary weapons and the implementation of an inclusive powersharingexecutive. For more information, seehttp://news.bbc.co.uk/hi/english/static/northern_ireland/understanding/events/mitchell_review.htm.

10.   Sinn Féin submission to the Mitchellreview, "Defending the Good Friday Agreement,"http://cain.ulst.ac.uk/events/peace/docs/sf2999.htm,23 September 1999.

11.   Mo Mowlam, Secretary of State'sjudgement on alleged breach of the cease-fire (Belfast: Northern Ireland Office,27 August 1999), p. 1.

12.   The application of the term "community"is problematic and some writers such as Eric Pelser have questioned whether itexists in South Africa in any identifiable form. Consequently for the purpose ofthis article the term is being used very loosely. Eric

Pelser, The Challenges ofCommunity Policing in South Africa, Occasional Paper No.42. Institute of Security Studies,http://www.iss.co.za/Pubs/PAPERS/42/Paper%2042.html(September 1999), p. 6.

13.   "Republicans" refers to those personswho give tacit or actual support to the use of force in the pursuit of a unitedIreland.

14.   Northern Ireland Office, Fear of Crimeand Victimisation in Northern Ireland (Belfast: Northern Ireland Office,Statistics and Research Branch, 1999), p. 1.

15.   The Police Authority is an independentbody that is charged under the Police (Northern Ireland) Act 1998 with securingthe maintenance of an efficient and effective police service. It is also obligedto make arrangements for obtaining the views of people about policing and forobtaining their cooperation with the police in preventing crime. It wasestablished in 1970 and is due to be replaced by a new Policing Board as aresult of the recommendations of the Independent Commission on Policing inNorthern Ireland (the Patten Report).

16.   The RUC is the police force of NorthernIreland and was established in 1922.

17.   Police Authority for Northern Ireland,Listening to the Community, Working with the RUC: a report on police performancein Northern Ireland 1998/99 (Belfast: The Police Authority for Northern Ireland,1999), p. 9.

18.   Violent crime includes violence againstthe person, robbery and sexual offences.

19.   Gordon C. Barclay and Cynthia Tavares,International Comparisons of Criminal Justice Statistics 1998 (London: HomeOffice, 2000), pp. 2-4.

20.   S. Kiley, "How Political Violence CanGive Way to Organised Crime," Sunday Times (London), 10 September 1999, p.17.

21.   Mark Shaw, "South Africa: Crime inTransition," Terrorism and Political Violence 8, no. 4 (Winter 1996), pp.156-75.

22.   Ibid., p. 159.

23.   South African Institute of RaceRelations, South Africa Survey 1997/1998, pp. 29-31.

24.   Shaw, "South Africa: Crime inTransition," p. 156.

25.   Ronnie Munck, "The Lads and the Hoods:Alternative Justice in an Irish Context," in M. Tomlinson, T. Varley and C.McCullagh, eds., Whose Law and Order? (Belfast: Sociological Association ofIreland, Queen's University, 1988), pp. 41-53; and Liam Kennedy, "Nightmareswithin Nightmares: Paramilitary Repression within Working-Class

Communities," inLiam Kennedy, ed., Crime and Punishment in West Belfast (Belfast: The SummerSchool, West Belfast, 1995), pp. 67-80.

26. Andrew Hamilton and Linda Moore,"Policing a Divided Society," in Seamus Dunn, ed., Facets of Conflict inNorthern Ireland (London: Macmillan, 1995), pp. 187-98; and Mary O'Rawe andLinda Moore, Human Rights on Duty - Principles for Better Policing:International Lessons for Northern Ireland (Belfast: Committee on theAdministration of Justice, 1997), p. 195.

27. Strictly speaking, the term refers to aperson who is loyal to the British Crown. It is also used to describe thosepeople who give tacit or actual support to the use of force to defend the unionwith Britain.

28. Pat Conway, "Critical Reflections: AResponse to Paramilitary Policing in Northern Ireland," Critical Criminology 8,no.1 (Spring 1997), pp. 109-21.

29. Andrew Silke, "The Lords of Discipline:The Methods and Motives of Paramilitary Vigilantism in Northern Ireland," LowIntensity Conflict and Law Enforcement 7, no. 2 (Autumn 1998), pp. 121-56.

30. Focus group interviews, Belfast,September 1999. Breezeblocks are building blocks made out of cinders and cement.Kneecapping refers to the shooting in the legs to lame a person.

31. In order for political parties to beincluded in the multi-party talks they were required to commit to sixfundamental principles (the Mitchell Principles) of democracy and non-violence:democratic and exclusively peaceful means of resolving political issues; to thetotal disarmament of paramilitary organizations; to agree that such disarmamentmust be verifiable to the satisfaction of an independent commission; to renouncefor themselves, and to oppose any effort by others, to use force, or threaten touse force, to influence the course or outcome of all-party negotiations; toagree to abide by the terms of any agreement reached in all-party negotiationsand to resort to democratic and exclusively peaceful methods in trying to alterany aspect of that outcome with which they may disagree; and, to urge that"punishment" killings and beatings stop and to take effective steps to preventsuch actions.

32. Focus group interview, Belfast, November1999.

33. International Council on Human Rights,Ends and Means: Human Rights Approaches to Armed Groups (London: ICHRP, 1999),p. 6.

34. Howard Zehr, Changing Lenses: a newfocus for crime and justice (Scottdale, PA: Herald Press, 1990); and JimConsedine, Restorative Justice: Healing the Effects of Crime (Lyttelton, NewZealand: Ploughshares, 1999).

35.   Jim Auld, Brian Gormally, Kieran McEvoyand Michael Ritchie, Designing a System of Restorative Community Justice inNorthern Ireland: a discussion document (Belfast: Institute of Criminology andCriminal Justice, Queen's University, 1997).

36.   Criminal Justice Review Group, Review ofthe Criminal Justice System in Northern Ireland: a consultation paper (Belfast:Stationery Office, 1998), p. 42.

37.   Liz Trainor, "The Alternative toBack-street ÔJustice,'" Irish News, 1 November 1999, p. 2. The "Provo policeforce" refers to the IRA acting as a police force.

38.   David Trimble, "Restorative Justice,"Commons Hansard Debate, 12 January 2000, p. 263.

39.   Adam Ingram, "Restorative Justice,"Commons Hansard Debate, 12 January 2000, pp. 263-64.

40.   Mike Brogden, "Law, order and thejustice question," Fortnight no. 372, July/August 1998, pp. 14-15.

41.   Ibid., p. 14.

42.   Tom Winston, "Alternatives to PunishmentBeatings and Shootings in a Loyalist Community in Belfast," Critical Criminology8, no.1 (Spring 1997), pp. 122-28.

43.   Tom Winston, "Shankill Alternatives,"Fortnight no. 380, September 1999, pp. 18-19.

44.   http://www.nio.gov.uk/agreement.htm.

45.   J. Taylor, "Unionist anger as Mandelsonrejects RUC link," The Times (London), 27 March 2000, p. 3.

46.   John D. Brewer, Bill Lockhart and PaulaRodgers, "Informal Social Control and Crime Management in Belfast," The BritishJournal of Sociology 49, no.4 (December 1998), pp. 570-85.

47.   A. Smith, "Death by road in South Africafuelled by violence," The Independent on Sunday (London), 26 December 1999, p.3.

48.   Focus group interview, Belfast, November1999.

49.   The lekgotla is a court comprised ofelders of the community who convene a meeting to listen to disputes and problemswithin the community and pass judgement. The lekgotla emphasize a conservativemoral code including respect for elders, the importance of kin and patriarchalauthority. The plural of lekgotla is makgotla.

50.   Wilfried SchŠrf and Baba Ngcokoto,"Images of Punishment in the People's Courts of Cape Town 1985-7: fromPrefigurative Justice to Populist Violence," in N.C. Manganyi and A. du Toit,eds., Political Violence and the Struggle in South Africa (London: Macmillan,1990), p. 350.

51.   Mike Brogden and Clifford Shearing,Policing for a New South Africa (London: Routledge, 1993), p. 149; and AnthonyMinnaar, "Desperate Justice," Crime and Conflict 2 (Winter 1995), pp. 9-12.

52.   Minnaar, "Desperate Justice," p. 10.

53.   Nicholas Haysom, Mabangalala: The Riseof Right Wing Vigilantes in South Africa (Johannesburg: University ofWitwatersrand, 1986), pp. 1-11; and Martin J. Murray, The Revolution Deferred:The Painful Birth of Post-Apartheid South Africa (London: Verso, 1994), pp.80-81.

54.   Murray, The Revolution Deferred, p.81.

55.   Brogden and Shearing, Policing for a NewSouth Africa, p. 164.

56.   Shaw, "South Africa: Crime inTransition," p. 159.

57.   South African Press Association, "Menget 100 lashes for stealing shoes," The Citizen (Johannesburg), 18 January1991.

58.   Nomusa Cembi, "Caught reporting - 500lashes," The Echo (Secunda, Mpumalanga), 14 March 1991.

59.   Minnaar, "Desperate Justice," pp.11-12.

60.   Interview with Sipho Citabatwa,Guguletu, March 1999.

61. http://www.polity.org.za/govdocs/legislation/laws95.html.

62.   South African Law Commission, CommunityDispute Resolution Structures, Discussion Paper 87, Project 94, October 1999

63.   Martin Schšnteich, Unshackling the CrimeFighters (Johannesburg: SAIRR, 1999), pp. 21-24.

64.   PEACA is based in Khayelitsha, atownship near Cape Town. It was formed in August 1998 by ex-combatants of theliberation struggle who came together to fight crime and its members number1,500.

65.   Mapogo a Mathamaga was established inAugust 1996 and has some 40,000 members who pay a monthly subscription to theorganization in return for protection against crime.

66.   Quoted in Mungo Soggot and Evidence waka Ngobeni, "We must work on their buttocks," Weekly Mail and Guardian(Johannesburg),http://www.sn.apc.org/wmail/issues/990514/NEWS33.html,14 May 1999.

67.   Eric Ntabazalila and Motshidisi Mokwena,"Crime rate is dropping in Guguletu, say residents," Cape Times (Cape Town), NDAugust 1998.

68.   Interview, Guguletu, November 1999.

69.   Focus group interview, Guguletu,November 1999.

70.   Figures quoted by Superintendent AlHeylinger, Commander of the Police Gang Investigation Unit cited in B. WhiteHaefele, "Islamic Fundamentalism and Pagad: An Internal Security Issue for SouthAfrica," Crime and Conflict 11, (Autumn 1998), p. 10.

71.   Taken from PAGAD's webpage,http://www.pagad.co.za/aims.htm.

72.   Sapa-AFP, "Intelligence report links 24killings to Pagad," Sowetan (Johannesburg), 25 February 1999.

73.   Figures taken from R. Hartley, B. Jordanand J. Heard, "Grim warning after Cape blast," Sunday Times (Johannesburg),http://www.suntimes.co.za/1999/01/03/news/news01.htm,3 January 1999.

74.   White Haefele, "Islamic Fundamentalismand Pagad," p.10.

75.   Cherrel Africa, Jennifer Christie,Robert Mattes, Marlene Roefs and Helen Taylor, "Crime and community action:Pagad and the Cape Flats, 1996-1997," Public Opinion Service Reports 4, (June1998), p. 24.

76.   Steve Mann, "Seven hurt in latest Capebombing," Weekly Mail and Guardian (Johannesburg),http://www.mg.co.za/mg/za/news.html,13 September 2000.

77.   Republic of South Africa, Anti-TerrorismBill 2000 (Draft),http://www.law.wits.ac.za/salc/discussion.

78.   Brandon Hamber and Sharon Lewis, AnOverview of the Consequences of Violence and Trauma in South Africa(Johannesburg: Centre for the Study of Violence and Reconciliation, 1997), p.1.

79.   Anthony M. Mehlwana, "Political violenceand family movements: The case of an South African shanty town," in L. Glanz andA. Spiegel, eds., Violence and Family Life in a Contemporary South Africa:Research and Policy Issues (Pretoria: HSRC Publishers, 1996), p. 31

80.   Brandon Hamber, "Dr Jekyll and Mr Hyde:Problems of violence prevention and reconciliation in South Africa's transitionto democracy," in E. Bornman, R. van Eeden and M. Wentzel, eds., Violence inSouth Africa (Pretoria: HSRC, 1998), p. 353.

81.   Anthony Minnaar, Sam Pretorius and MarieWentzel, "Political conflict and other manifestations of violence in SouthAfrica," in E. Bornman, R. van Eeden and M. Wentzel, eds., Violence in SouthAfrica, pp. 14-15.

82.   Estelle Randall, "Lack of schooled copsplagues SAPS," The Sunday Independent (Johannesburg),http://www.iol.co.za/news, 19 February2000.

83.   The Equality Commission for Northern Ireland was set up on 1 October1999 and took over the functions of the Equal Opportunities Commission forNorthern Ireland, the Commission for Racial Equality for Northern Ireland, theFair Employment Commission and the Disability Council for Northern Ireland. Itis responsible for enforcing the statutory duty on all public authorities inNorthern Ireland to have due regard to the need to promote equality ofopportunity across a range of areas including religion, political opinion,gender, race, age, marital status, sexual orientation, disability and those withor without dependants. The Police Ombudsman was established by the Police(Northern Ireland) Act 1998 to exercise independent control of the policecomplaints system. Under the Act the Ombudsman must secure the efficiency,effectiveness and independence of the police complaints system; and theconfidence of the public and of members of the police force in that system.